

**Regional Center of Orange County  
Home and Community-Based Services Waiver  
Follow-up Review Report**

**Conducted by:**

**Department of Developmental Services  
and  
Department of Health Care Services**

**July 6–10, 2020**

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## INTRODUCTION

The Department of Developmental Services (DDS) and the Department of Health Care Services (DHCS) conducted a collaborative federal compliance monitoring review of the Home and Community-Based Services (HCBS) Waiver from June 17–28, 2019, at Regional Center of Orange County (RCOC). A draft report with the review findings and RCOC's written responses was received by DDS on June 18, 2020.

DDS and DHCS conducted a follow-up review on July 6-10, 2019, to ensure that issues raised during the collaborative review had been addressed. The monitoring team selected 20 consumer records for the HCBS Waiver follow-up review for the period of April 1, 2019 through March 31, 2020. In addition, the team reviewed a supplemental sample of 10 records of consumers who had special incidents reported to DDS during this review period.

### Purpose of the Follow-up Review

DDS contracts with 21 private, not-for-profit corporations to operate regional centers, which are responsible under state law for coordinating, providing, arranging or purchasing all services needed for eligible individuals with developmental disabilities in California. All HCBS Waiver services are provided through this system. It is the responsibility of DDS to ensure, with the oversight of DHCS, that the HCBS Waiver is implemented by regional centers in accordance with Medicaid statute and regulation. As stipulated in the HCBS Waiver application approved by the Centers for Medicare & Medicaid Services (CMS), the monitoring review process is a two-year cycle with a collaborative review in the first year, and a smaller, focused review in the second year addressing issues raised during the collaborative review.

### Overview of the HCBS Waiver Federal Follow-up Review

The collaborative monitoring review protocol is composed of sections/components designed to determine if the consumer's needs and program requirements are being met, and that services are being provided in accordance with the consumer's individual program plan. Specific criteria have been developed that are derived from federal/state statutes and regulations and from CMS' directives and guidelines relating to the provision of the HCBS Waiver services.

The DDS and DHCS monitoring report from the June 2019 collaborative review requested RCOC to provide clarification or follow-up to the report findings and recommendations. RCOC submitted a response to DDS on June 18, 2020. Based on the report recommendations and RCOC's response, the monitoring team evaluated supporting documents to determine the degree and completeness of the implementation process. Specifically, the team reviewed, evaluated and made determinations based on the selected HCBS Waiver eligible consumers' records and discussions with RCOC's personnel.

## Summary of Follow-up Review Findings

The July 2020 follow-up review indicated that further action is needed to ensure that consumer records contain a signed and dated Consumer Choice of Services/Living Arrangements form. In addition, all special incidents were reported within the required timeframes and RCOC's follow-up activities were timely and appropriate for the severity of the situations.

## **SECTION I**

### **REGIONAL CENTER CONSUMER RECORD REVIEW**

#### Summary of the 2019 Collaborative Monitoring Review Recommendations

The June 2019 monitoring review included findings related to ensuring that consumer records contain a signed and dated Consumer Choice of Services/Living Arrangements form.

#### Summary of the July 2020 Follow-up Review Findings

13 of the 20 (65 percent) sample consumer records selected for the follow-up review contained a signed and dated Consumer Choice of Services/Living Arrangements form. However, the records for consumers #1, #2, #4, #10, #11, #13 and #14 did not contain a signed and dated form at the time of the consumer's initial Waiver eligibility or reenrollment in the Waiver. Prior to the monitoring review, forms were completed and signed by consumers #1, #2, #4, #10, #11, #13 and #14.

#### Further Action Needed

Regional Center of Orange County should continue to ensure that consumer records contain a signed and dated Consumer Choice of Services/Living Arrangements form.

## SECTION II

### SPECIAL INCIDENT REPORTING

#### Summary of the June 2019 Collaborative Monitoring Review Recommendations

Regional Center of Orange County (RCOC) should determine what actions are necessary to ensure that vendors report special incidents within the required timeframes.

#### Scope of the July 2020 Follow-up Review

1. Special incident reporting of deaths by RCOC was reviewed by comparing deaths entered into the Client Master File for the review period with special incident reports (SIR) of deaths received by the Department of Developmental Services (DDS).
2. The records of the 10 consumers selected for the Home and Community-Based Services (HCBS) Waiver sample were reviewed to determine that RCOC's vendors reported all 10 special incidents within the required timeframes.
3. The records for the 10 consumers who had special incidents reported to DDS within the review period were assessed for timeliness of reporting and documentation of follow-up activities. The follow-up activities were assessed for being timely, appropriate to the situation, and resulting in an outcome that ensures the consumer is protected from adverse consequences, and that risks are either minimized or eliminated.

#### Results of the July 2020 Follow-up Review

1. RCOC reported all deaths during the review period to DDS.
2. RCOC reported all of the SIRs in the sample of 10 records selected for the HCBS Waiver review to DDS.
3. RCOC's vendors reported all 10 (100 percent) special incidents within the required timeframes.
4. RCOC reported all 10 (100 percent) special incidents to DDS within the required timeframes.
5. RCOC's follow-up activities on consumer incidents were appropriate for the severity of the situations for all 10 consumer incidents.

Findings

None

Further Action Needed

None

## SAMPLE CONSUMERS

### HCBS Waiver Review Consumers

#	UCI
1	6109912
2	4865937
3	5021233
4	6880217
5	6801737
6	6808978
7	6602472
8	6892450
9	6804235
10	7303615
11	6856993
12	4981593
13	6807854
14	6802578
15	6898568
16	7926443
17	6829805
18	6033583
19	6808316
20	6804407

### SIR Review Consumers

#	UCI	Vendor #
SIR1	7405027	P20538
SIR2	6829805	HM0401
SIR3	6804188	PM1159
SIR4	6802729	PM0590
SIR5	6800220	H13705
SIR6	6581894	H22838
SIR7	6871048	NA
SIR8	6893848	HM0735
SIR9	6801737	HM0480
SIR10	6603786	PM1041