

**Regional Center of Orange County
Self-Determination Program Local Advisory Committee Meeting
Date: September 22nd, 2025
6:30 p.m. - 8:30 p.m.
Zoom Meeting**

Present:

Beth Martinko, Parent

Crystal Chavez, Regional Center of Orange County (RCOC) Self Determination Program
(SDP) Coordinator

Gihong (Collin) Kwon, RCOC SDP Participant Choice Specialist

Evelyn Pinto, RCOC SDP Participant Choice Specialist

Hannah Pickett, Office of Clients' Rights Advocacy (OCRA)

Jennifer Montanez, RCOC Director of Case Management

Kaitlynn Truong, Comfort Connection Family Resource Center

Karen Pagano, Parent

Renu Moon, Parent

Scarlett Von Thenen, Orange County Office on the State Council on Developmental Disabilities
(SCDD)

Tina Blabagno, RCOC SDP Participant Choice Specialist

Tina Stang, Parent

I. Welcome and Introductions

Beth Martinko, committee member, called the meeting to order at 6:31 p.m. Ms. Martinko welcomed all attendees of the Self-Determination Program Local Volunteer Advisory Committee (SDP LVAC) Meeting. All committee members introduced themselves.

II. Approval of July 14 2025 Meeting Summary

The committee reviewed the minutes from the July 14, 2025 meeting. Ms. Renu Moon made motion to approve the meeting minutes from the July 14, 2025. Ms. Kaitlynn Truong seconded the motion. All committee members voted in favor of approving the minutes, except for Ms. Scarlett VonThenen who abstained due to not attending.

III. Home and Base Community Services (HCBS) Presentation

Ms. Nancy Lopez and Ms. Vanessa Pulido from RCOC provided a presentation related to HCBS overview. This presentation reviewed HCBS requirements, as well as the rights and accessibility of a Person Served.

A community member requested to know if this presentation will be available on the RCOC website and Ms. Crystal Chavez confirmed the presentation would be included in the SDP LVAC minutes and later posted on the RCOC website. Ms. Lopez further shared there are additional resources available on the Department of Developmental Services (DDS) website.

A community member asked if this presentation will be available in other languages and Ms. Chavez confirmed that this would be available and included in the LVAC Minutes.

Ms. VonThenen provided the SCDD SDP orientation link that is available to families who would like to begin the SDP process.

IV. Difference in SDP FMS Models

Mr. Tony Venzor from SequoiaSD, Inc, an SDP Financial Management Services (FMS) agency, provided a presentation reviewing the different service models available; Bill Payer, Co-Employer, and Sole Employer. Mr. Venzor noted that he is only presenting on these describing the difference in the models types available in SDP and is not affiliated with DDS.

Mr. Venzor reviewed who the legal employer for each service model is along with who is responsible for onboarding employees, supervising and scheduling, hiring, firing, worker's compensation insurance, liability insurance, health insurance, vendor payments, purchases, and family/participant liability.

Ms. Moon requested information related to Employment Practices Liability Insurance (EPLI). Mr. Venzor briefly reviewed EPLI in relation to discrimination, harassment, retaliation, wrongful termination, and the possibility of providers suing employers. Ms. Chavez noted that each FMS agency has their own procedure and encouraged each family to reach out to their own FMS agency to review their own policy in regards to this liability coverage.

A community member requested to clarify if there are exceptions available for care providers to utilize paper time sheets instead of Electronic Visit Verification (EVV). Mr. Venzor noted that EVV is a federal law requirement and that the only exception is for Live-In caregivers, who would still be required to complete the required paperwork.

Break at 7:45 PM

Meeting resumed at 7:50 PM

Ms. Karen Pagano requested to review liability insurance through the traditional model at RCOC. Ms. Jennifer Montanez shared that RCOC requires vendors to have specific insurance coverage in order to be vendored through RCOC. Ms. Pagano asked if SDP funds could be utilized to purchase EPLI on Spending Plans. Mr. Venzor deferred this decision to RCOC. Ms. Montanez stated this would be reviewed by RCOC for further discussion. Ms. Martinko requested that this inquiry be addressed at the next LVAC meeting scheduled.

A community member inquired as to how to become a live-in caregiver so they did not need to submit an EVV compliant timesheet. Ms. Chavez noted the best person to provide that response would be the elected SDP FMS provider the individual chose to work with in SDP.

**V. Funding to Support Implementation of the Self-Determination Program
for Fiscal Year 2023-2024**

a. SDP Resource Fair Follow-up Update

Ms. Chavez indicated Public Partnership LLC (PPL) is unavailable to present at this LVAC meeting, however will be available to provide updates at the next scheduled LVAC meeting.

**VI. Funding to Support Implementation of the Self-Determination Program for Fiscal
Year 2024-2025**

**a. Review of Alternative Options for Funding to Support Implementation of the
Self-Determination Program**

**1. Training on Labor Laws for SDP participants, including Over-
Time Rules – Cost Review**

Ms. Martinko requested to review this topic of discussion at the next LVAC Meeting.

2. Review of Survey Items

Ms. Martinko requested to review this topic of discussion at the next LVAC Meeting.

Ms. Chavez requested to clarify the motion made for the ticket purchases related to the upcoming Disability Voices United (DVU) Conference. Ms. Chavez noted the recommendation from the last SDP LVAC meeting was to fund up to \$10,000 for a Person Served and one SDP team member. Ms. Chavez noted that SDP LVAC funding does not typically go to pay for Regional Center Staff.

Ms. Moon motioned to utilize SDP funds to pay for up to one Person Served and/or two family members. Ms. Martinko seconded this motion. Ms. VonThenen then requested to amend the motion to indicate one Person Served and/or two

members of their circle of support, excluding service coordinators, where one person could be a family member and the second person could be a support staff. Ms. Moon seconded this amended motion. Ms. Hannah Picket requested to clarify from DVU if it can be up to three tickets instead of two tickets. Ms. Kayley Proenza from DVU confirmed it can be up to three tickets and noted that the website will be updated accordingly tonight. All committee members voted in favor of the motion.

7. RCOC Self-Determination Activities:

a. Self-Determination Statistics

This item was reviewed in combination with the item below.

b. Self- Determination Demographics

Ms. Chavez shared there are currently 546 people actively receiving services through SDP. Since the last time we shared statistics on 2/24/25, 116 new individuals have entered into SDP. That is about an average of about 23/24 new individuals a month. Of the 546 people active in SDP, the ethnic/race breakdown is - Asian (147), Black/African-American (19), Hispanic (102), Native-American (3), other or Unknown (74), and White (201). Of the 546 people who are active in SDP, 189 people are from the West Area Office while 357 are from the Central Area Office.

There are currently 24,710 people who have an active case in Lanterman Services with RCOC. Of the 24,710 people who are with RCOC, the ethnic/race breakdown is - Asian (4763), Black/African-American (788), Hispanic (9347), Native-American (52), other or Unknown (2095), and White (7573). Of the 24,710 people who are with RCOC, 12803 people are from the West Area Office while 11907 are from the Central Area Office.

Ms. Chavez reviewed various outreach opportunities that RCOC SDP team has had recently, including providing a presentation about SDP for the Center for Autism & Neurodevelopmental Disorders (CAND), Conexiones Educativas Conference, and other small Spanish speaking support groups. Ms. Chavez indicated the RCOC SDP team is open to more community presentation opportunities.

Ms. Martinko inquired how RCOC is navigating various discrepancies regarding the two RCOC offices that the community has voiced they have experienced. Ms. Crystal ensured that both offices receive equal training at each office.

8. Community Input and Barriers to Completing the SDP Process

A community member noted inconsistency they've experienced in relation to social/recreational activities that have been allowed. Ms. Jennifer Montanez indicated the Purchase of Service (POS) Guidelines note two activities per week, however each individual's needs/activities are all individualized to meet the needs of each Person Served in accordance with their Individual Program Plan (IPP). The community member asked if cost is now a factor when reviewing these activities and Ms. Montanez stated since RCOC are stewards of public funds, RCOC will discuss and review for cost effective activities.

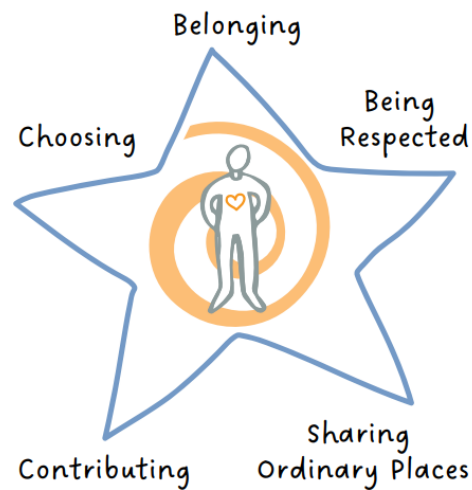
9. Agenda Items and Date of the Next Meeting

Due to time constraints, this item was not reviewed and the next meeting dates were requested to be sent to the committee members.

10. Adjourn

Meeting adjourned at 8:32pm

The Home and Community-Based Services (HCBS) Final Rule



Presenters:
Vanessa Pulido – HCBS Coordinator
Nancy Lopez – HCBS Coordinator

Goals for Today:

- Define the Home and Community-Based Services (HCBS) Final Rule
- Review how the HCBS Final Rule came to be
- Review what the HCBS Final Rule hopes to achieve
- Review which settings the HCBS Final Rule applies to
- Review HCBS Federal Requirements #1-10
- Review possible exceptions to the HCBS Federal Requirements



What is the Home and Community-Based Services (HCBS) Final Rule?

The HCBS Final Rule helps to ensure people with disabilities live the lives that they want for themselves and build connections with others, with the supports they need, in their own communities.



Brief History of Home and Community-Based Services

Medicaid used to not fund for Home and Community-Based Services. People could only get services in institutions (like developmental centers).

In the 1980's the U.S. government wrote a "waiver" to change the law.

The Home and Community Based Services (HCBS) Waiver changed the law to let Medicaid pay for services at home or in the community.

Service providers were required to meet this rule by March 17, 2023.

What is the Goal and Purpose of the HCBS Final Rule?

- To enhance the quality of life and maximize opportunities/choices for individuals served
- Promoting community integration by making sure individuals served have full access to their communities
- Making sure individuals have the opportunity to work and spend time with people in their community who do not have disabilities
- Ensuring individuals' preferences are supported and rights are being protected

What settings does the HCBS Final Rule apply to?

Settings the
HCBS Final Rule
apply to:

- Residential Settings (Community Care Facilities, Adult Family Home Agencies)
- Adult Day and Group Supported Employment Programs
- Social Recreational Programs

What settings
does the HCBS
Final Rule NOT
apply to:

- Nursing Homes
- Hospitals
- Intermediate Care Facilities for Individuals with Developmental Disabilities (ICF/DD)
- Institutions for Mental Diseases (IMD)

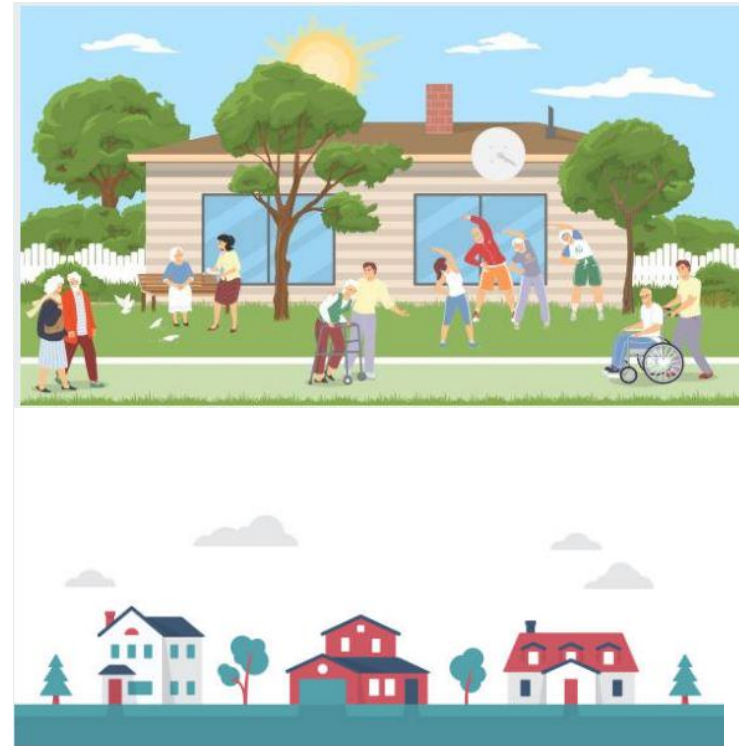
HCBS Requirement 1: Access to the Community

People with disabilities have the same opportunity to be an active and included member of their neighborhood and community as someone without disabilities



HCBS Requirement 2: Choice of Setting

This means that persons with disabilities get to choose where and how they live from among options that include settings where people without disabilities live and spend their day



HCBS Requirement 3: Right to be Treated Well

This means that a service provider must support individual rights, including privacy, dignity, respect, and freedom from coercion or restraint



Personal Rights Flyer

Rights of Individuals with Developmental Disabilities

Derechos de Personas Incapacitadas

Each person living in or receiving services in this facility has the following rights:
 Toda persona viviendo o recibiendo servicios en este lugar tiene los siguientes derechos:



You have the right to wear your own clothes. You should be able to pick the clothes you wear.
 Tienes el derecho de usar tu propia ropa. Tu podrás escoger la ropa que quieras usar.



You have the right to keep your own things in a private place that you can get into when you want.
 Tienes el derecho de tener tus cosas en un lugar privado para usarlas cuando quieras.



You have the right to see your friends, family, girlfriends or boyfriends every day.
 Tienes el derecho de ver a tus amigos, familia, novio(a) todos los días.



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 Tienes el derecho de decir NO a la terapia de descargas eléctricas.



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 Tienes el derecho de decir NO a una operación del cerebro, tan sólo porque la gente quiere que cambies tu forma de actuar.



You have the right to choose how you want to spend your free time and who you spend it with.
 Tienes el derecho de escoger como pasar tu tiempo libre y con quien.



You have the right to services that help you live, work and play in the most normal way possible.
 Tienes el derecho de recibir servicios que te ayuden a mejorar tu vida, a trabajar y jugar de la manera más normal posible.



You have the right to keep and spend your own money on the things that you want and to keep and use your own things.
 Tienes el derecho de tener y gastar tu dinero en cosas que quieras y tener y usar tus propias cosas.



You have the right to be treated well and with respect.
 Tienes el derecho de un trato justo y respetuoso.



You have the right to spend time alone or alone with a friend.
 Tienes el derecho de estar solo o con un amigo.



You have the right to go to school.
 Tienes el derecho de asistir a la escuela.



You have the right to see a doctor as soon as you need to.
 Tienes el derecho de ver a un doctor inmediatamente que lo necesites.



You have the right to be involved in a religion if you want to be.
 Tienes el derecho de participar en la religión que tu quieras.



You have the right to meet people and take part in your community activities.
 Tienes el derecho de conocer a otras personas y a tomar parte en las actividades de la comunidad.



You have the right to exercise and have fun.
 Tienes el derecho de disfrutar y hacer ejercicio.



You have the right to say "NO" to things that will put you in danger.
 Tienes el derecho de decir NO a las cosas que pudieran ponerte en peligro.



You have the right to make choices about where you live, who you live with, the way you spend your time and who you spend your time with.
 Tienes el derecho de escoger en donde vivir, con quien vivir, la manera de como y con quien usar tu tiempo.



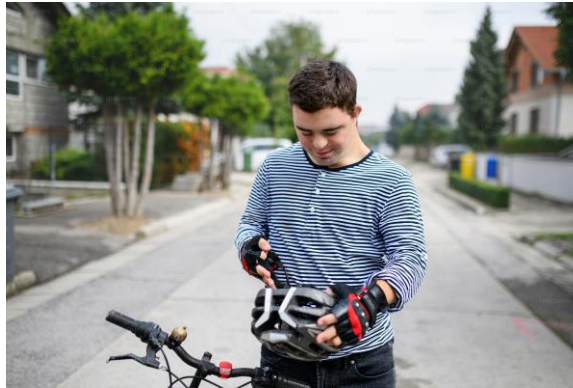
You have the right to say "NO" to drugs, being tied or held down, or being forced to be alone unless it is necessary to protect you or someone else.
 Tienes el derecho de decir "NO" a las drogas, de no ser atado, o de mantenerte separado al menos que sea necesario para protegerte o proteger a otras personas.



You may have other rights as provided by law or regulation.
 Tu pudieras tener otros derechos que la ley o las regulaciones proveen.

HCBS Requirement 4: Independence

Independence means that people with disabilities are in charge of making decisions about their life and decide what they want to do based on their interests, needs, and preferences



HCBS Requirement 5: Choice of Services and Supports

The service provider supports individuals with choosing their services and supports, and who provides them. An individual can choose who provides their services and where services are provided, based on their needs, preferences and goals



HCBS Requirement 6: Residential Agreement

Individuals have the same rights as you and I do if we are renting a home/room. This includes the protections regarding the eviction process and appeals as provided under the jurisdiction's tenant/landlord law.



IN SERVICE TO PEOPLE WITH DEVELOPMENTAL DISABILITIES

RCOC
REGIONAL CENTER
OF ORANGE COUNTY

**ADMISSION AGREEMENT
LICENSED AND VENDORIZED RESIDENTIAL FACILITY (24-HOUR NON-MEDICAL CARE)**

1. This is an agreement between Regional Center of Orange County (RCOC) on behalf of
(Resident) DOB: / UCL:
and (Licensee) for residence at (Facility)
effective Residence Name
Date of Placement

2. Licensee agrees to abide by all State laws and regulations, including appropriate sections from Title 22 and Title 17, California Code of Regulations (CCR), applicable to operating a licensed residential facility.

3. In conformance with Title 22, Section 85068.5 and Title 17, Section 56016, if this agreement is to be terminated by Licensee, oral notice (with written confirmation to follow) shall be provided immediately by the Licensee to RCOC, Resident, and/or Resident's authorized representative. Upon notification, RCOC shall relocate Resident within 30 days or within a time frame which has been mutually agreed upon by RCOC, Facility Administrator, Resident and/or Resident's authorized representative. In a situation which presents immediate danger to the health and well-being of Resident, RCOC may remove Resident, whether adult or minor, in accordance with Title 17, Section 56053. In such a situation, RCOC shall notify Resident, the authorized representative, if any, and the Facility Administrator that the Resident is believed to be in danger, the condition(s) constituting a danger, and that RCOC will stop payment upon relocation of Resident.

4. Services Provided by Licensee
Residence shall provide the following:

a. Clean, comfortable accommodation.	l. Assistance with medication as prescribed by a physician.
b. Private or semi-private room.	m. Emergency health care for temporary illness (365 days) with free tray meal served.
c. Cleaning of room weekly or more often as necessary.	n. Guidance toward self-care.
d. Clean linen weekly or more often as necessary, including bedding, towels and washcloths.	o. Aid in grooming.
e. Toilet articles e.g., toilet paper, soap and toothpaste.	p. Continuous, in-the-house supervision, unless a written exception is granted by Regional Center and licensing agency (Title 22, §80024).
f. Free basic personal laundry service (washing, ironing, mending) and laundry facility.	q. Social and Recreational activities.
g. Three nutritious meals a day.	r. Transportation to meet Resident's needs except as specified in the Individual Program Plan (IPP)
h. Modified diet, if prescribed.	s. Involvement in community activities.
i. Nutritious snacks.	
j. Ongoing health observation.	
k. Arrangement of medical/dental care.	

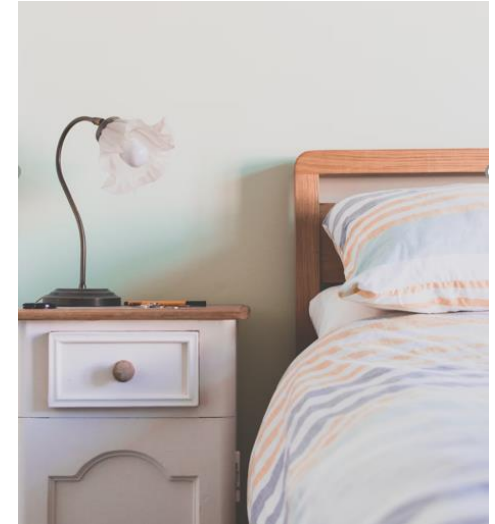
5. ☐ Resident or representative will handle his/her own personal and incidental (P&I) expense monies.
☐ Licensee will handle all Resident's cash resources (including, but not limited to, incidental expense monies (P&I), Renter's assistance, gifts, and earnings) according to current licensing regulations, and will maintain a satisfactory record of funds per RCOC instructions.

6. Resident shall not be evicted unless: (1) Resident, the authorized representative and RCOC have been notified, (2) the licensing agency has granted prior approval, (3) the Resident's behavior is threatening his/her own safety or the safety of others in the Facility, and (4) all procedures mandated by Title 22, Section 85068.5 and Title 17, Section 56020 have been completed.

Web Form #157 - Adapted 8/20
Admission Agreement

HCBS Requirement 7: Privacy

Each person will have privacy in his/her room or living unit. Homes shall have entrance bedroom doors that are lockable by the person, and only appropriate staff will have keys as needed. People sharing rooms in the home will have a choice of roommate in that setting. People can furnish and decorate their rooms or living spaces within the terms of the lease or other agreement.



Types of Doorknobs



Privacy



Passage



Keyed



Interior handle

HCBS Requirement 8 – Schedule and Access to Food

Supporting people in creating schedules that meet their needs and promote the lives they want to live. Providers will support individuals served with controlling their day-to-day lives in the same way people without disabilities do.



HCBS Requirement 9 – Right to Having Visitors

Persons served should have the opportunity to develop close, private, and personal relationships without unnecessary obstacles. Individuals will be able to have visitors in their home at any time, but at the same time be respectful and considerate of their housemates. Individuals should be supported by the service provider to work through these kinds of household agreements as would be expected in any home.



HCBS Requirement 10– Accessibility at Home

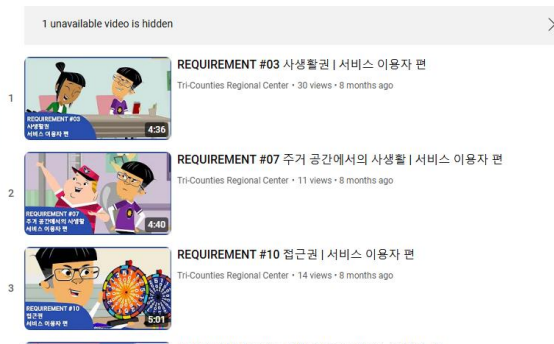
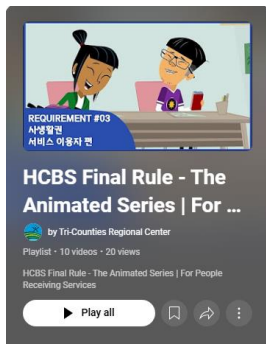
Providers will ensure that a person's physical environment meets the person's needs. People must be able to use shared areas in the home, such as kitchen, dining area, laundry area, and backyard, to the extent they desire, just like we all do in our homes.



Additional Resources

Check out the HCBS Final Rule Animated Series videos about the HCBS Final Rule requirements available in multiple languages

<https://www.youtube.com/@tri-countiesregionalcenter/playlists>



REQUIREMENT #1 - ACCESS TO THE COMMUNITY | FOR PEOPLE RECEIVING SERVICES

Tri-Counties Regional Center • 13K views • 1 year ago



REQUIREMENT #2 - CHOICE OF SETTING | FOR PEOPLE RECEIVING SERVICES

Tri-Counties Regional Center • 7.1K views • 1 year ago



REQUIREMENT #3 - RIGHT TO PRIVACY | FOR PEOPLE RECEIVING SERVICES

Tri-Counties Regional Center • 6.2K views • 1 year ago



REQUIREMENT #4 - RIGHT TO BE INDEPENDENT | FOR PEOPLE RECEIVING SERVICES

The background of the slide is composed of several overlapping, semi-transparent blue polygons. These shapes create a layered, geometric effect with varying shades of blue, ranging from light to a medium-dark tone. The overall composition is abstract and modern.

Questions?



www.rcocdd.com | 714.796.5100

Thank you!

Email: HCBS@rcocdd.com

Norma Definitiva Sobre los Servicios en el Hogar y la Comunidad (Home and Community-Based Services - HCBS)



Presentadores:

Vanessa Pulido – Coordinadora de HCBS

Nancy López – Coordinadora de HCBS

Metas para hoy:

- Definir la norma definitiva sobre los Servicios en el Hogar y la Comunidad (HCBS)
- Analizar cómo se elaboró la norma definitiva sobre HCBS
- Analizar qué se pretende lograr con la norma definitiva sobre HCBS
- Analizar a qué entornos se aplica la norma definitiva sobre HCBS
- Analizar los requisitos federales de HCBS del n.º 1 al 10
- Analizar las posibles excepciones a los requisitos federales de HCBS



¿En qué consiste la Norma Definitiva sobre los Servicios en el Hogar y la Comunidad (HCBS)?

La norma definitiva de HCBS ayuda a garantizar que las personas con discapacidad puedan vivir la vida que desean, conectarse con los demás y recibir los apoyos que necesitan dentro de sus propias comunidades.



Breve historia de Servicios Basados en el Hogar y la Comunidad

Medicaid anteriormente no proporcionaba fondos para Servicios Basados en el Hogar y la Comunidad. Las personas solo podían recibir servicios en instituciones (como los centros de desarrollo).

En la década de 1980, el gobierno de los Estados Unidos estableció una “exención” para cambiar la ley.

La Exención de Servicios Basados en el Hogar y la Comunidad (HCBS) cambió la ley para permitir que Medicaid pagara servicios en el hogar o en la comunidad.

Los proveedores de servicios debían cumplir con esta regla a más tardar el 17 de marzo de 2023.

¿Cuáles son los objetivos y el propósito de la Norma Definitiva de Servicios Basados en el Hogar y la Comunidad (HCBS)?

- Mejorar la calidad de vida y maximizar las oportunidades y opciones de las personas a las que se atiende
- Promover la integración en la comunidad asegurándose de que las personas a las que se atiende tengan pleno acceso a sus comunidades
- Asegurarse de que las personas tengan la oportunidad de trabajar y pasar tiempo con personas de su comunidad que no tengan discapacidades
- Apoyar las preferencias de las personas y proteger sus derechos

¿A qué entornos se aplica la Norma Definitiva de HCBS?

La Norma Definitiva de HCBS se aplica a:

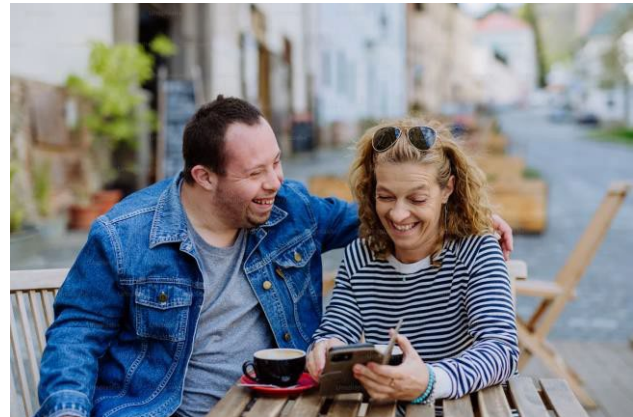
- Entornos Residenciales (Instalaciones de Cuidado Comunitario, Agencias de Hogares Familiares para Adultos)
- Programas Diurnos para Adultos y de Empleo Con Apoyo en Grupo
- Programas Sociales Recreativos

¿A qué entornos NO se aplica la Norma Definitiva de HCBS?:

- Instalaciones de enfermería especializada
- Hospitales
- Instalaciones de Cuidado Intermedio para Personas con Discapacidades del Desarrollo (ICF/DD)
- Instituciones para Enfermedades Mentales (IMD)

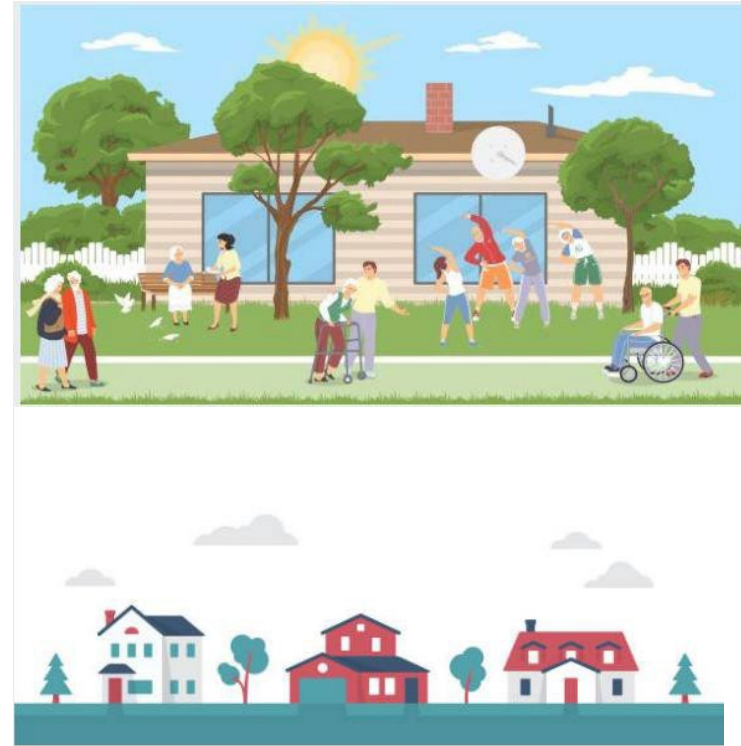
HCBS Requisito 1: Acceso a la comunidad

Las personas con discapacidad tienen las mismas oportunidades que las personas sin discapacidad de ser miembros activos e integrados de su vecindario y su comunidad



HCBS Requisito 2: Elección del entorno

Esto significa que las personas con discapacidad pueden elegir dónde y cómo vivir, entre opciones que incluyen entornos en los que viven y pasan el día personas sin discapacidad



HCBS Requisito 3: Derecho a ser tratado con respeto

Esto significa que un proveedor de servicios debe apoyar los derechos individuales, entre ellos la privacidad, la dignidad, el respeto y la libertad frente a la coacción o la restricción



Folleto sobre derechos personales

Rights of Individuals with Developmental Disabilities

Derechos de Personas Incapacitadas

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Toda persona viviendo o recibiendo servicios en este lugar tiene los siguientes derechos:



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Tienes el derecho de estar sólo o con un amigo.



You have the right to go to school.
Tienes el derecho de asistir a la escuela.



You have the right to see a doctor as soon as you need to.
Tienes el derecho de ver a un doctor inmediatamente que lo necesites.



You have the right to be involved in a religion if you want to be.
Tienes el derecho de participar en la religión que tu quieras.



You have the right to meet people and take part in your community activities.
Tienes el derecho de conocer a otras personas y a tomar parte en las actividades de la comunidad.



You have the right to exercise and have fun.
Tienes el derecho de disfrutar y hacer ejercicio.



You have the right to say "NO" to things that will put you in danger.
Tienes el derecho de decir NO a las cosas que pudieran ponerte en peligro.



You have the right to make choices about where you live, who you live with, the way you spend your time and who you spend your time with.
Tienes el derecho de escoger en donde vivir, con quien vivir, la manera de como y con quien usar tu tiempo.



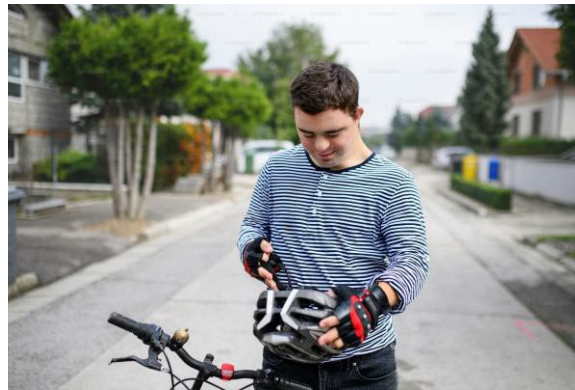
You have the right to say "NO" to drugs, being tied or held down, or being forced to be alone unless it is necessary to protect you or someone else.
Tienes el derecho de decir "NO" a las drogas, de no ser atado, o de mantenerte separado al menos que sea necesario para protegerte o proteger a otras personas.



You may have other rights as provided by law or regulation.
Tu pudieras tener otros derechos que la ley o las regulaciones proveen.

HCBS Requisito 4: Independencia

La independencia significa que las personas con discapacidad tienen el control sobre las decisiones relativas a su vida y eligen lo que desean hacer en función de sus intereses, necesidades y preferencias



HCBS Requisito 5: Elección de servicios y apoyos

El proveedor de servicios apoya a las personas en la elección de sus servicios y apoyos, así como en la determinación de quién les brinda los servicios y dónde se prestan. Cada persona puede elegir quién le brinda los servicios y dónde se prestan, según sus necesidades, preferencias y metas.



HCBS Requisito 6: Acuerdo de alojamiento

Las personas que alquilan una vivienda o una habitación tienen los mismos derechos que usted y yo. Esto incluye las garantías relativas al proceso de desalojo y a las apelaciones, tal como se establece en la ley de arrendadores y arrendatarios de la jurisdicción correspondiente.



IN SERVICE TO PEOPLE WITH DEVELOPMENTAL DISABILITIES

RCOC
REGIONAL CENTER
OF ORANGE COUNTY

ADMISSION AGREEMENT
LICENSED AND VENDORIZED RESIDENTIAL FACILITY (24-HOUR NON-MEDICAL CARE)

1. This is an agreement between Regional Center of Orange County (RCOC) on behalf of
(Resident) DOB: / UCL:
and (Licensee) for residence at (Facility)
effective Residence Name
Date of Placement

2. Licensee agrees to abide by all State laws and regulations, including appropriate sections from Title 22 and Title 17, California Code of Regulations (CCR), applicable to operating a licensed residential facility.

3. In conformance with Title 22, Section 85068.5 and Title 17, Section 56016, if this agreement is to be terminated by Licensee, oral notice (with written confirmation to follow) shall be provided immediately by the Licensee to RCOC, Resident, and/or Resident's authorized representative. Upon notification, RCOC shall relocate Resident within 30 days or within a time frame which has been mutually agreed upon by RCOC, Facility Administrator, Resident and/or Resident's authorized representative. In a situation which presents immediate danger to the health and well-being of Resident, RCOC may remove Resident, whether adult or minor, in accordance with Title 17, Section 56053. In such a situation, RCOC shall notify Resident, the authorized representative, if any, and the Facility Administrator that the Resident is believed to be in danger, the condition(s) constituting a danger, and that RCOC will stop payment upon relocation of Resident.

4. Services Provided by Licensee
Residence shall provide the following:

a. Clean, comfortable accommodation.	l. Assistance with medication as prescribed by a physician.
b. Private or semi-private room.	m. Emergency health care for temporary illness (365 days) with free tray meal served.
c. Cleaning of room weekly or more often as necessary.	n. Guidance toward self-care.
d. Clean linen weekly or more often as necessary, including bedding, towels and washcloths.	o. Aid in grooming.
e. Toilet articles e.g., toilet paper, soap and toothpaste.	p. Continuous, in-the-house supervision, unless a written exception is granted by Regional Center and licensing agency (Title 22, §80024).
f. Free basic personal laundry service (washing, ironing, mending) and laundry facility.	q. Social and Recreational activities.
g. Three nutritious meals a day.	r. Transportation to meet Resident's needs except as specified in the Individual Program Plan (IPP).
h. Modified diet, if prescribed.	s. Involvement in community activities.
i. Nutritious snacks.	
j. Ongoing health observation.	
k. Arrangement of medical/dental care.	

5. ☐ Resident or representative will handle his/her own personal and incidental (P&I) expense monies.
☐ Licensee will handle all Resident's cash resources (including, but not limited to, incidental expense monies (P&I), Renter's assistance, gifts, and earnings) according to current licensing regulations, and will maintain a satisfactory record of funds per RCOC instructions.

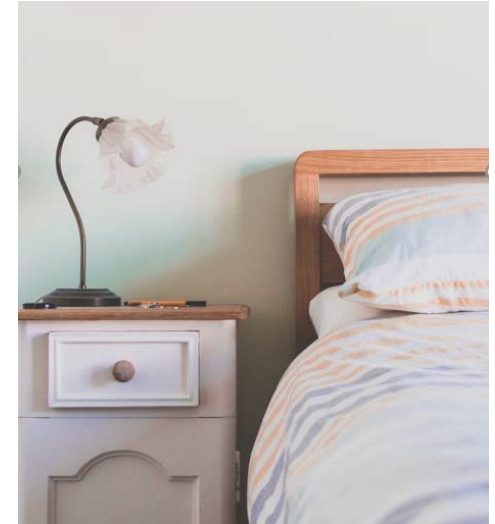
6. Resident shall not be evicted unless: (1) Resident, the authorized representative and RCOC have been notified, (2) the licensing agency has granted prior approval, (3) the Resident's behavior is threatening his/her own safety or the safety of others in the Facility, and (4) all procedures mandated by Title 22, Section 85068.5 and Title 17, Section 56020 have been completed.

Web Form #157 - Adapted 8/20
Admission Agreement

HCBS Requisito 7: Privacidad

Cada persona disfrutará de privacidad en su habitación o unidad de vivienda. Las viviendas contarán con puertas de entrada a las habitaciones que la persona podrá cerrar con llave, y solo el personal autorizado tendrá las llaves cuando sea necesario. Las personas que compartan habitaciones en la vivienda podrán elegir a su compañero de cuarto en ese entorno.

Las personas podrán amueblar y decorar sus habitaciones o espacios de vivienda dentro de los términos del contrato de arrendamiento u otro acuerdo.



Tipos de pomos de puerta



Privacidad



Paso



Con llave



Manija interior

HCBS Requisito 8 – Horario y acceso a los alimentos

Apoyar a las personas para que elaboren horarios que se adapten a sus necesidades y les permitan llevar la vida que desean. Los proveedores ayudarán a las personas atendidas a gestionar su vida cotidiana de la misma manera que lo hacen las personas sin discapacidad.



HCBS Requisito 9 – Derecho a recibir visitas

Las personas atendidas deben tener la oportunidad de establecer relaciones cercanas, íntimas y personales sin obstáculos innecesarios. Pueden recibir visitas en su hogar en cualquier momento, siempre que muestren respeto y consideración hacia sus compañeros de vivienda. El proveedor de servicios debe facilitarles la llegada a acuerdos domésticos, como los que se esperan en cualquier hogar.



HCBS Requisito 10– Accesibilidad en el hogar

Los proveedores se asegurarán de que el entorno físico de cada persona satisfaga sus necesidades. Las personas deben poder utilizar las áreas comunes de la vivienda, como la cocina, el comedor, el área de lavandería y el patio trasero, en la medida en que lo deseen, tal como lo hacemos todos en nuestros hogares.



Recursos adicionales

Vea los videos de la serie animada sobre la norma definitiva de HCBS, que explican los requisitos de la Norma Definitiva de HCBS y están disponibles en varios idiomas.

<https://www.youtube.com/@tri-countiesregionalcenter/playlists>

1 unavailable video is hidden

1 REQUIREMENT #03 사생활권 | 서비스 이용자 편
Tri-Counties Regional Center • 30 views • 8 months ago

2 REQUIREMENT #07 주거 공간에서의 사생활 | 서비스 이용자 편
Tri-Counties Regional Center • 11 views • 8 months ago

3 REQUIREMENT #10 접근권 | 서비스 이용자 편
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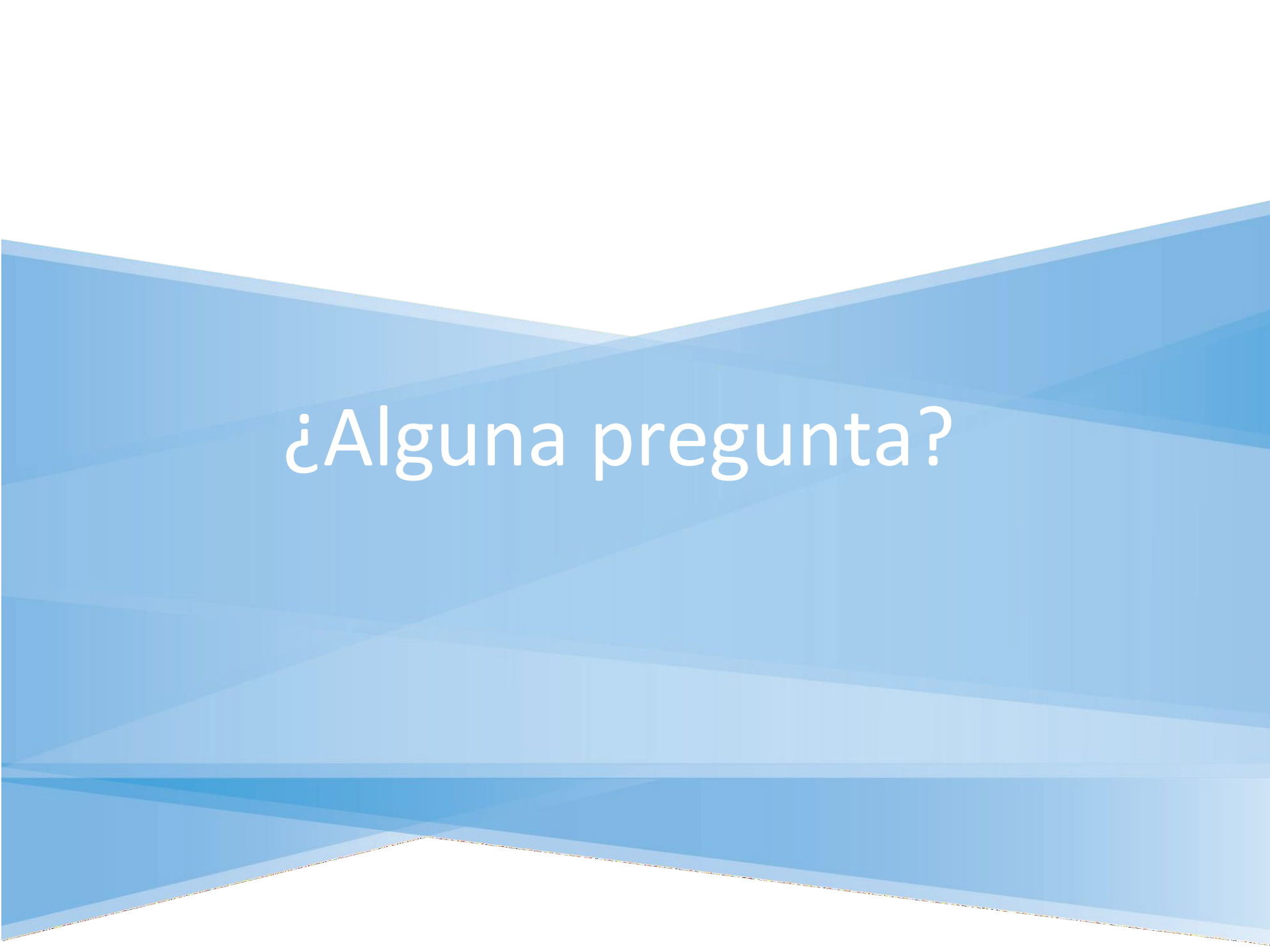
4 REQUIREMENT #1 ACCESS TO THE COMMUNITY | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 13K views • 1 year ago

5 REQUIREMENT #2 - CHOICE OF SETTING | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 7.1K views • 1 year ago

6 REQUIREMENT #3 - RIGHT TO PRIVACY | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 6.2K views • 1 year ago

7 REQUIREMENT #4 - RIGHT TO BE INDEPENDENT | FOR PEOPLE RECEIVING SERVICES

HCBS FINAL RULE : THE ANIMATED SERIES | ...
by Tri-Counties Regional Center
Playlist • 10 videos • 43,088 views
A series of fun animated shorts, designed to help you understand your rights under the HCBS Final Rule.



¿Alguna pregunta?

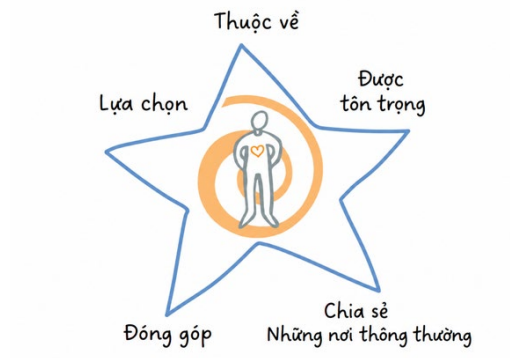


www.rcocdd.com | 714.796.5100

¡Gracias!

CORREO ELECTRÓNICO: HCBS@rcocdd.com

Quy Định Cuối Cùng về Dịch Vụ Tại Nhà và Cộng Đồng (Home and Community-Based Services - HCBS)



Người Trình Bày:
Vanessa Pulido - Điều Phối Viên HCBS
Nancy Lopez - Điều Phối Viên HCBS

Mục Tiêu của Buổi Hôm Nay:

- Định nghĩa Quy Định Cuối Cùng về Dịch Vụ Tại Nhà và Cộng Đồng (HCBS)
- Nhìn lại quá trình hình thành Quy Định Cuối Cùng về HCBS
- Tìm hiểu những mục tiêu mà Quy Định Cuối Cùng về HCBS hướng tới
- Xác định những môi trường thuộc phạm vi áp dụng của Quy Định Cuối Cùng về HCBS
- Điềm qua các Yêu Cầu Liên Bang của HCBS, từ Yêu Cầu 1 đến 10
- Xem xét những trường hợp ngoại lệ có thể áp dụng đối với các Yêu Cầu Liên Bang của HCBS



Quy Định Cuối Cùng về Dịch Vụ Tại Nhà và Cộng Đồng (HCBS) là gì?

Quy Định Cuối Cùng về HCBS góp phần bảo đảm rằng người khuyết tật được sống cuộc đời mà chính họ mong muốn, được gắn kết với mọi người xung quanh, với đầy đủ những hỗ trợ cần thiết, ngay trong cộng đồng của mình.



Đôi Nét Lịch Sử về Dịch Vụ Tại Nhà và Cộng Đồng

Trước đây, Medicaid không chi trả cho Dịch Vụ Tại Nhà và Cộng Đồng. Mọi người chỉ có thể nhận dịch vụ tại các cơ sở chăm sóc tập trung, chẳng hạn như trung tâm phát triển.

Đến thập niên 1980, chính phủ Hoa Kỳ ban hành một “miễn trừ” (waiver) để thay đổi luật.

Miễn Trừ Dịch Vụ Tại Nhà và Cộng Đồng (HCBS Waiver) đã thay đổi luật, cho phép Medicaid chi trả cho các dịch vụ tại nhà hoặc trong cộng đồng.

Các nhà cung cấp dịch vụ phải đáp ứng quy định này trước ngày 17 tháng 3 năm 2023.

Mục Tiêu và Mục Đích của Quy Định Cuối Cùng về HCBS là gì?

- o Nâng cao chất lượng cuộc sống, đồng thời mở rộng tối đa cơ hội và lựa chọn cho người được phục vụ
- o Thúc đẩy hòa nhập cộng đồng bằng cách bảo đảm người được phục vụ có thể tiếp cận trọn vẹn cộng đồng của mình
- o Bảo đảm mỗi người đều có cơ hội làm việc và dành thời gian bên những người không khuyết tật trong cộng đồng
- o Bảo đảm mong muốn của mỗi người được hỗ trợ và quyền của họ được bảo vệ

Quy Định Cuối Cùng về HCBS áp dụng cho những môi trường nào?

Những môi trường
thuộc phạm vi
áp dụng của
Quy Định Cuối Cùng
về HCBS:

- Chương Trình Giải Trí Xã Hội

Những môi trường
KHÔNG thuộc
phạm vi áp dụng
của Quy Định
Cuối Cùng về HCBS:

- Viện Dưỡng Lão
- Bệnh Viện
- Cơ Sở Chăm Sóc Trung Gian cho Người Khuyết Tật Phát Triển (ICF/DD)
- Cơ Sở Điều Trị Bệnh Tâm Thần (IMD)

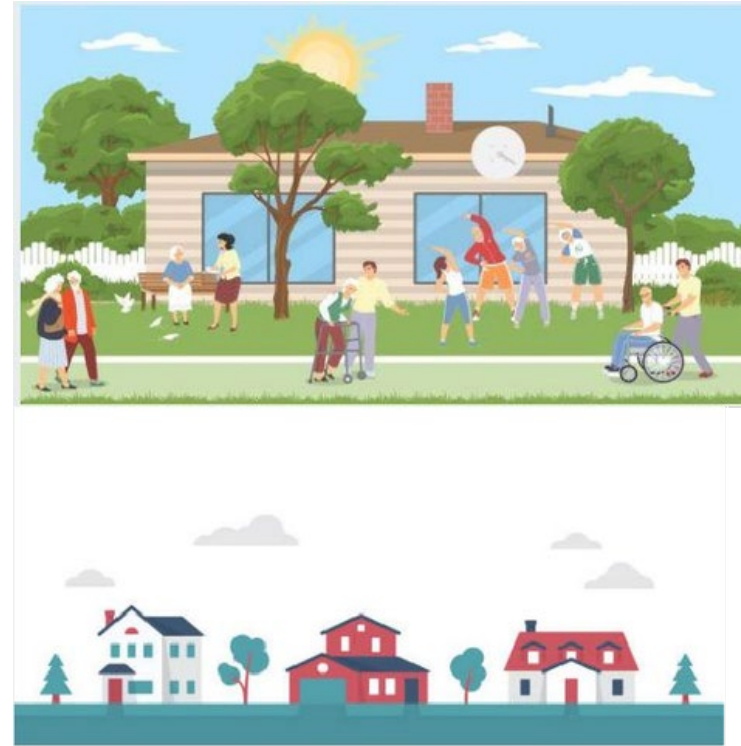
Yêu Cầu 1 của HCBST tiếp cận Cộng Đồng

Người khuyết tật có cơ hội bình đẳng để trở thành một thành viên năng động, được hòa nhập trọn vẹn trong khu phố và cộng đồng của mình, không khác gì những người không khuyết tật.



Yêu Cầu 2 của HCBS Lựa Chọn Môi Trường Sống

Theo yêu cầu này, người khuyết tật được tự chọn nơi ở và cách sống của mình từ nhiều lựa chọn khác nhau, bao gồm cả những môi trường mà người không khuyết tật đang sinh sống và sinh hoạt hằng ngày.



Yêu Cầu 3 của HCBS: Quyền Được Đối Xử Từ Tế

Theo yêu cầu này, nhà cung cấp dịch vụ phải tôn trọng và bảo vệ các quyền cá nhân, bao gồm quyền riêng tư, quyền được giữ gìn phẩm giá và được tôn trọng, cũng như quyền không bị ép buộc hay kiểm chế.



TỜ RƠI về Quyền Cá Nhân

Quyền của Người Khuyết Tật Phát Triển

Mỗi người đang sinh sống hoặc nhận dịch vụ tại cơ sở này đều có những quyền sau đây:



Bạn có quyền mặc quần áo của riêng mình. Bạn cần được tự chọn trang phục mình muốn mặc.



Bạn có quyền cất giữ đồ đạc của mình ở một nơi riêng tư mà bạn có thể lấy ra bất cứ khi nào muốn.



Bạn có quyền gặp gỡ bạn bè, gia đình, bạn gái hoặc bạn trai của mình mỗi ngày.



Bạn có quyền sử dụng điện thoại một cách riêng tư để gọi đi hoặc nhận cuộc gọi.



Bạn có quyền có giấy, tem và phong bì để viết thư. Bạn có quyền gửi và nhận thư mà không bị ai bóc mở.



Bạn có quyền nói "KHÔNG" với liệu pháp sức điện.



Bạn có quyền nói "KHÔNG" với bất kỳ ai tìm cách thay đổi hành vi của bạn bằng cách làm đau, hù dọa hay khiến bạn buồn bực.



Bạn có quyền nói "KHÔNG" với phẫu thuật não mà người khác muốn thực hiện chỉ vì cách hành xử của bạn.



Bạn có quyền chọn cách sử dụng thời gian rảnh và chọn người cùng chia sẻ khoảng thời gian đó.



Bạn có quyền nhận những dịch vụ giúp bạn sinh sống, làm việc và vui chơi theo cách bình thường nhất có thể.



Bạn có quyền giữ và chi tiêu tiền của mình cho những thứ mình muốn, cũng như giữ và sử dụng đồ đạc của riêng mình.



Bạn có quyền được đối xử tử tế và tôn trọng.



Bạn có quyền có thời gian ở một mình hoặc ở riêng cùng một người bạn.



Bạn có quyền được đi học.



Bạn có quyền được gặp bác sĩ ngay khi cần.



Bạn có quyền tham gia sinh hoạt tôn giáo nếu bạn muốn.



Bạn có quyền gặp gỡ mọi người và tham gia các hoạt động trong cộng đồng của mình.



Bạn có quyền tập thể dục và vui chơi giải trí.



Bạn có quyền nói "KHÔNG" với những gì có thể gây nguy hiểm cho mình.



Bạn có quyền lựa chọn nơi mình sống, người sống cùng, cách sử dụng thời gian và người cùng chia sẻ thời gian với mình.



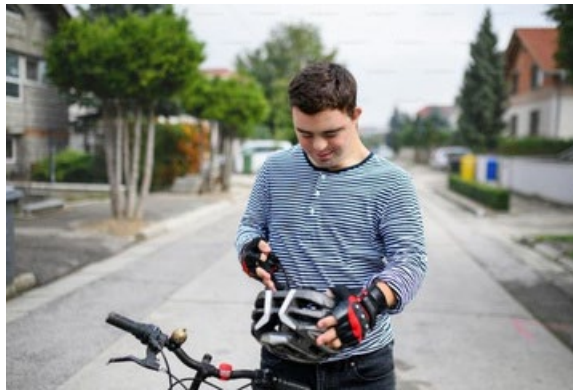
Bạn có quyền nói "KHÔNG" với thuốc, với hành động trói buộc hay dè giữ bạn, hoặc ép bạn phải ở một mình, trừ khi thật cần thiết để bảo vệ bạn hoặc người khác.



Bạn có thể còn có những quyền khác theo quy định của pháp luật hoặc các quy chế hiện hành.

Yêu Cầu 4 của HCBSTính Độc Lập

Độc lập có nghĩa là người khuyết tật làm chủ mọi quyết định về cuộc sống của mình và tự quyết định muốn làm gì, dựa trên sở thích, nhu cầu cùng mong muốn riêng của bản thân.



Yêu Cầu 5 của HCBS Lựa Chọn Dịch Vụ và Hỗ Trợ

Nhà cung cấp dịch vụ hỗ trợ mỗi người trong quá trình lựa chọn dịch vụ, hỗ trợ và cả người cung cấp những dịch vụ ấy. Mỗi người có quyền chọn ai sẽ cung cấp dịch vụ cho mình và dịch vụ được cung cấp ở đâu, căn cứ trên nhu cầu, mong muốn và mục tiêu của chính mình.



Yêu Cầu 6 của HCBST Hòa Thuận Cư Trú

Mỗi người đều có những quyền giống như bạn và tôi khi đi thuê một căn nhà hay một căn phòng, bao gồm cả các biện pháp bảo vệ liên quan đến quy trình trục xuất và kháng nghị theo luật về chủ nhà và người thuê nhà tại địa phương.



IN SERVICE TO PEOPLE WITH DEVELOPMENTAL DISABILITIES

RCOC
REGIONAL CENTER
OF ORANGE COUNTY

**ADMISSION AGREEMENT
LICENSED AND VENDORIZED RESIDENTIAL FACILITY (24-HOUR NON-MEDICAL CARE)**

1. This is an agreement between Regional Center of Orange County (RCOC) on behalf of
(Resident) DOB: / UCL
and (Licensee) for residence at (Facility)
effective Date of Placement

2. Licensee agrees to abide by all State laws and regulations, including appropriate sections from Title 22 and Title 17, California Code of Regulations (CCR), applicable to operating a licensed residential facility.

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4. Services Provided by Licensee
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a. Clean, comfortable accommodation.	l. Assistance with medication as prescribed by a physician.
b. Private or semi-private room.	m. Emergency health care for temporary illness (365 days) with free tray meal served.
c. Cleaning of room weekly or more often as necessary.	n. Guidance toward self-care.
d. Clean linen weekly or more often as necessary, including bedding, towels and washcloths.	o. Aid in grooming.
e. Toilet articles e.g., toilet paper, soap and toilet paper.	p. Continuous, in-the-house supervision, unless a written exception is granted by Regional Center and licensing agency (Title 22, §80024).
f. Free basic personal laundry service (washing, ironing, mending) and laundry facility.	q. Social and Recreational activities.
g. Three nutritious meals a day.	r. Transportation to meet Resident's needs except as specified in the Individual Program Plan (IPP).
h. Modified diet, if prescribed.	s. Involvement in community activities.
i. Nutritious snacks.	
j. Ongoing health observation.	
k. Arrangement of medical/dental care.	

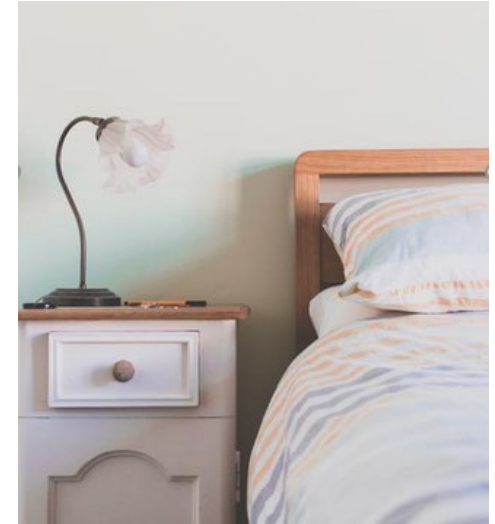
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Web Form #157 - Adopted 8/20
Admission Agreement

Yêu Cầu 7 của HCBS: Quyền Riêng Tư

Mỗi người sẽ có không gian riêng tư trong phòng hoặc nơi ở của mình. Cửa ra vào phòng ngủ phải là loại cửa mà chính người ở có thể khóa lại, và chỉ những nhân viên phù hợp mới được giữ chìa khóa khi cần thiết. Những ai ở chung phòng sẽ được quyền chọn bạn cùng phòng ngay tại nơi ở đó. Mỗi người cũng có thể tự sắp đặt nội thất và trang trí phòng hay không gian sống của mình trong phạm vi cho phép của hợp đồng thuê hoặc thỏa thuận khác.



Các Loại Tay Nắm Cửa



Yêu Cầu 8 của HCBS Lịch Sinh Hoạt và Quyền Tiếp Cận Thực Phẩm

Hỗ trợ mỗi người xây dựng lịch sinh hoạt đáp ứng nhu cầu của bản thân và hướng đến cuộc sống mà họ mong muốn. Nhà cung cấp sẽ hỗ trợ người được phục vụ làm chủ cuộc sống thường nhật của mình, giống như cách mà những người không khuyết tật vẫn đang làm.



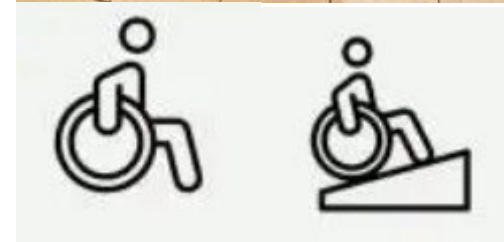
Yêu Cầu 9 của HCBS Quyền Đón Tiếp Khách Đến Thăm

Người được phục vụ cần có cơ hội xây dựng những mối quan hệ thân thiết, riêng tư và mang tính cá nhân mà không gặp phải những rào cản không cần thiết. Mỗi người có thể đón khách đến thăm nhà vào bất kỳ thời điểm nào, song vẫn cần giữ thái độ tôn trọng và cân nhắc đến những người ở cùng nhà. Nhà cung cấp dịch vụ nên hỗ trợ mỗi người cùng nhau thống nhất những thỏa thuận sinh hoạt chung như vậy, giống như bất kỳ gia đình nào cũng thường làm.



Yêu Cầu 10 của HCBS Khả Năng Tiếp Cận tại Nhà

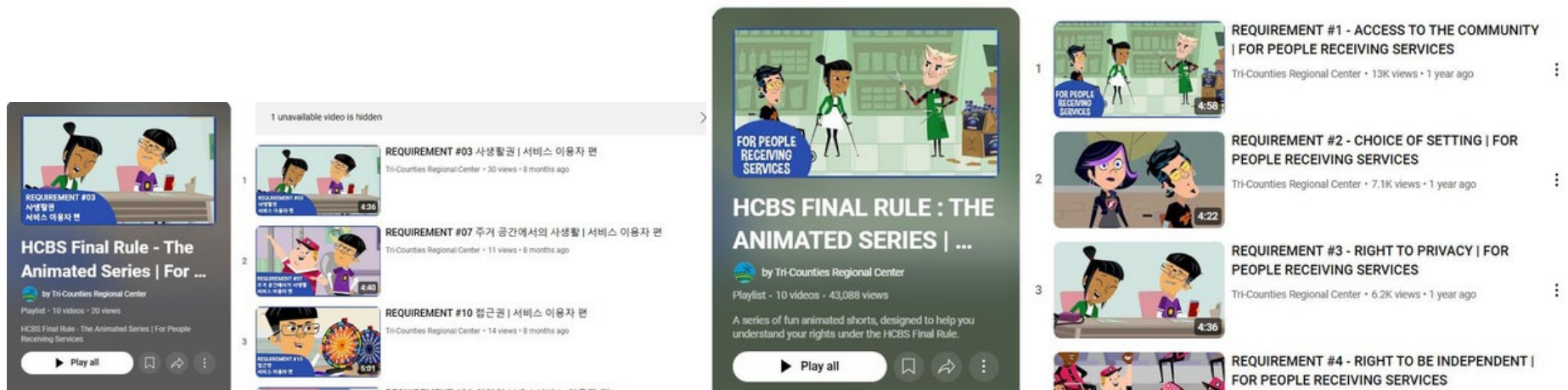
Nhà cung cấp sẽ bảo đảm môi trường sống của mỗi người đáp ứng đúng nhu cầu của người đó. Mỗi người phải có thể sử dụng các khu vực chung trong nhà như bếp, khu ăn uống, khu giặt giũ và sân sau, tùy theo mong muốn của mình, giống hệt như tất cả chúng ta trong chính ngôi nhà của mình.



Tài Nguyên Bổ Sung

Hãy đón xem loạt phim hoạt hình “HCBS Final Rule Animated Series” giới thiệu các yêu cầu của Quy Định Cuối Cùng về HCBS, hiện có sẵn bằng nhiều ngôn ngữ.

<https://www.youtube.com/@tri-countiesregionalcenter/playlists>



The background of the slide is composed of several overlapping, semi-transparent blue polygons of various shades, creating a dynamic, geometric pattern. The shapes are primarily triangles and quadrilaterals, some pointing upwards and others downwards, creating a sense of depth and movement. The colors range from a light, airy blue to a deeper, more saturated blue.

Bạn có câu hỏi?



www.rcocdd.com | 714.796.5100

Xin chân thành cảm ơn!

Email: HCBS@rcocdd.com

가정 및 지역사회 기반 서비스 최종 규정 (Home and Community-Based Services - HCBS)



발표자:

바네사 풀리도 Vanessa Pulido – HCBS 코디네이터

낸시 로페즈 Nancy Lopez – HCBS 코디네이터

오늘의 목표:

- HCBS(재가 및 지역사회 기반 서비스) 최종 규정의 정의
- HCBS 최종 규정의 제정 배경 및 경과 검토
- HCBS 최종 규정의 목적 및 기대 효과 검토
- HCBS 최종 규정의 적용 대상 환경 검토
- HCBS 연방 요구사항(1~10번) 검토
- HCBS 연방 요구사항의 예외 적용 사례 검토



“재가 및 지역사회 기반 서비스(HCBS) 최종 규정이란 무엇인가요?”

HCBS 최종 규정은 장애인이 자신의 지역사회에서 필요한 지원을 받으며, 스스로 원하는 삶을 살고 타인과 관계를 형성할 수 있도록 보장하는 데 도움을 줍니다.



재가 및 지역사회 기반 서비스의 간략한 역사

과거 메디케이드는 재가 및 지역사회 기반 서비스에 비용을 지불하지 않았습니다. 따라서 사람들은 시설(발달 센터 등)에서만 서비스를 받을 수 있었습니다.

1980년대에 미국 정부는 법을 변경하기 위해 '웨이버(waiver, 적용 면제)' 규정을 마련했습니다.

HCBS 면제 프로그램을 통해 메디케이드가 가정이나 지역사회에서 제공되는 서비스에 비용을 지불할 수 있도록 법이 변경되었습니다.

서비스 제공기관은 2023년 3월 17일까지 이 규정을 준수해야 했습니다.

HCBS 최종 규정의 목표와 목적은 무엇인가요?

- 서비스 이용자의 삶의 질을 향상시키고 기회와 선택권을 극대화하는 것
- 서비스 이용자가 지역사회에 완전히 접근할 수 있도록 보장함으로써 지역사회 통합을 촉진하는 것
- 서비스 이용자가 지역사회 내 비장애인들과 함께 일하고 시간을 보낼 수 있는 기회를 보장하는 것
- 개인의 선호가 존중받고 권리가 보호되도록 보장하는 것

HCBS 최종 규정은 어떤 환경에 적용되나요?

HCBS 최종
규정이
적용되는 환경:

- 거주 시설 (지역사회 돌봄 시설, 성인 가족 홈 에이전시)
- 성인 주간 및 그룹 지원 고용 프로그램
- 사회·여가 프로그램

HCBS 최종
규정이
적용되지
않는 환경:

- 요양원
- 병원
- 발달장애인 중간 케어 시설 (ICF/DD)
- 정신 질환 시설 (IMD)

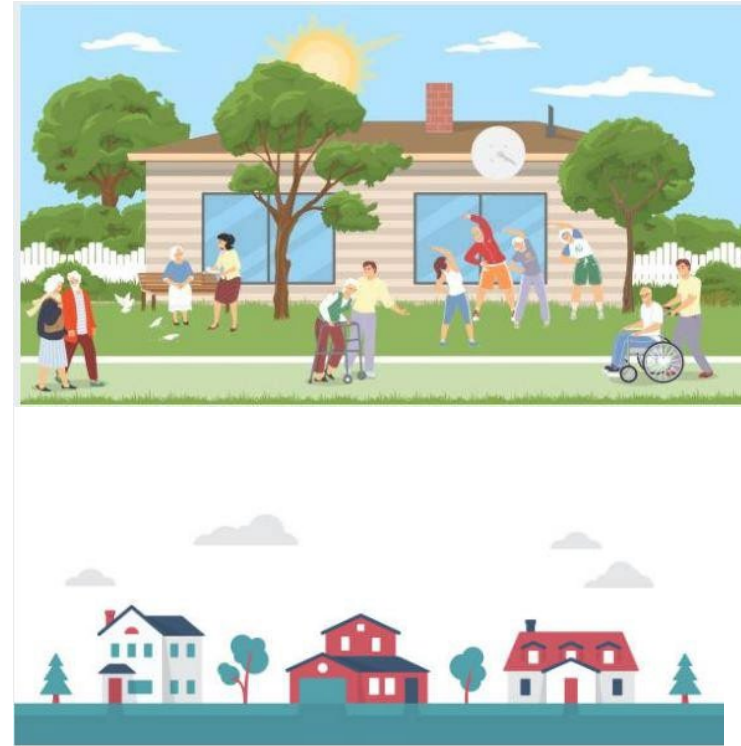
HCBS 요구사항 1: 지역사회 접근성

장애인이 비장애인과
마찬가지로 자신의 이웃과
지역사회의 능동적이고
통합된 구성원이 될 수 있는
동일한 기회를 갖는 것입니다.



HCBS 요구사항 2: 거주 환경의 선택

이는 장애인이 비장애인이
거주하고 일상을 보내는
환경을 포함한 다양한 선택지
중에서 어디서 어떻게 살
것인지를 스스로 선택하는
것을 의미합니다.



HCBS 요구사항 3: 존중받을 권리

이는 서비스 제공기관이 사생활 보호, 존엄성, 존중, 그리고 강압이나 구속으로부터의 자유를 포함한 개인의 권리를 보장해야 함을 의미합니다.



개인 권리 안내문

발달장애인의 권리

이 시설에서 생활하거나 서비스를 받는 모든 사람은 다음과 같은 권리가 있습니다.



자신의 옷을 입고, 입고 싶은 옷을
착용 고를 권리



자신의 물건을 원할 때 사용할 수 있는
개인적인 장소에 보관할 권리



매일 친구, 가족, 여친구 또는
남자친구를 만날 권리



전화로 개인적으로 전화를 걸거나
받을 권리



편지를 쓸 종이, 우표, 봉투를 받고,
개봉되지 않은 편지를 보내고 받을 권리



전기충격 치료를 거부할 권리



자신을 다치게 하거나 겁주거나 불편하게
만드는 사람에게 "싫어요"라고 말할 권리



다른 사람이 자신의 행동을 바꾸려 한다는
이유로 뇌 수술을 받는 것을 거부할 권리



자유 시간을 어떻게 보낼지, 누구와
보낼지 선택할 권리



가능한 한 일반적인 방식으로 생활하고, 일하고,
즐길 수 있도록 도움을 주는 서비스를 받을 권리



자신의 돈을 원하는 곳에 쓰고, 자신의 물건을
보관하고 사용할 권리



진절하고 존중받는 대우를 받을 권리



혼자 또는 친구와 함께
시간을 보낼 권리



학교에 다닐 권리



필요할 때 가능한 빨리
의사를 만날 권리



원한다면 종교 활동에
참여할 권리



다른 사람을 만나고 지역사회 활동에
참여할 권리



운동하고 즐길 권리



자신을 위험하게 할 수 있는 일에
"싫어요"라고 말할 권리



어디에서 살지, 누구와 살지, 시간을
어떻게 누구와 보낼지 선택할 권리



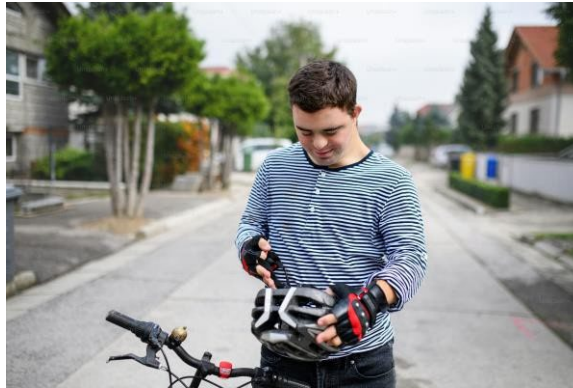
자신이나 다른 사람을 보호하기 위해 꼭 필요한 경우를
제외하고, 약물·결박·강제 약제를 거부할 권리



법률이나 규정에 따라
추가적인 권리를 가질 수 있습니다.

HCBS 요구사항 4: 자립

자립이란 장애인이 자신의 삶에 대한 결정권을 가지며, 자신의 관심사, 필요, 선호에 따라 무엇을 하고 싶은지 스스로 결정하는 것을 의미합니다.



HCBS 요구사항 5: 서비스 및 지원의 선택

서비스 제공기관은 개인이 자신에게 필요한 서비스와 지원, 그리고 이를 제공할 사람을 선택할 수 있도록 지원합니다. 개인은 자신의 필요, 선호, 목표에 따라 서비스 제공자와 서비스 제공 장소를 선택할 수 있습니다.



HCBS 요구사항 6: 거주 계약

서비스 이용자는 우리가 집이나 방을 임대할 때와 동일한 권리를 갖습니다. 여기에는 해당 관할 지역의 임대인-임차인 법에 따라 제공되는 퇴거 절차 및 이의 신청에 관한 보호 조치가 포함됩니다.



IN SERVICE TO PEOPLE WITH DEVELOPMENTAL DISABILITIES

RCOC
REGIONAL CENTER
OF ORANGE COUNTY

**ADMISSION AGREEMENT
LICENSED AND VENDORIZED RESIDENTIAL FACILITY (24-HOUR NON-MEDICAL CARE)**

1. This is an agreement between Regional Center of Orange County (RCOC) on behalf of
(Resident) DOB: / UCL:
and (Licensee) for residence at (Facility)
effective Date of Placement

2. Licensee agrees to abide by all State laws and regulations, including appropriate sections from Title 22 and Title 17, California Code of Regulations (CCR), applicable to operating a licensed residential facility.

3. In conformance with Title 22, Section 85068.5 and Title 17, Section 56016, if this agreement is to be terminated by Licensee, oral notice (with written confirmation to follow) shall be provided immediately by the Licensee to RCOC, Resident, and/or Resident's authorized representative. Upon notification, RCOC shall relocate Resident within 30 days or within a time frame which has been mutually agreed upon by RCOC, Facility Administrator, Resident and/or Resident's authorized representative. In a situation which presents immediate danger to the health and well-being of Resident, RCOC may remove Resident, whether adult or minor, in accordance with Title 17, Section 56053. In such a situation, RCOC shall notify Resident, the authorized representative, if any, and the Facility Administrator that the Resident is believed to be in danger, the condition(s) constituting a danger, and that RCOC will stop payment upon relocation of Resident.

4. Services Provided by Licensee
Residence shall provide the following:

a. Clean, comfortable accommodation.	l. Assistance with medication as prescribed by a physician.
b. Private or semi-private room.	m. Emergency health care for temporary illness (365 days) with free tray meal served.
c. Cleaning of room weekly or more often as necessary.	n. Guidance toward self-care.
d. Clean linen weekly or more often as necessary, including bedding, towels and washcloths.	o. Aid in grooming.
e. Toilet articles e.g., toilet paper, soap and toothpaste.	p. Continuous, in-the-house supervision, unless a written exception is granted by Regional Center and licensing agency (Title 22, §80024).
f. Free basic personal laundry service (washing, ironing, mending) and laundry facility.	q. Social and Recreational activities.
g. Three nutritious meals a day.	r. Transportation to meet Resident's needs except as specified in the Individual Program Plan (IPP).
h. Modified diet, if prescribed.	s. Involvement in community activities.
i. Nutritious snacks.	
j. Ongoing health observation.	
k. Arrangement of medical/dental care.	

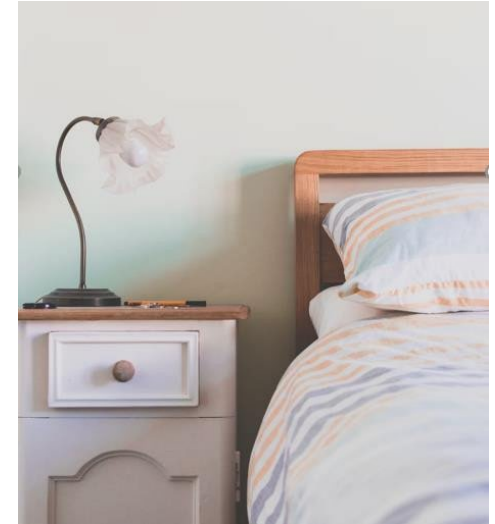
5. ☐ Resident or representative will handle his/her own personal and incidental (P&I) expense monies.
☐ Licensee will handle all Resident's cash resources (including, but not limited to, incidental expense monies (P&I), Renter's assistance, gifts, and earnings) according to current licensing regulations, and will maintain a satisfactory record of funds per RCOC instructions.

6. Resident shall not be evicted unless: (1) Resident, the authorized representative and RCOC have been notified, (2) the licensing agency has granted prior approval, (3) the Resident's behavior is threatening his/her own safety or the safety of others in the Facility, and (4) all procedures mandated by Title 22, Section 85068.5 and Title 17, Section 56020 have been completed.

Web Form #157 - Adapted 8/20
Admission Agreement

HCBS 요구사항 7: 사생활 보호

모든 개인은 자신의 방이나 주거 단위에서 사생활을 보호받습니다. 주거지는 이용자가 직접 잠글 수 있는 침실 입구 문이 있어야 하며, 필요한 경우에만 적절한 권한을 가진 직원이 열쇠를 보유합니다. 방을 함께 쓰는 경우, 해당 환경에서 룸메이트를 선택할 수 있습니다. 또한, 임대 계약서나 기타 합의 조건 범위 내에서 자신의 방이나 생활 공간에 가구를 배치하고 꾸밀 수 있습니다.



손잡이 종류



HCBS 요구사항 8: 일정 및 음식 접근성

자신의 필요에 맞고 원하는 삶을 살 수 있도록 일정을 계획하는 것을 지원하는 것입니다. 제공기관은 서비스 이용자가 비장애인과 동일한 방식으로 자신의 일상생활을 스스로 통제하고 관리할 수 있도록 지원해야 합니다.



HCBS 요구사항 9: 방문객을 맞이할 권리

서비스 이용자는 불필요한 제약 없이 친밀하고 사적인 개인 관계를 형성할 기회를 가져야 합니다. 이용자는 언제든지 자신의 집에 방문객을 맞이할 수 있으나, 동시에 함께 거주하는 이들을 존중하고 배려해야 합니다. 서비스 제공기관은 일반적인 가정에서 기대되는 수준의 가사 합의 사항들을 이용자가 잘 조율해 나갈 수 있도록 지원해야 합니다.



HCBS 요구사항 10: 가정 내 접근성

제공기관은 이용자의 물리적 환경이 이용자의 필요에 부합하도록 보장해야 합니다. 이용자는 우리 모두가 자신의 집에서 그러하듯 주방, 식사 공간, 세탁 공간, 뒷마당과 같은 집 안의 공용 공간을 원하는 만큼 사용할 수 있어야 합니다.



추가 자료

다양한 언어로 제공되는 HCBS 최종 규정 요구사항 관련 애니메이션 시리즈 영상을 확인해 보세요.

<https://www.youtube.com/@tri-countiesregionalcenter/playlists>

1 unavailable video is hidden

1 REQUIREMENT #03 사생활권 | 서비스 이용자 편
Tri-Counties Regional Center • 30 views • 8 months ago

2 REQUIREMENT #07 주거 공간에서의 사생활 | 서비스 이용자 편
Tri-Counties Regional Center • 11 views • 8 months ago

3 REQUIREMENT #10 접근권 | 서비스 이용자 편
Tri-Counties Regional Center • 14 views • 8 months ago

4 REQUIREMENT #1 ACCESS TO THE COMMUNITY | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 13K views • 1 year ago

5 REQUIREMENT #2 CHOICE OF SETTING | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 7.1K views • 1 year ago

6 REQUIREMENT #3 - RIGHT TO PRIVACY | FOR PEOPLE RECEIVING SERVICES
Tri-Counties Regional Center • 6.2K views • 1 year ago

7 REQUIREMENT #4 - RIGHT TO BE INDEPENDENT | FOR PEOPLE RECEIVING SERVICES

HCBS FINAL RULE : THE ANIMATED SERIES | ...
by Tri-Counties Regional Center
Playlist • 10 videos • 43,088 views
A series of fun animated shorts, designed to help you understand your rights under the HCBS Final Rule.

질의응답



www.rcocdd.com | 714.796.5100

감사합니다!

이메일: HCBS@rcocdd.com



SequoiaSD

Part of the AssuranceSD family

Understanding FMS Models in the Self- Determination Program

Bill Payer • Sole Employer • Co-Employer



Three types of FMS models in the California Self Determination Program (SDP)

- **Bill Payer – No employees, only vendors and purchases**
- **Sole Employer – Family/Participant is the official employer**
- **Co-Employer – FMS is the official employer**



SequoiaSD

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Bill Payer FMS Model

- When to choose Bill Payer – You do NOT want any employees hired.
- Only Vendor (business) payments and purchases
- FMS Role:
 - Pays invoices for approved vendors (therapy, classes, agencies).
 - Makes purchases for goods on spending plan.
 - Tracks your spending/budget.
 - Issues appropriate end of year tax information to vendors.

Sole Employer FMS Model



- Who is named as the “Employer of Record?” – The adult participant or adult family member
- Hiring Employees: FMS *always* does onboarding paperwork (background checks, credentials, tax forms). After onboarding, you are the official employer of record.
- You handle:
 - Supervising & scheduling staff (same as in Co model).
 - Making hiring/firing decisions.
 - Providing worker’s comp insurance (some FMSs, like SequoiaSD, cover this).
 - Liability insurance optional
 - Health insurance optional
- FMS handles: Payroll, taxes, background checks, onboarding paperwork.
- Employer burden is typically lower if it doesn’t include Worker’s Comp and sick pay
- Analogy: You are the owner *and* the manager of the business. The FMS is your accountant.

Co-Employer FMS Model



- Who is named as the “Employer of Record?” – The FMS
- Hiring Employees: FMS *always* does onboarding paperwork (background checks, credentials, tax forms). After onboarding, the FMS is the official employer of record.
- “Co” makes this model confusing
- You handle:
 - Supervising & scheduling staff (same as in Sole model).
 - The family/participant can “recommend” who to hire and terminate.
- FMS handles:
 - Payroll, taxes, background checks, onboarding paperwork (same as Sole model).
 - Provides workers’ comp insurance.
 - Provides liability insurance.
 - Offers health insurance (if eligible).
- Employer burden is typically higher since it includes Worker’s Comp and sick pay
- Analogy: You are the manager, but the FMS is the owner of the business and the accountant.

Sole Employer vs Co-Employer

Side-by-Side Comparison

Category	Sole Employer	Co-Employer
1. Legal Employer	1. Participant/Family Member	1. FMS
2. Onboarding Employees	2. FMS	2. FMS
3. Supervision & Scheduling	3. Family	3. Family
4. Hiring/Firing Employees	4. Family	4. FMS (Family recommends)
5. Worker's Comp Insurance	5. Family (some FMSs may offer)	5. FMS
6. Liability Insurance	6. Family (optional)	6. FMS
7. Health Insurance	7. Family (optional)	7. FMS (if eligible)
8. Vendor Payments & Purchases	8. FMS	8. FMS
9. Self-Determination Control	9. Maximum independence	9. Lower than Sole
10. Family/Participant Liability	10. Higher, but manageable with insurance	10. Lower, but not zero



Important Notes RE Sole vs Co

- Below are the only differences between Sole and Co according to the DDS comparison chart:
 - Obtains tax reporting number (FMS should obtain for you)
 - Worker's Compensation Insurance and Liability Insurance
- Supervising & scheduling staff is the same in both models.
- Managing and reporting all tax information to state and IRS are the same in both models.
- Vendors and purchases are the same in Sole and Co models.
- In California, lawsuits often name everyone involved — so Co-Employer does not remove all legal exposure.
- Should you get Liability Insurance?
 - Consider who you are planning to hire.
 - EPLI - Employment Practices Liability Insurance

Important Notes – EPLI - Employment Practices Liability Insurance



- What EPLI Covers:

- **Discrimination:** Claims based on age, race, gender, disability, or other protected characteristics.
- **Harassment:** Claims of sexual harassment or a hostile work environment.
- **Wrongful Termination:** Allegations of unfair dismissal or termination without just cause.
- **Retaliation:** Claims that an employee was punished for reporting violations or exercising their rights.
- **Wage and Hour Claims:** Disputes over pay and working hours (though coverage for this varies by policy).
- **Other employment-related claims:** such as wrongful discipline, failure to promote, or defamation.

Common Questions



- **"Can I switch later?"** → Yes. You are never forced to use any FMS model or FMS company.
- **"What if I don't know if I will hire employees?"** – Better to choose Sole or Co and not hire any employees.
- **"Do vendors get paid differently?"** → No — vendor payments are the same in *all* models.
- **"Which is better?"** → Depends if you are hiring employees and how much control and responsibility you want.

Closing / Next Steps



- Speak with your Independent Facilitator or Regional Center about which model will work best for you.
- Ask each FMS what insurance they cover.
- Choose the model that matches your family's comfort level.



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Contact me with any questions!

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THANK YOU!

