1915(i) Home and Community Based Services (HCBS) UPDATES AND CHANGES

June 8, 2017



HCBS CHANGES PRIOR TO SFY2018

presented by Jocelyn Piechocki



CMS Announcement

- On May 9, 2017, CMS released a notice they have offered states the option to extended the transition period by three years
- State of Indiana will maintain the transition date of March 17, 2019 which is in the current Statewide Transition Plan

HCBS Changes Prior to SFY2018

- A new "address check" feature in DARMHA went live April 24, 2017
- Intent is twofold
 - Ensure residential setting type, especially for POCO residential settings, is correctly identified
 - Alert DMHA SET to possible previously unidentified POCO residential settings



"Address Check" Feature in DARMHA

DARMHA will compare the address listed in the "Home Address 1" box of the application against a database of known POCO residential settings, and with the selection made by the provider in the "Current Living Situation" section. Members official address is the address that DRF has on file.

A mismatch will indicate either a setting type identification error by the provider, or the presence of a previously unidentified POCO residential setting that must be assessed

Applicant Info	rmation
Home Address 1	1906 Kennsington Gardens
Address 2	:
City :	Neverland
State :	Indiana
Zip Code	46176
Email Address	Peterpan@neverland.com
Phone: (xxxx-xxxx-xxxxx	317-234-2669 Ext. :
Health Questions	· •
POCO Address :	×
Current Livin	g Situation :
Community-ba	sed Settings:
OHomeless	
O Private/Inde	ependent Home
_	
ONon-POCO r	esidentiai settino
ONon-POCO r	
O POCO Resid	

Note: if an applicant uses a P.O. box as their mailing address, that must go in the "Address 2" box. There <u>must</u> be a physical street address entered in the "Home Address 1" box.



"Address Check" feature and Newly Identified POCO Setting

The "Address Check" feature can be used as a method to assist a provider and DMHA to identify a new POCO setting. A red "X" will appear here and here.

When a new POCO is identified there are two assessment forms: Provider Self Assessment and the member survey.

Applicant Infor	mation
Home Address 1 :	1906 Kennsington Gardens
Address 2 :	
City:	Neverland
State :	Indiana
Zip Code :	46176
Email Address :	Peterpan@neverland.com
Phone: (xxx-xxx-xxxx)	317-234-2669 Ext. :
Health Questions :	✓
POCO Address :	×

Current Living Situation :	
Community-based Settings:	
O Homeless	
O Private/Independent Home	
ONon-POCO residential setting	
O POCO Residential Setting	
O Potential Presumed Institutional setting	ng





HCBS CHANGES EFFECTIVE JULY 8th, 2017



HCBS Living Situation Assessments

- Revised "Current Living Situation" section of DARMHA Application for AMHH and BPHC
- RSST-R
- Non-POCO Residential Setting Assessment Worksheet
 - Residential Settings
 - Private/Independent Homes



Revised "Current Living Situation" Section of DARMHA Application for AMHH and BPHC – Non-POCO Residential Settings

Current View and Function

Provider is required to indicate whether the setting is or is not fully compliant, based on their assessment of the setting

	Current Living Situation :
9	Community-based Settings:
	O Homeless
	O Private/Independent Home
	O Non-POCO residential setting that fully complies with HCBS requirements
1	Non-POCO residential setting that does not fully comply with HCBS requirements
	Select all of the following qualities that are present at the setting (from the Residential Screening Tool
	_Section):
I	☐ Is integrated in and supports full access to the greater community
I	☐ Is selected by the individual from among setting options
١	 Ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint Optimizes individual initiative, autonomy, and independence in making life choices
Į	Facilitates individual choice regarding services and supports, and who provides them
	O POCO Residential Setting
	O Potential Presumed Institutional setting

If setting is not fully compliant, provider sees drop-down menu and must make selections based on their assessment



Revised "Current Living Situation" Section of DARMHA Application for AMHH and BPHC

Revised View and Function

Provider will only indicate the TYPE of setting, and is no longer required to indicate compliance status or fill out a drop-down menu

O Homeless

Current Living Situation : Community-based Settings:

O Private/Independent Home

In addition, the "Potential Presumed Institutional setting"

Potential Presumed Institutional setting Nursing Home

Hospital

Institutional Settings:

Nursing Home

Hospital

Institution for Mental Disease (IMD)

ICF/IID

Jail/Correctional Facility

institution



Residential Setting Screening Tool-Revised (RSST-R)

- Current version of the RSST (May 2016) required providers to assess compliance with HCBS standards for residential settings. This is no longer necessary because:
 - Compliance data for POCO residential settings has already been gathered
 - Assessment worksheet for non-POCO residential settings will roll out July 8, 2017
- Updated version RSST-R (effective July 8, 2017) will only require providers to identify the <u>type</u> of setting in which an applicant for AMHH or BPHC lives
 - Providers must attest that the settings have been assessed
- RSST-R is still required to be completed with every AMHH and BPHC application, and a signed and dated copy kept in the clinical record

Section That is Unchanged from the Current RSST

Member Identification Section

Member Name:		Date of Screening:
Member's address:		
Internal ID #:	IICP #:	Benefit: AMHH / BPHC (circle one or both)



Major Change for the RSST-R

The current version of the RSST requires providers to make preliminary assessments of the compliance status for POCO and non-POCO residential settings – these go away!

gvidual has

Section 5-A: Global HCBS Requirements (the "Big 5")

Providers of AMHH and BPHC services must ensure that five qualities (the "Big 5") are present at the residence of members who do not live in a "Privat-Home" setting. Please circle YES or NO as to whether the present at the member's residence:

lividual's n

restraint (for example)

ares a bathroom that has

dividual initiative, autonomy, a

individual can come and go at any etc.] when choosing to live here;

ktain visitation restrictions

has access to food at all

- YES NO

 1. The residence is integrated greater community (for example, individual entertainment, community resources, and access to transportation)
- YES NO

 2. The residence residence options (for example, indilive here; residence reflects individ
- YES NO

 3. The reside dignity, respect, and freedom from has own bedroom with a lockable he/she chose; individual has own door)
- YES NO

 4. The reside independence in making life cho time or agreed to certain access reindividual can have visitors at any truly (visiting hours, etc.) when choosing the times)
- YES NO

 5. The residence factor of the services and supports, and who provides them (for he/she wants mental health or addiction services are provided in the home)

If the response to all five of the above statements is "YES", with global HCBS requirements. If one or more responses are "No", not fully comply with global HCBS requirements.

Section 5-B: POCO Residential Setting HCBS Requirements (the "POCO 5")

In addition to the five global HCBS requirements from Section 5-A, five additional must be met for POCO residential settings where AMHH and/or BPHC circle YES or NO as to whether the following requirements are residence, or circle MOD if the requirement is not met but specific assessed need of the member or through the ot) has been documented in the member's clinical

YES NO MOD agreement, with the san receiving HCBS

example, individual's living unit having keys; individual had a chous having had decorate their sleeping all can close and lock bath providers, and/or use

3. The memb

te)

and support to control their own

come and go at any time or agreed

choosing to live here; individual has

uired to adhere to a set schedule for

legally enforceable lease or residency

as other people in the community not

in his/her sleeping or living unit (for

ice doors with only appropriate staff

[if applicable]; individual is free to

hin the lease/residency agreement;

ridual can make phone calls, meet

YES NO have visitors of their choosing at any time or agre ons (visiting hours, etc.) when choosing to live here

physically accessible to the individual with

of the above statements is "YES" or "MOD", the setting fully residential HCBS requirements. If one or more responses are "NO", and does not fully comply with POCO residential HCBS requirements.



Other Sections That Will Be Deleted from the Current RSST

- Screening for Qualities of an Institution
 - Institutional screening is now embedded in assessment worksheet

Section 3: Screening Questions for Qualities of an Institution ("P titutional"):

- 1. Is the residence located in a publicly or privately owned facility that the residence located in a publicly or privately owned facility that the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of, or immediately at the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building on the grounds of the residence in a building o
- 3. Does the residence have the effect of isolating individuals receiving HH), must the broadcommunity? YES NO

An answer of "YES" to <u>any</u> of the three above questions means the read of potential especial especial

Outcomes Section - redundant

Section 6: Outcome of Residential Screening		
By my signature, I attest that I live at the location i	d	compliance designation of my residence is:
Potential Presumed Institutional Non-POCO, fully HCBS compliant POCO, fully HCBS compliant	lon-POCO, NO	pliant with global HCBS requirements with global HCBS and/or "POCO 5" HCBS requirements
Providers: Enter the compliance designation s application in DARMHA. Use the responses fro fully HCBS compliant.	bove und ns 3, 5-A, an polica	on" section of the member's AMHH and/or BPHC dicate which qualities prevent the setting from being
Signature of Member		ame of Member



Sections That Are Modified for the RSST-R

- Attestation for Homelessness
 - No change in criteria, just adds blanks for case manager signature and printed names

Section 1: Attestation for Homelessness

Members who attest that they are temporarily in a setting which meets the definition of homeless may be eligible to apply for home and community-based services through DMHA such as AMHH and BPHC.

Homeless is defined as: (1) lacking a fixed, regular, and adequate nighttime residence, and/or (2) the primary nighttime residence is: (a) a supervised publicly or privately operated shelter designed to provide temporary living accommodation of 3 or less months, or (b) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., on the street, tent community?).

By our signatures, we attest that the member's meets the criteria for homelessness. Member's currently in a homeless situation defined as (chose one of the above items):

The member utilizes the following address for the purpose of Mail only. This address is the official address listed with Indiana Medicaid verified by the CMHC

Member signature	Date	Case Manager signature	Date
Member name (printed)		Case Manager name (printed)	

Providers: For members whose living situation meets criteria for homelessness, select "Homeless" under the "Current Living Situation" section of the AMHH/BPHC application in DARMHA, member and case manager sign in this section, and retain a copy of this screening in the member's clinical record. No further residential assessment is required until the member's living situation changes. Otherwise, continue to Section 2.



Sections That Are Modified for the RSST-R (cont.)

- Attestation for "Private/Independent Home"
 - New blanks for case manager signature and printed names

Section 2: Attestation for "Private/Independent Home" Setting

An individual's private home (owned or leased), or a relative's home where the individual resides (owned or leased), is considered to be a "Private/Independent Home". Though CMS allows providers to presume that a "Private/Independent Home" meets HCBS setting requirements, these settings must still be assessed using the Residential Setting Screening Tool- Revised.

By my signature, I attest that:

- 1. I live at the residence identified above, which is owned or leased/rented by me (or a member of my family) for my/our personal use, AND
- 2. I have opportunities for full access to the greater community, AND
- 3. The residence is not owned or operated by an agency which provides AMHH and/or BPHC services, AND
- 4. The residence is not located in or on the grounds of a hospital, nursing home, or other facility that provides inpatient institutional care

Member signature	Date	Case Manager signature	Date
Member name (printed)		Case Manager name (printed)	-

Providers: If the member lives in a "Private/Independent Home" setting, select that option under the "Current Living Situation" section of the AMHH or BPHC application in DARMHA, member and case manager sign in this section, and retain a copy of this screening in the member's clinical record. If the member does not live in a "Private/Independent Home", continue to Section 3.



New Section on the RSST-R

Identification of a POCO Residential Setting

screening in the member's clinical record. Otherwise, continue to Section 4.

- Asks if setting has been previously identified and assessed as POCO residential setting
- Screening questions if setting has not been previously identified as POCO residential setting

Member signature	Date	Case Manager signature		Date	
By our signatures, we attest that the me	ember lives in a POCO residentia	al setting, and the setting has been	referred to DMHA fo	or HCBS compliance assessmer	ıt.
agency's AMHH/BPHC point of c questions is "NO", skip the rest of	ontact immediately, in order t this section and complete Sectio		ICBS compliance ass	sessment. If the answer to al	l four of the screenin
Is your agency (or another CMHC) otherwise involved in the operation of this setting?			YES	NO	
Does your agency (or another CMHC) provide staff who are assigned to work at the setting? Does your agency (or another CMHC) have control over referrals for residency at the setting?			YES YES	NO NO	
Does your agency (or another CMHC) own, lease, or co-lease this setting?			YES	NO	
· ·	, ,	the setting may be a POCO residential	al setting.		
If "YES", skip the four questions be	elow, obtain signatures and follow	w provider instructions in italics.			
YES NO	(Note: if unsure whethe	r the setting has been identified and,	or referred, consult y	our agency's AMHH/BPHC poi	nt of contact)
Has this setting been previously identifi	ed by your agency as a POCO re	sidential setting and referred to DN	1HA for HCBS compli	ance assessment?	
residential settings have been identified	and assessed, and are either full	y compliant or working toward full o	ompliance with the I	HCBS requirements for these ty	pes of settings.
recognizes any residence an individual liv	•	•			
	operated (POCO) residential sett	ing is a specific physical place that is	owned, co-owned, a	and/or operated by a CMHC p	rovider of HCBS. DMH

New Section on the RSST-R

- Identification and Attestation for Non-POCO Residential Setting
 - Attestation that non-POCO residential setting has been/will be assessed
 - New blanks for entering date of assessment and case manager signature and printed names

Section 4: Identification and Attestation for Non-POCO Residential Setting

If the residential setting of a member applying for AMHH or BPHC is not "Homeless", "Private/Independent Home", or "POCO Residential Setting" (as determined by Sections 1 through 3 of this tool), then the setting is considered a "Non-POCO Residential Setting". These are most often Non-POCO residential settings that provide some level of daily living support services, such as (this list is not all-inclusive):

Residential Care Facilities (RCFs; this category includes licensed Assisted Living Facilities [ALFs] and Adult Family Care Homes [AFCHs]) County homes

Residential Care Assistance Program (RCAP) facilities

Room and Board Assistance (RBA) facilities

Cluster homes/cluster apartments owned by non-profit agencies

To assist CMHCs in assessing non-POCO residential settings, a "Non-POCO Residential Setting Assessment Worksheet" which does not have an existing HCBS compliance designation has been developed for use by CMHC staff to complete. Every identified non-POCO residential setting must be assessed using this worksheet.

By our signatures, we attest that the member lives in a non-POCO residential setting, and the required HCBS Compliant Assessment Worksheet will be completed and forwarded to DMHA within 30 calendar days. Email the completed worksheet to DMHAadultHCBS@fssa.in.gov.

Has the setting been assessed: (circle one) Yes or No If No, please provide date of assessment:							
Current Compliant Status: (circle one)	Needs Modifications	Fully Compliant	Non-Compliant	PPI	Pending		
Member signature	Date	Case Manage	r Signature			Date	
Member name (printed)		Case Manage	r name (printed)				

Providers: If the member lives in a "Non-POCO residential setting", select that option under the "Current Living Situation" section of the AMHH or BPHC application in DARMHA, member and case manager sign in this section, and retain a copy of this RSST-R screening in the member's clinical record.



Summary of Changes for RSST-R

- Reduced from 6 sections to 4
- Added signature line for case managers and lines for printed names of member and case manager (All 4 lines are required with dates)
- When a member moves during their eligibility period, a new RSST-R is required to be completed and filed in their clinical record within 15 calendar days of agency learning of a change
- Eliminated requirement for providers to make assessment determinations on already identified POCO settings
- "Potential Presumed Institutional" screening is now either complete (for POCO residential settings) or embedded in new assessment worksheet
- Supports changes to DARMHA application and SFY18 rollout of Private/Independent Home and Residential Setting assessment worksheet





New HCBS Non-POCO Residential Setting Assessment Worksheet Effective July 8th, 2017

presented by Ryan Ballard



Compliance Assessment of Non-POCO Residential Settings

- So far through the HCBS setting compliance process, providers and DMHA have focused almost exclusively on POCO residential settings
- Attention needs to be turned to assessing Non-POCO residential settings
- To assist providers in assessing Non-POCO residential settings, DMHA has developed a compliance assessment worksheet
- CMHCs are responsible for completing the Non-POCO Residential Setting Assessment Worksheet for all Non-POCO settings
- The Non-POCO Residential Setting Assessment Worksheet can be located on the AMHH, BPHC and HCBS website.



Options for Submitting the Non-POCO Setting Assessment Worksheet

EFFECTIVE JULY 8, 2017

- 1. Providers may submit the worksheet prior to the AMHH/BPHC application submission
- 2. Providers may submit the worksheet at time of the AMHH/BPHC application submission
- 3. If worksheet is not already completed, providers must complete and submit the worksheet within 30 days of the submission of the AMHH/BPHC application

Non-POCO Residential Settings

- A Non-POCO residential setting is a setting in which multiple individuals live, that most often (but not always):
 - Is owned or operated by a company or corporation, a governmental entity, or a non-profit agency (as opposed to a private individual)
 - Provides some manner of formal daily living support to residents
- Examples
 - Residential Care Facilities (RCFs); this category includes licensed
 Assisted Living Facilities (ALFs) and Adult Family Care Homes (AFCHs)
 - County Homes
 - Cluster homes or cluster apartments owned by non-profit agencies
- Accurately completing the RSST-R will greatly assist in identifying Non-POCO residential settings
- A Non-POCO Residential Setting Assessment Worksheet must be completed for every identified Non-POCO residential setting

Non-POCO Residential Setting Assessment

Assessing living situations not owned, controlled, or operated by a CMHC can be complicated, because it is possible that a provider of HCBS *other than* a CMHC may operate or be delivering services at that setting. The Indiana FSSA agencies Division of Aging (DA) and Division of Disability and Rehabilitative Services (DDRS) administer four other Medicaid HCBS programs, known as 1915(c) Home and Community-Based Waivers:

- Traumatic Brain Injury (TBI; administered by DA)
- Aged and Disabled (A&D; administered by DA)
- Community Integration and Habilitation (CIH; administered by DDRS)
- Family Supports (FS; administered by DDRS)



Non-POCO Residential Settings

- A member receiving services under any 1915(c) waiver also must live in a setting which is HCBS compliant.
- The worksheet helps identify if the setting contains members with C-Waiver
- As the Non-POCO Residential Setting Assessment Worksheet is completed by the provider, this process will identify if the setting is under the authority of DA or DDRS
- By submitting the worksheet to DMHA, the providers are notifying DMHA of members who live in a setting that falls under the authority of another FSSA division (e.g. DA, DDRS)
- HCBS compliance determinations made by another FSSA division will be upheld by DMHA.

Compliance Assessment for Non-POCO Residential Settings

- The HCBS compliance standards for residential settings not owned, controlled, or operated by a provider of HCBS are the "Big 5" standards
 - Setting is integrated in and supports full access to the greater community
 - Setting was selected by individual from among other setting options
 - Setting ensures individual's rights of privacy, dignity, and respect
 - Setting optimizes individual initiative, autonomy, and choice
 - Setting facilitates choice of services and who provides them
- The Non-POCO Residential Setting Assessment Worksheet Packet consists of two documents
 - Information and instruction sheet
 - Assessment worksheet
- We recommend that the providers keep a copy of the worksheet in their records.



Compliance Assessment Worksheet - Non-POCO Residential Settings

The Non-POCO Residential Setting Assessment Worksheet has two sections:

- 1. Setting Identification, Description, and Operation Information
- 2. Assessment Questions for Non-POCO Residential Settings Not Owned, Controlled, or Operated by a Provider of HCBS

BOTH SECTIONS MUST BE COMPLETED IN THEIR ENTIRETY!

The questions are answerable by "YES", "NO", or "N/A". There is a comments section at the end where providers, staff at the setting, and residents may add additional information.



Compliance Assessment Worksheet - Non-POCO Residential Settings

- 1. The worksheet must be completed entirely
 - a) ALL QUESTIONS MUST BE ANSWERED
 - b) Any narrative comments or additional information must be typed in the comments section
- 2. Once complete, the worksheet must be emailed *in its original Microsoft Excel format* to the DMHA Adult HCBS inbox at dmhaadulthcbs@fssa.in.gov.

Please Note: PDF copies will not be accepted.

3. The DMHA SET will review the submitted worksheet, and issue a "Non-POCO Residential Setting Compliance Designation Report" to so your agency

Compliance Assessment Outcomes – Non-POCO Residential Settings

The "Non-POCO Residential Setting Compliance Designation Report" will communicate one of three possible compliance designations:

- "POTENTIAL PRESUMED INSTITUTIONAL": the setting potentially
 has one or more qualities of an institution. DMHA will coordinate with
 your agency to determine if the setting needs to be referred to CMS
 for heightened scrutiny
- 2. "FULLY COMPLIANT": the setting is assessed as meeting all of the "Big 5" requirements for residential settings not owned, controlled, or operated by a provider of HCBS, and is an eligible setting for delivery of AMHH and BPHC services
- 3. "NEEDS MODIFICATIONS": the setting is assessed to need remediation in order to meet all of the "Big 5" requirements for residential settings not owned, controlled, or operated by a provider of HCBS

Non-POCO Residential Settings Assessed as "Needs Modifications"

Action Steps CMHCs need to make:

- 1. The Setting Operating Authority (SOA)(Owner/Operator) will need to determine if they want to take the steps to get the setting into compliance
- 2. If yes, the CMHC will work with the SOA to develop a Setting Operating Authority Setting Action Plan (SOA SAP) and return the SAP to DMHA within 30 calendar days
- 3. If no, provider must notify both DMHA via HCBS email and residents at the setting within 7 calendar days of decision. Once notification is received from provider, the setting will be designated "Unable to Fully Comply."
 - a. The Member Transition Plan process will need to begin within 30 calendar days of the decision if the SOA is not willing to complete the setting remediations to come into HCBS compliance
- ** DMHA will offer technical assistance as these are submitted

Non-POCO Residential Settings Assessed as "Presumed Institutional"

If the setting is determined to be PPI, the following are action steps CMHCs need to take

- 1. The Setting Operating Authority will need to determine if they want to take the steps to get the setting into compliance.
- 2. If yes, the CMHC/SOA will notify state of their decision and start to develop a heightened scrutiny packet.
 - a. Once evidence is received, DMHA will submit to OMPP for consideration for CMHC heightened scrutiny process and will notify the CMHC of the decision
- 3. If no, CMHC/SOA must notify both DMHA via HCBS email and residents at the setting within 7 calendar days of decision. Once notification is received from provider, the setting will be designated "Unable to Fully Comply."
 - a. The Member Transition Plan process will need to begin within 30 calendar days of the decision if the SOA is not willing to complete the setting remediation to come into HCBS compliance.

Compliance Assessment for Non-POCOResidential Settings – Points to Remember

EFFECTIVE JULY 8, 2017

- 1. Providers may submit the worksheet prior to the AMHH/BPHC application submission
- 2. Providers may submit the worksheet at time of the AMHH/BPHC application submission
- 3. If worksheet is not already completed, providers must complete and submit the worksheet within 30 days of the submission of the AMHH/BPHC application
- 4. CMHCs are responsible for managing SAP and Member Transition Plan implementation as applicable
- Please carefully read the information and instructions before completing the assessment worksheet





HCBS ONGOING MONITORING for SFY 2018

Presented by Jocelyn Piechocki



HCBS Onsite Reviews

We are developing an ongoing monitoring plan and will be work with stakeholders to develop the best method to capture the necessary information that meets the expectations.

Below is the action steps we will implement for SFY 2018.

- The SET will conduct onsite reviews of all fully compliant settings that required physical change remediation on the provider Setting Action Plan
- Onsite review will be either be conducted with the scheduled QA visit or separately based on the number of settings



Resource Slides

WEBSITES

- BPHC
- <u>AMHH</u>
- HCBS (The Statewide Transition Plan can be found here)



