

ALTA CALIFORNIA REGIONAL CENTER

CMS Final Rule Training: Part 1 of 2

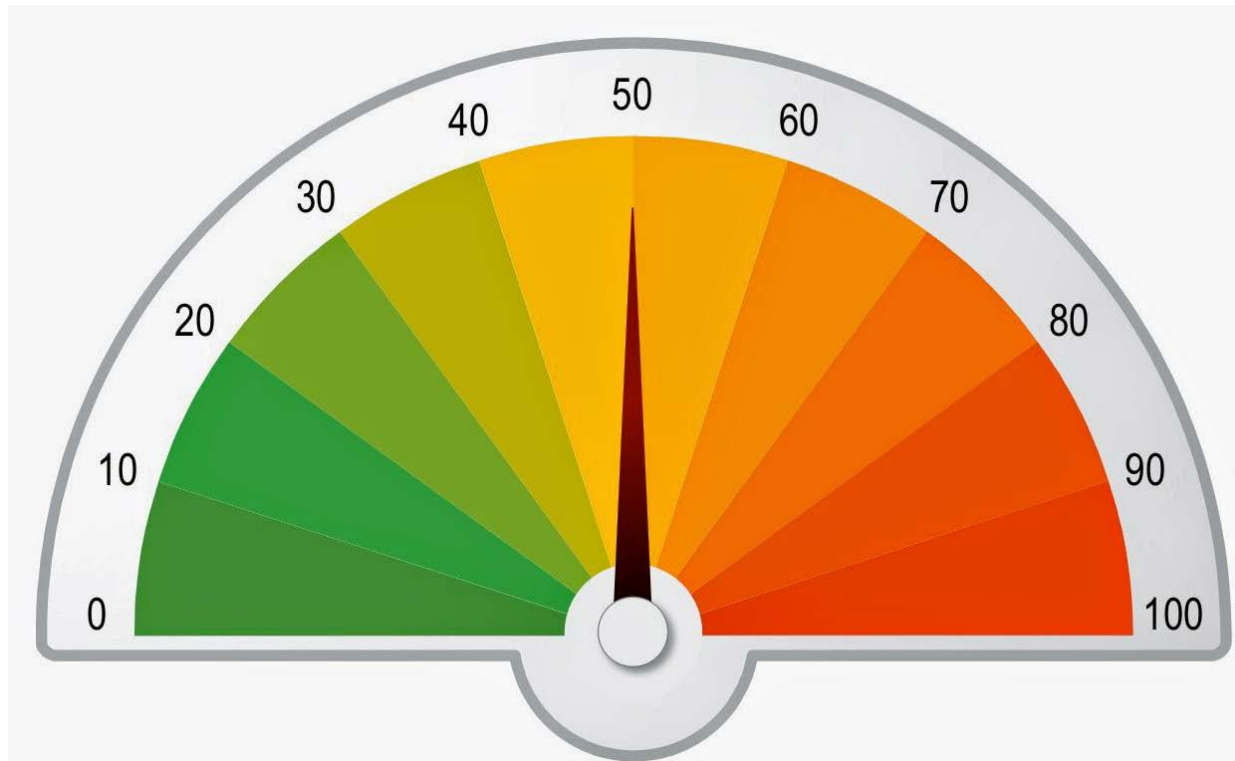


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Community Services and Supports Department

Developed 5/2017; Revised 9/2020

Poll - How familiar are you with the CMS Final Rule requirements?



Poll -

What is your role?



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The History



Katie Beckett



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Definition: HCBS

“Home and Community Based Services (HCBS)”:

Services provided in a person’s home or community rather than institutions or isolated settings.



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Example:

Settings that are NOT HCBS include:

- Institutions
- Nursing Homes
- Institutions for Mental Disease (IMDs)
- Intermediate Care Facilities for Individuals with Developmental Disabilities (ICF-IDD)
- Hospitals



Definition: CMS

“Centers for Medicare & Medicaid Services (CMS)”: The federal agency that oversees distribution of funds through Medicaid waiver program.



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Definition: Final Rule

“Final Rule”: Change to federal regulation regarding Medicaid funds that pay for Home and Community Based Services (HCBS). The rule applies to settings where services are provided, both residential and non-residential.



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Mandate:

In order for California to receive federal funds available, services must align with the federal regulation.

CMS has extended the transition period for states to demonstrate compliance with the HCBS criteria until March 17, 2023. By that date, all providers will implement any necessary updates to services.

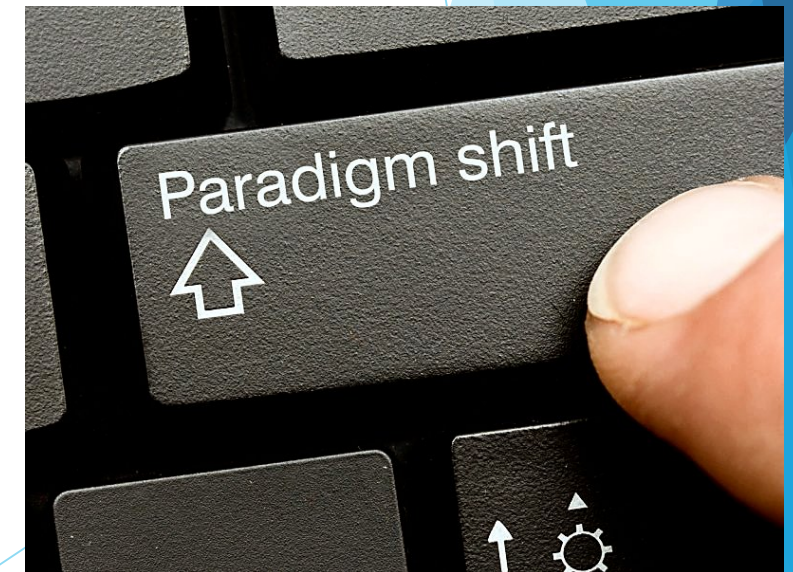


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What does this mean for us?

A shift...

- From institutional care to community inclusion
- From “program” to individualized supports.



What does this mean for us?

There are thousands of providers in the state of California that fall under the Final Rule. Depending on the type of service provided, many existing Regional Center vendors may need to make updates to services and/or procedures. New vendors will be expected to meet the requirements from day one.



Is this just for providers?

Providers - May update services and/or procedures.

Individuals & Families- Think about what is important to you, and what you would like your future to include. Tell your team!

Service Coordinators - Support the team to identify short and long term goals, and who will be responsible for what. Document in the IPP!

All - consider desired outcomes of services and supports





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Questions???



Poll:

What does “community” mean to you?



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Requirements - Settings:



Services and supports must be provided in integrated, non-isolating settings (defined based on individual experience and outcomes, rather than on a setting's location, geography, or physical characteristics).

Definition: Community Based Setting



A setting integrated with the surrounding community

- Provides people in the setting the same degree of access to the community as anyone else in the community
- Supports opportunities for community relationships, which foster a sense of belonging.
- Activities are based on participant choice
- Services and location promote, not discourage, community participation

What are “Settings that Isolate”?

- Limited opportunities for interaction with the broader community
- Restricted choice for services or activities outside of the setting
- Located separate and apart from the broader community



Requirements - Person Centered Planning:



- The plan should show that where the person lives and spends time is chosen by the person, is integrated, and supports full access to the greater community
- Specific options are mentioned in the person centered plan, and should relate to individual desired outcomes
- Decisions are based on support needs, preferences, and for residential settings, how much money the individual has to pay for rent and food

The Final Rule has five main components:



1. The setting is integrated in and helps individuals to access the **community**. Regional Center clients must have the **SAME** access to the community as anyone else.

The Final Rule has five main components:

2. The setting is selected by the individual from among setting options, as documented in the **Person Centered Plan**.



The Final Rule has five main components:

3. Protects an individual's **rights** (to privacy, dignity, respect, and freedom from coercion and restraint).



The Final Rule has five main components:

4. Promotes **independence** in making life choices including daily activities, physical environment, and with whom to interact.



The Final Rule has five main components:

5. Supports individual **choice** regarding services and who provides them.



There are additional components for residential settings:



- Legally enforceable agreements
- Privacy
- Lockable Doors
- Single room or choice of roommates
- Can furnish/decorate unit
- Control one's schedule
- Access to food at any time
- Right to have visitors at any time

“What About...?”

The federal rules do allow for some flexibility when:

1. There is an assessed need
2. The need is described and addressed in the Person Centered Plan (IPP/ISP)
3. The need is reviewed regularly



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Questions???

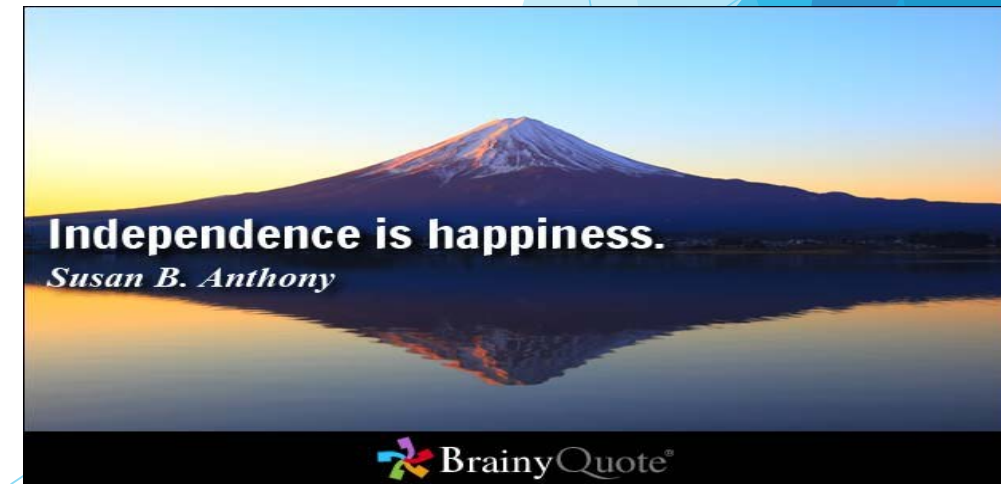


Poll:

Which of these, in your view, needs the most improvement?



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Independence is happiness.

Susan B. Anthony

Why Change the Rules?

Everyone has the right to live a full life as part of their community!



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- Ensure full access to benefits of community living
- Have control over personal resources
- Improve quality of and outcomes of services
- Add protections for individuals
- Ensure that services are received in the most natural setting that meets individuals' expressed needs
- Right thing to do (not just care, but personal growth)
- Power/risk transferred from provider to planning team
- Services go to people who really need them
- Staff find their roles meaningful

Changes could include:

- Providing training to assure that planning teams understand the philosophy and expectations of Person Centered Planning
- Develop a more outcome-oriented focus
- Less time at a provider-controlled site
- Increasing documentation of client choices and needs in IPP and ISP



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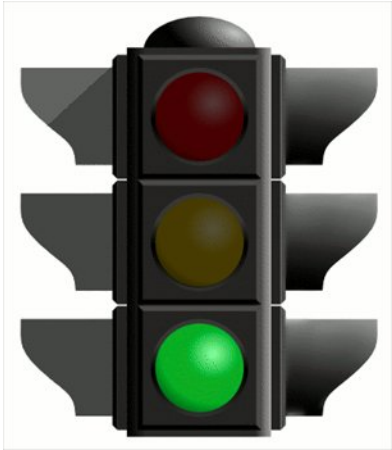
Offering clients additional choices:

- Receiving services in a more integrated setting
- More opportunities to engage in community life and build relationships
- Option for a private unit in a residential setting
- Option for living in and receiving services in one's own apartment or home
- Opportunity to work and receive employment supports in a typical job in the community



Planning teams and providers do
NOT need to wait to begin
making any changes.

Start now!





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Questions???



Hurdles to Overcome:

- Transportation options
- Ratios
- Rates
- Location
- Expectations
(Community, participants, families)



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Life's problems
wouldn't be called
"hurdles" if there
wasn't a way to get
over them.

~Author Unknown

Tips:

- Pursue Person Centered Thinking training
- Ask “What would it take?”
- Don’t hold back - connect with others
 - Ask for help
 - Share ideas & resources
- Start now! Start with one goal at a time, and keep going until you’re done
- Use setting to come and go, not to stay; or consider 100% community based day services
- Pursue accessibility
- Prioritize developing and maintaining relationships (family, friends, community)
- Broaden idea of “community”: more than a place



Success Stories:

- HCBS Compliance Funding
- Person Centered Thinking trainings
- Increased community involvement
- Greater independence
- Dinners with friends, neighbors
- Planning and cooking meals
- Bedroom locks
- Opportunities to work and volunteer



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Now what?

- Person Centered Thinking / Planning
- What are the short and long term goals?
- What would it take to get there?
- Think about what actions you can take
 - Now
 - Future
- Documentation
- Get involved - forums and trainings



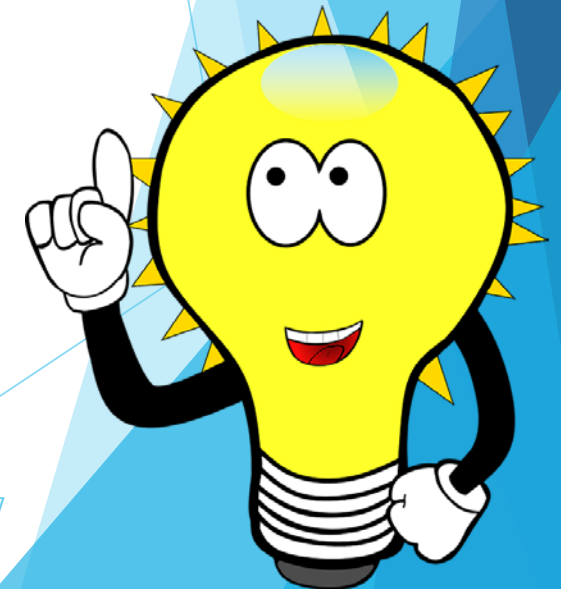
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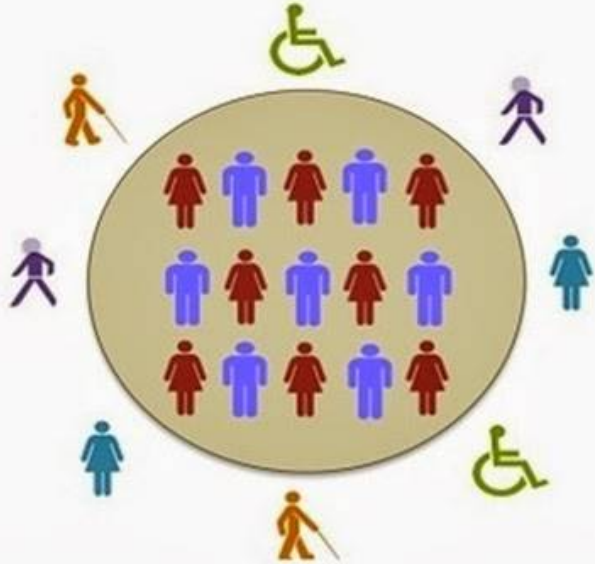
- What is one main takeaway that you can begin implementing immediately? Please comment in the chat box to share with others!



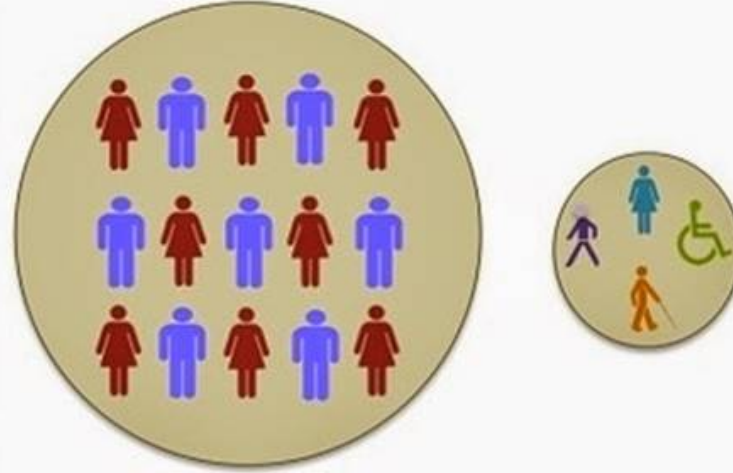
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EXCLUSION



SEGREGATION



INTEGRATION



INCLUSION



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Questions???



Any further questions:

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