

New Hampshire Statewide Transition Plan

APPENDIX

- A. New Hampshire Transition Framework – March 2015
- B. Provider Survey/Validation Visit Assessment Tool
- C. Participant Survey/Validation Visit Assessment Tool
- D. New Hampshire STP Implementation Flow Chart
- E. Remediation Form
- F. DD/ABD Regulatory Analysis
 - 1. He-M 1001 & He-P 814
 - 2. He-P 807
- G. CFI Regulatory Analysis
 - 1. He-P 813
 - 2. He-P 601, 809, & 822
 - 3. He-P 805
 - 4. He-E 801.28
- H. Heightened Scrutiny Requests
- I. DD/ABD – Isolation Monitoring Process
- J. CFI - Isolation Monitoring Process
- K. DD/ABD Goals Summary
- L. CFI Goals Summary
- M. Response to CMS October 2015 Feedback
- N. Public Comment and Response

PURPOSE:

In January 2014, the Center for Medicaid and Medicare Services (CMS) finalized regulations that require Medicaid-funded Home and Community Based Services (HCBS) possess particular qualities in residential and nonresidential settings. All states are required to demonstrate how their HCBS programs comply with the new federal HCBS rules. The purpose of this draft Transition Framework is to ensure that in New Hampshire individuals receiving HCBS are integrated in and have access to supports in the community, including opportunities to seek employment, work in competitive integrated settings, engage in community life, and control personal resources. Overall, the Transition Plan provides a roadmap for how the State will assure that individuals receiving HCBS have the same degree of access as individuals not receiving Medicaid HCBS. This Transition Plan outlines the proposed process that New Hampshire will be utilizing to ensure alignment with the HCBS requirements. Stakeholders were asked to provide public input and comment in order to allow New Hampshire to develop a comprehensive assessment plan. New Hampshire has created an Advisory Taskforce to ensure stakeholder input is obtained throughout the transition planning process.

OVERVIEW:

New Hampshire must submit an HCBS transition plan to CMS by March 14, 2015 because it operates four 1915(c) waivers: Choices for Independence, Developmental Disabilities, Acquired Brain Disorder, and In Home Supports.

The high level transition plan (draft framework) to CMS will include:

1. An inventory plan to review applicable state standards, rules, regulations and policies;
2. A preliminary assessment plan for assessing HCBS settings;
3. A 30-day public comment period of the draft transition plan;
4. A response summary of public comment received;
5. A time frame for the assessment of HCBS setting;
6. A time frame for remediation including a summary of how each setting meets or does not meet the federal HCBS setting requirements and a time frame for the development of a comprehensive transition plan and process for bringing all HCBS settings into compliance; and ultimately a plan for ensuring the health and safety of participants who reside in locations that need to meet corrective action requirements for the setting to come into compliance during the states specified transition time.

PUBLIC NOTICE:

New Hampshire's 30 day public notice and comment period ran from January 11th to February 16th. Notice was published in two statewide newspapers; the links to the public notices published are here: [Public Notice\teleggraph mon jan 12 2015 HCBS transition framework.pdf](#); [Public Notice\union leader sun jan 11 2015 HCBS transition framework.pdf](#). Notice was also published on a designated DHHS webpage found at <http://www.dhhs.nh.gov/ombp/medicaid/draft-transition-framework.htm> Two public hearings were held, one on January 20th at the Brown Building Auditorium in Concord and the other on February 10th at the New Hampshire Hospital Association in Concord. Phone and webinar participation were available at the first hearing; due to technical difficulties, the second hearing had only in-person attendance. Two additional webinars were conducted on February 19th and 25th to provide additional remote attendance opportunities. Staff from New Hampshire Department of Health and Human Services and the Institute on Disability also attended informal meetings regarding the HCBS transition planning work throughout the public process. The details of formal and informal hearings are below.

DATE/TIME	LOCATION	ORGANIZATION	# ATTENDEES	EVENT DESCRIPTION
1/17/15	Walker Building	People First	17	Informational meeting and input
1/21/15	Community Bridges, Concord	Service coordinator Supervisors	10	Presentation and feed-back
1/21/15	DD Council	Quality Council	24	Presentation at bi-monthly meeting
1/20/2015 6:00-8:00 PM	Brown Building Concord	General Public	3 in person, 3 online	Public Hearing - live and webinar
2/10/15 2:30-4:30PM	NH Hospital Assoc.	General Public	20-25	Public Hearing – live; webinar failed
2/10/2015 12:45 - 1:30	ARCH Offices	ARCH Board of Directors	10	Informational meeting and input
2/19/2015 10:00 a.m.	Online	General public	0	Phone and webinar
2/25/2015 11:00 a.m.	Online	General public	0	Phone and webinar

An advisory taskforce has been created to ensure stakeholder input is solicited throughout the planning process. The advisory taskforce will meet on the second Wednesday of each month going forward.

Transition Framework for Establishing HCBS Settings Compliance New Hampshire Department of Health and Human Services			
Action Item	Description	High-Level Strategies	Target Timeline
Public Comment: Draft Transition Framework: Transition Plan Framework			
<i>Public comment for Draft Transition Framework for establishing Home and Community Based Settings compliance</i>	30 day public comment period for review of Draft Transition Framework	Statewide notice published in two statewide newspapers on January 11 and 12. MMIS sent notice in an all provider communication; NH DHHS constructed webpage which hosts the notice and draft framework; 2 public hearings held: Jan 20 th and Feb 10 th . Additional webinars on Feb 19 and Feb 25 held. State conducted informal meetings during and after public notice and comment period.	1-11-15 – 2-16-15
<i>Submit Draft Transition Framework for assessing Home and Community Based Settings compliance to Centers for Medicare and Medicaid Services [CMS].</i>	State finalizes and submits Draft Transition Framework to CMS	-Design NH Transition Plan Framework around successful state models.	2-27-15

<p>1. Inventory</p> <p><i>State standards inventory</i></p>	<p>Establish comprehensive list of state rules, regulations, policies, and standards to be reviewed and validated with respect to whether existing state standards conform to Home and Community Based Settings rule.</p>	<p>-Members of Transition Framework team submit lists of regulations for review. Compile submissions based on relevant waiver.</p>	<p>12-12-14</p>
<p><i>Collect and review current state standards (rules and regulations) as they relate to new Home and Community Based Settings rule.</i></p>	<p>Transition Framework team will collect regulations, standards and policies including rules and related policies, licensing and certification requirements, training and enrollment materials.</p>	<p>-Seek external legal counsel for thorough review.</p>	<p>1-12-15</p>
<p><i>Obtain active Home and Community Based Settings provider breakdown by site</i></p>	<p>NH will identify the relevant Home and Community Based service providers and establish a list that includes category of service, address and contact information.</p>	<p>-Members of Transition Framework team submit provider lists.</p>	<p>12-12-14</p>
<p><i>Develop and refine assessment tools</i></p>	<p>Develop and refine assessment tools to evaluate conformity and compliance with Home and Community Based Settings rules; assessment tools are reviewed and tested to ensure they adequately capture needed elements. Develop provider self-assessment tool and assessment tools for participants.</p>	<p>-Transition Framework team to review tools known to have worked successfully in other states. Develop assessment tools for providers and participants. Solicit feedback on assessment tools, the plans to deploy them, and by whom,</p>	<p>4-30-15</p>

		with Advisory Taskforce.	
<i>Incorporation of assessment tool into provider enrollment process and application</i>	State incorporates self-assessment requirement into provider enrollment process and application	- Transition Framework team reviews language and instructions after soliciting feedback from Advisory Taskforce.	7-31-15
2. Assessment			
Assess NH state standards' current level of compliance	Assess what changes are required to update provider qualification standards, licensure regulations, enrollment, training, and all other related standards, rules regulations and policies to conform to Home and Community Based Settings rules	-Contract third party for thorough legal review; identify areas of potential non-compliance. Share initial review with Advisory Taskforce. After soliciting feedback from Advisory Taskforce, determine which requirements will be amended.	2-27-15 – 4-30-15
<i>Establish advisory taskforce comprised of advocates, consumers, and HCBS providers.</i>	Convene regularly scheduled meetings to review assessment activities and findings, assist in the development of the remediation and compliance plan based on assessment results.	-Institute on Disability together with Department of Health and Human Services to coordinate; initial invitations sent on 2/20; additional invitations sent on 3/6; first meeting scheduled for 3/11/15	2-15-15
<i>Providers and Participants Complete Assessments</i>	Via assessment tools developed after soliciting feedback from Advisory Taskforce	After soliciting feedback from Advisory Taskforce on Assessment Work Plan, (including development of	6-30-15

			assessment tool(s) Transition Framework team coordinate provider and participant outreach. Transition Framework team will coordinate schedule for provider follow-up and assessment completion.	
<i>Data compiled and analyzed</i>	Data compiled to determine those Home and Community Based Settings providers who meet, do not meet and could come into compliance with Home and Community Based Settings guidance.		-Upon completion of assessment, build list of providers for sample validation. Solicit feedback on sample validation plan with Advisory Taskforce.	7-31-15
<i>Selected entities validate sample of assessments</i>	Selected entities, validate a state determined percentage of provider assessments		-Transition Framework team to identify and coordinate with providers for field validation, after soliciting feedback from Advisory Taskforce. Utilize multiple validation avenues.	9-30-15
<i>Assessment Report; Comprehensive Transition Plan</i>	State formally presents results of both assessments to Advisory Taskforce;		-Summarize results of both self- and validated assessment for Advisory Taskforce. Distribute results to Advisory Taskforce.	10-30-15

<p>3. Remediation and Compliance</p>			
<p><i>Based on assessment results, develop comprehensive transition plan to bring NH Home and Community Based Settings into compliance</i></p>	<p>Institute on Disability and Department of Health and Human Services together with the Advisory Taskforce develop a comprehensive statewide Transition Plan which establishes a path for comprehensively addressing all components of compliance with Home and Community Based Settings rule.</p>	<p>-Draft and finalize narrative white paper summarizing the level of compliance within NH at the end of the assessment period, and establishing a plan for comprehensively addressing all components of compliance with Home and Community Based Settings rules, using advice from the Advisory Taskforce.</p>	<p>10-30-15 to 3-31-16</p>
<p><i>Submit Waiver Amendment to CMS</i></p>	<p>Department of Health and Human Services will submit waiver amendments as needed to CMS to ensure provider and setting requirements are met.</p>	<p>-Department of Health and Human Services will submit.</p>	<p>3-31-16</p>
<p><i>Policy Development</i></p>	<p>State will develop revised policies and procedures to address ongoing monitoring and compliance.</p>	<p>-Policy partners within Department of Health and Human Services, Bureau of Developmental Services, Bureau of Elderly and Adult Services with Advisory Taskforce</p>	<p>3-31-16</p>

<i>Remediation Strategies</i>	Design, adopt, and implement plan for achieving comprehensive compliance of provider standards with Home and Community Based Settings rules (credentialing, licensing and policies).	-Transition Framework Team together with Advisory Taskforce develops revised policies and procedures to address ongoing monitoring and compliance.	3-31-16
<i>Provider Training and Education</i>	Design and implement plan for incorporating necessary training and education into provider enrollment, orientation, and training on transition plan to providers	-Utilize Advisory Taskforce and other key stakeholder input and existing provider standards specific to particular provider groups.	3-31-16
<i>Monitoring of Compliance</i>	State, with feedback from the Advisory Taskforce, will develop surveys and/or incorporate policy and consumer satisfaction surveys to identify areas of non-compliance	-Rely on existing policy documents and key stakeholder input.	3-31-16 and ongoing
4. Outreach and Transparency			
<i>Public Comment and Stakeholder Input</i>	Department of Health and Human Services provides opportunities for formal public comment according to federal standards and multiple opportunities and modalities for informal stakeholder input	-2 statewide public statements of notice -Direct provider outreach by Bureau of Developmental Services/Bureau of Elderly and Adult Services; Webinar, Website; E-mail for feedback; Two public hearings; Multiple meetings	1-17-15 to 2-17-15

<i>Public Comment and Stakeholder Input</i>	Department of Health and Human Services collects public comment and stakeholder input through multiple methods and makes appropriate changes to Transition Framework.	-Comments will be taken via email, in person or by written submission.	1-17-15 to 2-17-15
<i>Public Comment- collection and plan revisions</i>	Department of Health and Human Services incorporates appropriate changes to initial transition plan based on public comments	-Transition Framework team review feedback -Edit Draft Transition Framework as needed.	2-17-15 to 2-27-15
<i>Public Comment - retention</i>	Department of Health and Human Services will safely store public comments and state responses for CMS and the public	-Department of Health and Human Services to record and store according to internal protocol.	2-17-15 - ongoing
<i>Posting of revisions to initial document</i>	Department of Health and Human Services will post the rationale behind any substantive change to the comprehensive transition plan	-Department of Health and Human Services to make changes available to public.	2-17-15 - ongoing
<i>Stakeholder training and education</i>	Design, schedule and conduct training for individual recipients of waiver services, their families and similarly situated stakeholders on waiver compliance, including changes they can expect to see and which will affect their services	-Institute on Disability with Department of Health Human Services to coordinate.	ongoing
<i>Public Comment - ongoing input</i>	State will leverage various stakeholder groups to periodically present feedback to Comprehensive Transition Plan development in preparation for comprehensive plan submission	-Advisory Taskforce to meet monthly -Organize groups according to waiver as needed.	2-17-15

<p>5. Public Comment: Draft Comprehensive Transition Plan</p>			
<p><i>Public comment for draft Comprehensive Transition Plan</i></p>	<p>30 day public comment period for review of Draft Comprehensive Transition Plan</p>	<ul style="list-style-type: none"> -State will follow same public notice and comment period including 2 statewide public statements of notice -Direct provider outreach by Bureau of Developmental Services/Bureau of Elderly and Adult Services -Webinar -Website -E-mail for feedback -Two public hearings; multiple public presentations 	<p>1-31-16</p>
<p><i>Submit Comprehensive Transition Plan to CMS</i></p>	<p>State finalizes and submits Comprehensive Transition Plan to CMS</p>	<p>-Department of Health and Human Services with Institute on Disability and Advisory Taskforce</p>	<p>3-31-16</p>

Responses to Comments on New Hampshire Draft Transition Framework RE: Home and Community Based Services Settings Compliance

March 10, 2015

Transparency and Stakeholder Engagement

Comment 1: Several commenters expressed concern that the process for determining membership in the Advisory Taskforce was opaque and that it did not sufficiently represent the external stakeholders who are knowledgeable and relevant to this process, including direct support workers, people living with developmental or intellectual disabilities, and those with acquired brain disorders.

Response 1: The State is sensitive to the concern that the Advisory Taskforce, as the body who will be consulted for feedback throughout the assessment and remediation processes, will be representative of the people whose lives will be impacted by these regulatory requirements and any changes made to establish compliance with them. The State has taken steps to mitigate that risk. First, New Hampshire has outlined that at least four of the seats on the Advisory Taskforce need be held by people who are receiving services who will be impacted by these regulations and has asked three external organizations, Granite State Independent Living, The Office of the Long-Term Care Ombudsman, and the federally required Medical Care Advisory Committee (MCAC) to help select those consumers. In response to concerns raised about membership, the State will extend additional invitations as needed to assure that the interests of people who are served by the Waivers that will be affected by these regulations are represented well within the Advisory Taskforce.

Comment 2: Commenters expressed concern that that the work plan offered limited opportunity for stakeholder engagement.

Response 2: In response to concerns that stakeholder input into the comprehensive statewide plan appears to be very limited, the State has edited the work plan to reflect the junctures at which the State anticipates that the Advisory Taskforce will provide feedback: in reviewing the summary of the regulatory landscape, assisting in the development of the assessment tools, assisting in development of plans to deploy the assessment tools, reviewing the results of the assessments, and assisting in the development of the formal remediation plan which will establish for New Hampshire what changes need to be made to in order to establish the State's compliance with the settings requirement. Finally, the work plan also notes that the State will put the final comprehensive transition plan, when developed, out for a statewide, thirty day public notice and comment period. The State recognizes that inclusion of key stakeholders is central to an effective HCBS transition planning process.

Comment 3: Commenters expressed concern that Direct Support Professionals are underpaid in general and are crucial to the HCBS transition planning process.

Response 3: The State is sensitive to the need for Direct Support Professional to be involved in the HCBS transition planning process and will assure their participation.

Draft Transition Plan

Comment 4: Commenters expressed concern that the draft transition plan was vague and lacked details about each step of the process and that significant work relating to the policy review at the State level was being conducted without the inclusion of key stakeholders.

Response 4: The State recognizes that at this initial stage, the work plan is very high level. This is a reflection of the need to solicit feedback from stakeholders throughout the inventory, assessment and remediation processes. Moreover, it does provide for the time frames for conducting inventory, assessment and remediation tasks that are necessary as well as a description of the parties to be involved in those steps. As the work progresses in each phase, in consultation with the Advisory Taskforce, more details regarding each additional step will be developed and communicated. Regarding the concern about the State's reliance on a third party for review of state compliance without inclusion of key stakeholders, the State has clarified in the work plan that the summary of the third party's work, which is a review and summary of the regulatory landscape relating to each of the State's four waivers, has been prepared in order to be shared with the Advisory Taskforce to solicit the Advisory Taskforce's feedback. The summary of the regulatory landscape that has been conducted, while thorough, is preliminary and not final.

Comment 5: One commenter noted that the settings requirements do not only apply to residential services and that therefore the title of the document, "Draft Transition Framework for Establishing Home and Community Based Services Residential Settings Compliance" was confusing.

Response 5: The State has deleted the term "residential" from the title of the document.

Comment 6: One commenter encouraged the state to seek clarification as to how the rules are intended to apply to people living in their own homes and encouraged the state to expand the transition planning process to include assessing supports provided to people living in their own homes or with family and that day programs should be included as well.

Response 6: Subregulatory guidance indicates that the regulations allow states to presume the enrollee's private home or the relative's home in which the enrollee resides meet the requirements of HCBS settings. Person-centered planning remains an important protection to assure that individuals have opportunities for full access to the greater community to the same degree as individuals not receiving Medicaid HCBS when they live in their own or a relative's private home. The State will work with CMS to clarify how non-residential home and community based settings should be addressed.

Assessment Phase

Comment 7: Commenters expressed concern that there is a lack of clarity about which entities will conduct the assessments and about the level of expertise and training of those entities and individuals who will conduct the assessments, and encouraged the State to assess as many people as possible. One commenter encouraged the State to ensure that those conducting the assessments be trained in Social Role Valorization or other comparable values-based training.

Response 7: The State is in the process of developing an initial approach to assessment that has not yet been reviewed with the Advisory Taskforce. As a result, the details regarding who will conduct the assessment and how the assessments will be deployed and what the requirements are for those assessments in terms of skill and training are not yet finalized. As noted above, the State will be soliciting feedback from the Advisory Taskforce about its initial approach to assessment to ensure that the assessment tasks are deployed in an effective way.

Comment 8: Commenters expressed concern that the draft transition plan did not contain sufficient detail about a variety of issues related to assessment and remediation phases including how to protect people who will need to be transitioned, whether there will be accessible methods for participants to voice complaints about a setting, how the State will establish what the current array of compliant settings are, and the absence of a plan to evaluate capacity or increase the home and community based service capacity to fulfill the requirements of this regulation.

Response 8: These concerns will be addressed based on the results of the assessments the State needs to complete. Assessment will include, by necessity, an evaluation of current capacity; and the State assures that participants will be able to voice complaints. When the results of the assessments are completed, the State will be able to address whether plans to increase capacity are needed, when and how participants would have to be transitioned, and how to transition participants safely. The State will provide the assurances that are required under sub-regulatory guidance from the Centers for Medicare and Medicaid Services; should relocation of beneficiaries be part of the State's remedial strategy, which include the following: an assurance that the State will provide reasonable notice to beneficiaries and due process to those individuals; a description of the timelines for the relocation process; the number of beneficiaries impacted, and a description of the State's process to assure that beneficiaries, through the person-centered planning process, are given the opportunity, information and supports to make an informed choice of an alternate setting that aligns or will align with the regulation and that critical services/supports are in place in advance of the individual's transition.

Comment 9: One commenter noted that in the assessment phase that personal experience of participants is central and that provider input should supplement, but not replace, first hand reports of people receiving services.

Response 9: The State recognizes the importance of assessing participants as well as providers and is committed to ensuring that both are effectively assessed.

Broad application of 42 CFR 441.301(c)(4)

Comment 10: Several commenters expressed concern that implementing the new federal regulations in a one-size-fits-all manner, especially with respect to lockable doors, forcing people to be engaged in community even if they don't want to be, making food available at all times, and choice of roommate are impractical, will require additional funding to providers to make needed modifications and may disrupt the lives of residents, who like their current residences.

Response 10: 42 CFR 441.301(c)(4) requirements are based "on the needs of the individual as indicated in their person-centered service plan." That qualification provides some flexibility to ensure a balance between safety and well-being of the individual and the required qualities of Home and Community Based Services outlined in the regulation. Moreover, it requires that the individual's person-centered service plan indicate his or her preferences and needs.

Finally, modifications of some of the qualities required in provider-owned or controlled settings are allowed if those modifications are sufficiently supported and justified through the participant's person-centered service plan.

Comment 11: Several commenters expressed concern that residents being allowed to lock doors for privacy is unnecessary, may prevent providers from adequately monitoring or caring for residents, or encourage residents to isolate behind locked doors in an unhealthy manner.

Response 11: The federal requirement regarding doors at 441.301(c)(4)(vi)(B)(1) applies within a provider-owned or controlled setting and requires that the sleeping or living unit has entrance doors that are lockable; the rule also specifically allows for appropriate staff to have keys to any lockable doors. This would allow providers to safeguard and tend to the needs of their residents while allowing the resident to control, to some extent, access to their private living space.

Comment 12: One commenter requested clarification as to what it means to give a resident a choice of roommate and whether a Medicaid-funded waiver participant can thereby refuse a roommate in a setting. The commenter further requested clarification about whether Medicaid-funded waiver residents would then be allowed to reject a roommate when a non-Medicaid-funded participant in the same setting would not have that right.

Response 12: The Department of Health and Human Services will work with the Centers for Medicare and Medicaid Services to clarify choice of roommate provisions.

Comment 13: Several commenters expressed concerns that broad application of general rules will prevent providers from being able to focus on the individual needs of participants.

Response 13: The State notes that the new settings requirements are bounded in the federal regulation by "the needs of the individual as indicated in the person centered service plan" thus allowing individuals' needs to be addressed within the federal requirements.

Comment 14: One commenter expressed concern that the HCBS transition will mean that the Area Agencies will be replaced by managed care organizations.

Response 14: The federal HCBS settings requirements apply to Medicaid-funded HCBS settings provided under Medicaid waiver authorities regardless of the mechanism used to deliver waiver HCBS services.

Comment 15: One commenter requested that the transition plan take into account the positive benefits that assisted living has for residents and that residents not be thrust out into the community where they would receive services at a lower level.

Response 15: The new federal requirements prioritize participant needs and preferences driving which services the participant receives and from whom.

Comment 16: More than one commenter expressed concern that broad application of the new regulations would effectively limit the choices of participants who receive Waiver services, expressing that all people want to be able to choose how they spend their time and with whom they spend it and with whom they do not spend it; others wanted to know how the term isolation would be applied, indicating that some people do not want to be mandated to be included but rather want to be left alone.

Response 16: The regulation presumes that settings that have the effect of isolating individuals receiving Medicaid HCBS from the broader community are not desirable. It is a general standard that applies to the setting; it is not a mandate in and of itself requiring participants to be engaged in a way they do not wish to be.

Comment 17: One commenter asserted that one characteristic of a setting that is isolating - “the individuals in the setting are primarily or exclusively people with disabilities and on-site staff provides services to them” would apply to every residential care home in the state and wondered if it was CMS’ intention to defund every such site.

Response 17: CMS has stated that, when coupled with other characteristics, the above characteristic might meet the criteria for having the effect of isolating individuals receiving Medicaid-funded HCBS, but not necessarily. A setting that, after assessment, is found to not meet home and community based requirements, can request that the State pursue the heightened scrutiny process and request CMS review evidence presented by the State and other stakeholders as to whether that setting can meet HCBS characteristics. However, the heightened scrutiny review process can only be pursued with the State’s agreement.

Comment 18: Many commenters requested clarification regarding whether particular requirements, i.e., the opportunity to seek employment and work in a competitive environment was a mandate that applied to all participants in all contexts.

Response 18: The regulations at issue require that the settings possess a number of qualities and opportunities that the participants may or may not access based on the needs of the participants as indicated in their person-centered service plans.

Miscellaneous

Comment 19: One commenter asked that the State consider future program changes in light of the new federal HCBS rule and to adopt a specific process for using the new rule as a benchmark any time a change is made in state rule or policy that would impact a waiver program, including budget directives.

Response 19: New Hampshire is required to comply with federal regulatory requirements and will consider its federal requirements whenever policy decisions are made at the state level.

Comment 20: One commenter asked where the federal requirements can be accessed.

Response 20: The federal requirements are found at 42 CFR 441.301(c)(4)(5) which can be accessed here: <https://www.federalregister.gov/articles/2014/01/16/2014-00487/medicaid-program-state-plan-home-and-community-based-services-5-year-period-for-waivers-provider>

Comment 21: One commenter asked whether the four waivers which will be impacted by HCBS settings requirements are new or existing.

Response 21: Four 1915(c) waivers are currently operating in New Hampshire: Choices for Independence, Acquired Brain Disorder, Developmental Disabilities, and In-Home Supports.

Comment 22: One commenter asked how many adults in New Hampshire are receiving services through the developmental disabilities waiver.

Response 22: The client counts for each waiver are approximately:

DD waiver:	4,494
CFI waiver:	2,876
ABD waiver:	243
IHS waiver:	323

Comment 23: One commenter asked who will be responsible for person centered planning, how the State will ensure that each individual has a person centered plan and how the State will fund the development of these plans.

Response 23: The principle of person-centered planning is embedded within 441.301(c)(4)(5) and throughout state regulatory instruments governing home and community based service provision. The state will continue to use its regulatory and contracting processes to ensure these obligations are fulfilled.

Comment 24: One commenter asked how the State will define settings being integrated into the greater community.

Response 24: The State, with feedback from the Advisory Taskforce, will be assembling the examples provided by CMS and analyzing them in order to have a comprehensive understanding of federal definitions and thus have a functional definition in accordance with CMS' expectations and guidance.

Comment 25: One commenter asked how the State will define institutional settings given that the new CMS regulations indicate that HCBS funds cannot be used for these settings.

Response 25: After the assessment phase of the draft transition framework is complete and based on those results, the State will align services within the definitions provided by CMS to ensure that federal financial participation can be guaranteed.

Comment 26: With regard to staffed residences, one commenter asked how the State will support an individual's choice of staff member(s).

Response 26: The new federal requirements prioritize participant needs and preferences driving which services the participant receives and from whom. The State, together with the Advisory Taskforce, will explore through the inventory and assessment phases of the transition plan, how best to animate the requirement to support an individual's choice in the services received and the provider elected to provide them.

Attachment B

NH Provider Self-Assessment of HCBS Community Settings

In March 2014, CMS finalized its HCBS Community Settings Rule that defines and sets criteria for what constitutes a community setting for services delivered under the Home and Community Based Services (HCBS) Waiver Program. The intent of the rule is to assure that individuals receiving services and supports through HCBS funded programs have full access to the benefits of community living and the opportunity to receive services in integrated settings including opportunities to seek employment and work in competitive integrated settings. The HCBS Settings requirements apply to both residential and non-residential settings for individuals who are receiving Medicaid funding for HCBS.

In order to meet the requirements of the new rule, states need to develop a Transition Plan, “detailing any actions necessary to achieve or document compliance with the setting requirements.” States will have up to 5 years to implement the approved plan.

An integral component of developing the Transition Plan is an assessment of existing settings to determine how closely they currently comply with the HCBS Settings Rule; and if they don’t comply with what is required, a plan to come into compliance. This self-assessment will assist in that process. Validation of responses will occur on a random basis with site visits and HCBS participant interviews.

The following questions will assist you in conducting a self-assessment. Please answer “yes”, “not yet”, “no” or “N/A” to each question.

- Answer “yes” when you believe the setting is in full agreement with the question.
- Answer “not yet” when you believe the setting meets the requirements of the question at times or efforts are underway to become in full agreement with the question.
- Answer “no” when you believe the setting does not currently meet the requirements of the question.
- Answer “N/A” in a situation where you are assessing a non-residential setting and the question is specific to residential only (i.e. Does the individual(s) have his/her own bedroom or share a room with a roommate of his/her choice?).

All questions must be answered. Please also provide comments, evidence of compliance or plans to do so when the answer is “no” or “not yet”.

It is not expected that all sites will be in compliance at this point in the process. However, we assume that you aspire to achieve the outcomes articulated in the HCBS Community Settings Rule over the next 5 years. Please be thoughtful and honest in your assessment.

Provider Name:

Provider Address:

Site Address:

Setting Type:

- Residential
- Non-residential

Type of Waiver Funding:

- NH DD
- NH ABD
- NH CFI
- Other State (please specify)

Date assessment completed:

Question Category	Question	Response				Comments, Evidence of Compliance or Remedy
		Yes	Not Yet	No	N/A	
Choice of setting	Are individuals provided a choice regarding where to live (if residential setting) or receive services (if non-residential setting)?					
	Are individuals afforded opportunities to choose with whom to do activities in or outside the setting or are individuals assigned only to be with a certain group of people?					
	Are individuals provided a choice regarding the services, provider and settings and the opportunity to visit/understand the options? Were the options explained to them?					
Participation in activities	Are individuals provided opportunities for regular and meaningful non-work activities in integrated community settings in a manner consistent with the individual's needs and preferences?					
	Are individuals provided the opportunity for tasks and activities matched to individuals' skills, abilities and desires?					
Community participation	Are the tasks and activities comparable to those of typical peers (without disabilities)?					
	Do individuals regularly shop, attend religious services, schedule appointments, eat out with family and friends, etc. as they choose?					

	Are individuals provided opportunities and encouraged to have visitors, and is there evidence that visitors have been present at regular frequencies? <i>For example, are visiting hours unrestricted, or does the setting otherwise encourage interaction with the public?</i>				
	Are individuals provided with contact information, access to and support or training on the use of public transportation, such as buses, taxis, etc., and are these public transportation schedules and telephone numbers available in a convenient location?				
	Alternatively where public transportation is limited, are other resources provided for individuals to access the broader community, including accessible transportation for individuals with mobility impairments.				
	Are individuals offered opportunities that include non-disability-specific settings, such as competitive employment in an integrated public setting, volunteering in the community, or engaging in general non-disabled community activities?				
Community employment	Are individuals who want to work provided opportunities to pursue employment in integrated community settings?				
	Do (paid) employment settings provide individuals with the opportunity to participate in negotiating his/her work schedule, break/lunch times and leave and medical benefits with his/her employer to the same extent as individuals not receiving Waiver funded services?				
Choice of housemate or roommate	Does the individual(s) have his/her own bedroom or share a room with a roommate of his/her choice? Do individuals know how to request a change in roommate?				
	Are married couples or couples in long term relationships provided with a shared or separate bedroom and living accommodation if they choose?				
Own schedule	Are individuals able to choose and control schedules that focus on their specific needs and desires and provide an opportunity for individual growth? <i>For example, can individuals identify preferred activities and participate when and where they choose?</i>				

Access to personal funds	In settings where money management is part of the service, are individuals provided the opportunity to have a checking or savings account or other means to have access to and control his/her funds. <i>For example, is it clear that the individual is not required to sign over his/her paychecks to the provider other than regulated benefits payments?</i>					
Choice related to meals/snacks	Are individuals provided an opportunity to have a meal or snacks at the time and place of their choosing? <i>For instance, are individuals provided full access to a dining area with comfortable seating and opportunity to converse with others during break or meal times, affording dignity to the diners?</i>					
Individual choice	Are opportunities for an alternative meal and/or private dining available if requested by the individual?					
	Do individuals have access to food at any time consistent with individuals in similar and/or the same setting who are not receiving Medicaid-funded services and supports?					
	Does the residential or non-residential setting have policies, procedures and/or practices that ensure the informed choice of the individual?					
Free from coercion	Is information about filing any type of complaint available to individuals in an understandable format? Are individuals comfortable discussing concerns? Do individuals know the person to contact or the process to make an anonymous complaint?					
Role in person centered service plan	Are individuals informed of their treatment and service rights, and right to be free from restraint, seclusion, abuse, neglect, and exploitation?					
	Are individuals prevented from engaging in legal activities (for example: voting)?					
	Are individuals assured that they will be supported in developing plans to support their needs and preferences? Are Enhanced Family Care/direct support providers and others knowledgeable about the capabilities, interests, preference and needs of individuals involved in the plan development? Does the individual, and/or a person chosen by the individual,					

	<p>have an active role in the development and update of the individual's person-centered plan?</p>					
<p>Access to environment</p>	<p>Do individuals have the freedom to move about inside and outside of the residential or non-residential setting as opposed to one restricted room or area within the setting?</p> <p>Is the setting physically accessible, including access to bathrooms and break rooms, and are appliances, equipment, and tables/desks and chairs at a convenient height and location, with no obstructions such as steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting? If obstructions are present, are there environmental adaptations such as a stair lift or elevator to address the obstructions? If so, are they functional?</p> <p>Are there gates, Velcro strips, locked doors, fences or other barriers preventing individuals' entrance to or exit from certain areas of the setting? Is access to certain areas limited due to health and safety reasons?</p>					
<p>Physical environment</p>	<p>Does the physical environment meet the needs of those individuals who require supports? For those individuals who need supports to move about as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? If applicable, are appliances accessible to individuals (e.g. the washer and dryer are front loading for individuals who use wheelchairs)? Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?</p> <p>Does the setting support individual independence and preference? Do individuals have full access to the kitchen, laundry, or living areas?</p> <p>Are personal items present and arranged as the individual prefers? Do the furnishings and décor reflect individual choice and preference?</p>					
<p>Integration and access to the community</p>	<p>Is the setting on the grounds of, or immediately adjacent to a public institution or facility?</p> <p>Is the setting located in a building that is also a publicly or privately operated facility that provides inpatient treatment?</p>					

	Is the setting in the community (building/home) located among other residential buildings, private businesses, retail businesses, restaurants, doctor's offices, etc. that facilitates integration with the greater community?					
	Does the setting provide individuals with disabilities multiple types of services and activities on-site? (For example: residential, day services, medical, social/recreational, etc.)					
Health information	Is individual health information held securely and confidentially?					
Dignity and privacy	Is all information about individuals kept private? For instance, are there confidentiality policy/practices and are they followed to ensure that? For example, there are no posted schedules of individuals for PT, OT, medications, restricted diet, etc., in a general open area?					
	Are individuals who need assistance with their grooming/personal appearance supported to appear as they desire, and is personal assistance, provided in private, as appropriate?					
	Do individuals have privacy in their bedrooms and bathrooms? Can they lock the doors when they are in use?					
	Do others request permission before entering the individual's home, bedroom, or bathroom?					
Decision making	Are individuals supported to make decisions and exercise autonomy to the greatest extent possible?					
	Does the setting ensure that individual behavioral approaches are specific to the individual and not the same as everyone else and/or restrictive to the rights of every individual receiving services/supports in that setting?					
Communication	Do Enhanced Family Care or paid staff/direct support providers and management personnel interact and communicate with individuals respectfully and in a manner in which the person would like to be addressed, while providing support or assistance during the regular course of daily activities?					
	Do residential and non-residential setting practices assure that Enhanced Family Care, paid staff, direct support providers or other caregivers do not talk to others about an individual(s) in					

	the presence of other persons or in the presence of the individual as if s/he were not present?					
	Is communication conducted in a language or manner that the individual understands? <i>(For example: non-English speakers, individuals who are deaf)</i>					
Settings agreement	For residential settings, is there a legally enforceable agreement for the unit or dwelling where the individual resides. Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? Does the individual know his/her rights regarding housing and when s/he could be required to relocate? Does the individual know about resources that can assist in relocation?					

Comments:

Attachment C

NH HCBS Participant Survey

WHO: We are seeking feedback from all participants who receive funding from the DD, ABD, or CFI Waivers.

You do not have to take this survey. Your decision to take or not take this survey will not affect your health insurance or your medical care. The answers you provide will be kept private and will be analyzed in aggregate, not individually, by the UNH Institute on Disability.

WHAT: This survey asks questions about the settings where you receive your services (residential and/or day/employment). Please choose the answer that best describes your experience overall and add any comments that you think would be helpful.

When you take this survey, it is important to remember that all individuals have the fundamental right to personal freedoms, and if your living situation or program/services are restricted in any way, it must be allowed by an approved individualized plan. If you do not have an individualized plan or don't know why your program/services or living situation has restrictions or limitations, please use the "Comments" section to let us know.

WHY: The Centers for Medicare and Medicaid Services (CMS) is requiring states to review and evaluate current Home and Community-Based Settings (HCBS). There are new rules to make sure that individuals who get Medicaid waiver services and supports have full access to the benefits of community living. The reports generated from the survey responses will be used to assist the New Hampshire Department of Health and Human Services (DHHS) respond to CMS.

If you have any questions about this survey, please contact Linda Bimbo at the UNH/Institute on Disability, Linda.Bimbo@unh.edu

This survey should take you approximately 15-20 minutes to complete. Thank you in advance for your assistance!

HOW TO SUBMIT YOUR SURVEY:

Use the online survey tool to submit your survey answers:

https://unh.az1.qualtrics.com/SE/?SID=SV_863QthEwB&d3lt3

- Mail the completed paper survey to:
UNH/Institute on Disability
56 Old Suncook Road, Concord, NH 03301
Attn: Susan Orr
 - FAX it to 603-228-3270 Attn: Susan Orr
-

Participant Name (Optional): _____

Site Address: _____

Services received at this site are: ___ Residential or ___ Non-residential (i.e. adult day, day/vocational, employment)

Type of Waiver Funding for your services: ___ DD ___ ABD ___ CFI

Do you have a guardian or Power of Attorney? ___ Yes ___ No

A. Choice of setting

1. Did you choose where you live (residential) or where to receive services (non-residential)?

___ Yes ___ No

Comments:

2. Did you visit your residence and/or day program before you began receiving services there?

___ Yes ___ No

Comments:

3. Do you like your home/where you live or receive other services?

___ Yes ___ No ___ Sometimes

Comments:

4. If you wanted to change, do you know how to request new housing or a non-residential service (day or employment services) site change?

___ Yes ___ No

Comments:

5. Are you allowed to use the phone and/or internet (if available) when you want to?

___ Yes ___ No ___ Sometimes

Comments:

B. Choice of housemate or roommate

6. Did you choose (or pick) the people you live with?

Yes No

Comments:

7. Do you know how to change your roommate if you want to?

Yes No

Comments:

8. Do you have the option of living/rooming with a spouse or partner if you want to?

Yes No

Comments:

9. Have you been moved to another room or made to room with someone without your consent?

Yes No

Comments:

C. Participation in activities

10. Do you participate in the planning and/or engage in meaningful non-work activities Do you participate in the planning of and/or engage in meaningful non-work activities (sports, leisure, social, volunteer, or other activities in the community) Yes

No Sometimes

Comments:

11. Are you supported when you want to do something that's not scheduled?

Yes No Sometimes

Comments:

D. Integration and access to the community

12. Is your home or where you receive services part of the community at large (and not institution-like or part of or adjacent to an institution – hospital, nursing home, mental health hospital etc.)?

Yes No

Comments:

13. Can you see your family or friends when you want to see them?

Yes No Sometimes

Comments:

14. Do you feel isolated in your home or day program/service?

Yes No Sometimes

Comments:

15. Do you regularly leave your home to go shopping, on errands, to a restaurant or coffee shop, or other activity in the community?

Yes No Sometimes

Comments:

16. When you want to go somewhere, do you have a way to get there? (For example, access to public transportation or other resources)

Yes No Sometimes

Comments:

E. Community Employment

17. Do you have a paid job in the community (if you want one)?

Yes No Sometimes

Comments:

18. If yes, are you working as much as you would like to?

Yes No Sometimes

Comments:

19. If you would like to work, is someone helping you with that goal?

Yes No Sometimes

Comments:

F. Own schedule

20. Do you decide on your daily schedule (like when to get up, when to eat, when to go to sleep)?

Yes No Sometimes

Comments:

21. Do you decide on how you spend your free time (when you are not working, in school or at a day program)?

Yes No Sometimes

Comments:

G. Access to personal funds

22. Do you have a bank account or way to control your personal resources?

Yes No Sometimes

Comments:

23. Do you have regular and easy access to personal funds? (For example, do you choose what you buy with your personal spending money?)

Yes No Sometimes

Comments:

H. Choice related to meals/snacks

24. Do you choose when and where to eat?

Yes No Sometimes

Comments:

25. Can you obtain different food if you don't like what is being served (unless you have specific dietary restrictions)?

Yes No Sometimes

Comments:

26. Do you have access to the kitchen and refrigerator when you choose (unless you have specific dietary restrictions)?

Yes No Sometimes

Comments:

I. Individual needs/preferences

27. Does your case manager/service coordinator ask you what you want?

Yes No Sometimes

Comments:

28. If you ask for something, does your case manager/service coordinator help you get what you need?

Yes No Sometimes

Comments:

J. Freedom from coercion

29. Are you comfortable discussing concerns (things that upset or worry you) with someone where you live or receive other services?

Yes No Sometimes

Comments:

30. Do you know who to contact to make a complaint?

Yes No

Comments:

31. Are you prohibited from participating in legal activities similar to typical peers (without disabilities) such as voting, having a girlfriend/boyfriend etc.?

Yes No Sometimes

Comments:

32. In your home or where you receive services, have you been placed in seclusion, physically restrained, or chemically restrained against your wishes? If yes, please comment.

Yes No

Comments:

K. Role in person centered service plan

33. Did you help make your service plan?

Yes No

Comments:

34. Does your service plan get updated when you express a desire to change the type, how often, or the provider of supports/services?

Yes No Sometimes

Comments:

35. Was the planning meeting scheduled at a time and place convenient to you , your family or anyone else you wanted to participate?

Yes No

Comments:

36. Did you receive a copy of your service plan?

Yes No

Comments:

L. Access to living environment

37. Can you move about freely inside and outside your home?

Yes No Sometimes

Comments:

38. If access is limited in your home, do you have an individual plan describing the reasons for the limitation?

Yes No

Comments:

39. Do you have full access to the kitchen, laundry, and other living spaces?

Yes No Sometimes

Comments:

40. Do you have your own keys to your house or your room?

Yes No

Comments:

M. Physical environment

41. Are there environmental accommodations (e.g. ramps, grab bars, graphic signage to support independence) available to you if you need them?

Yes No Sometimes

Comments:

42. Is the furniture in your bedroom or living space arranged as you like? It is according to your likes and taste?

Yes No Sometimes

Comments:

N. Dignity and privacy

43. Do you have enough privacy at home?

Yes No Sometimes

Comments:

44. Do you have a safe place to store your personal belongings?

Yes No Sometimes

Comments:

45. Can you close and lock the bedroom or bathroom door (if safe to do so)?

Yes No Sometimes

Comments:

46. Do people ask permission before coming into your home or bedroom?

Yes No Sometimes

Comments:

O. Communication

47. Are you treated with respect where you live or receive other services?

Yes No Sometimes

Comments:

48. Do the people who support you/your staff talk about you or your roommates in front of you?

Yes No Sometimes

Comments:

49. Do you feel empowered to make your own decisions?

Yes No Sometimes

Comments:

50. Are there communication accommodations (for example, use of non-English language, use of American Sign Language, assistive technology, etc.) available to you if you need them?

Yes No Sometimes

Comments:

P. Housing/rental agreement

51. Do you have a housing/rental agreement with your name on it?

Yes No Unknown

Comments:

52. If yes, does the written agreement outline your legal rights, protect you against unreasonable eviction and allow appeals of eviction or discharge?

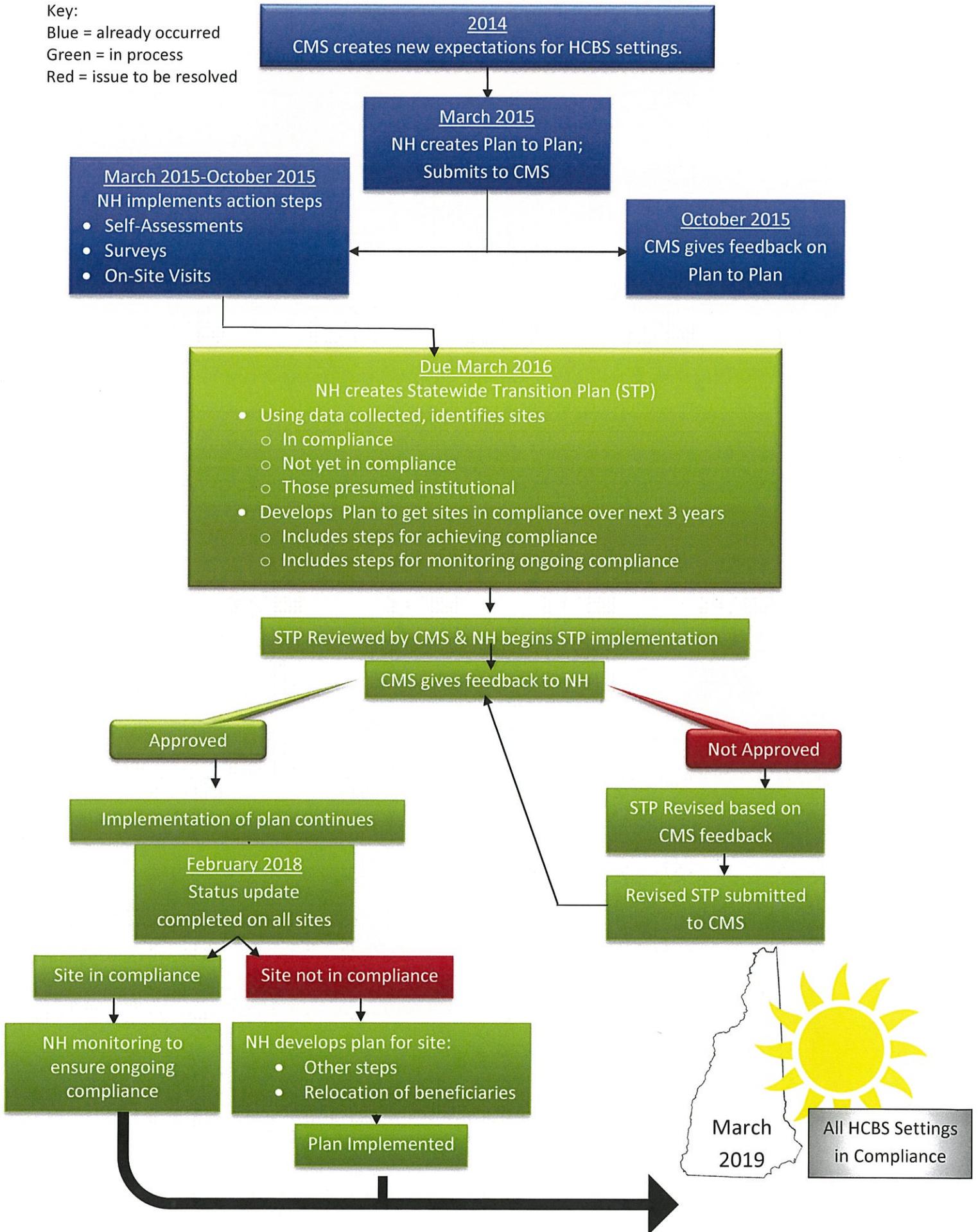
Yes No Unknown

Comments:

Q. Additional Comments:

ATTACHMENT D - NEW HAMPSHIRE'S IMPLEMENTATION FLOW CHART

Key:
 Blue = already occurred
 Green = in process
 Red = issue to be resolved



ATTACHMENT E - REMEDIATION PLAN FOR HCBS COMPLIANCE

Oversight Agency: _____

Provider: _____

Site Address: _____ Date of visit: _____

TOPIC AREA	CONCERN	ACTION PLAN FOR FULL COMPLIANCE	DATE OF COMPLETION

- Provider is expected to complete form/steps within 21 days of site visit and return form to Waiver Transition Team.
- Waiver Transition Team will review the plan and complete a follow-up visit, as appropriate within five days of the submission date of the Remediation Plan Form.
- Waiver Transition Team will approve/disapprove plan.
- If plan is disapproved, provider will make edits and resubmit plan.

Person responsible: _____

Contact information: Phone #: _____ Email Address: _____

WTT verification: _____

Completed by: _____ Date: _____

Attachment F-1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

COMMUNITY LIVING FACILITY – COMMUNITY RESIDENCE

(RSA 126-a:19, et seq., He-M 1001, and He-P 814)

This analysis is for both certified residences pursuant to He-M 1001 and licensed community residences pursuant to He-P 814.

126-A:19 Community Living Facilities

The commissioner shall develop a statewide program of community living facilities for persons with developmental disabilities or mental illnesses. The commissioner shall be responsible for the selection, certification, and monitoring of such community living facilities in accordance with rules adopted by the commissioner pursuant to RSA 541-A. The commissioner shall also be responsible for prior approval of all individual residential placements and shall adopt rules relative to monitoring the care, treatment, and habilitation provided to all residents of community living facilities. Rates for enhanced family care residents shall be set according to the severity of the resident's disability. Placements of children shall be consistent with RSA 170-A [Interstate Compact on the Placement of Children], 170-C [Termination of Parental Rights], and 170-E [Child Day Care, Residential Care, and Child Placing Agencies], as appropriate. Approval by the commissioner of an individual for placement in a community living facility shall be based on a finding by the commissioner that the community living facility is the least restrictive environment appropriate to the needs of the individual. "Least restrictive environment" means the facility, program, or service which least inhibits a person's freedom of movement, freedom of choice, and participation in the community, while achieving the purposes of habilitation and treatment.

126-A:24 Placement.

Community living facilities serving persons with developmental disabilities shall be considered a part of the service delivery system as defined in RSA 171-A.

He-M 517.04 Provider Participation

- (a) Except as allowed by (b) below, all community residences shall be certified pursuant to He-M 1001. Community residences that serve 4 or more people shall also be licensed by the bureau of health facilities administration in accordance with RSA 151:2, I, (e) and He-P 814.
- (b) A residence funded under the home and community-based care waiver that provides services to persons with acquired brain disorders and is licensed as a supported residential care facility or a residential treatment and rehabilitation facility under RSA 151:2, I, (e) shall not be required to be certified as a community residence pursuant to He-M 1001.

He-M 1001.02 Definitions

- (k) "Community residence" means either an agency residence or family residence, exclusive of any independent living arrangement, that:
- (1) Provides residential services for at least one individual with a developmental disability in accordance with He-M 503, or an acquired brain disorder in accordance with He-M 522;
 - (2) Provides services and supervision for an individual on a daily and ongoing basis, both in the home and in the community, unless the individual's service agreement states that the individual may be without supervision for specified periods of time;
 - (3) Serves individuals whose services are funded by the department; and
 - (4) Is certified pursuant to He-M 1001.

He-M 1001.03 Administrative Requirements.

- (a) A community residence shall have no more than 3 persons receiving paid services in the residence

without regard to payment source.

- (b) A community residence that was certified prior to September 1, 1994 for more than 3 individuals shall be exempt from (a) above. Such a residence shall not be recertified to serve more individuals than it was certified to serve on September 1, 1994.
- (c) Any community residence serving 4 or more individuals shall be licensed as required by RSA 151:2.
- (e) If a community residence serving persons who are 18 years of age or older intends to serve, or is serving, a person(s) who is under 18 years of age, it shall obtain written approval for such an arrangement from the guardian(s) of the person(s) under age 18 and the area agency.
- (f) A community residence that serves a person(s) who is under 18 years of age shall be licensed as a foster family home pursuant to RSA 170-E:31-32.

He-P 814.03 Definitions

(m) "Community residence" means a facility of 4 or more individuals that is both certified by the department under RSA 126-A and licensed by the department under RSA 151, and that is operating in accordance with He-M 1001 or He-M 1002. The term includes "home".

He-P 814.16 Required Facility and Individual Services

Each CR [community residence] shall provide, at a minimum, services and programs for the individuals they provide services to in accordance with He-M 1001 or He-M 1002.

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
42 CFR § 441.301(c)(4): Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:	No action required. The following rules are currently compliant – He-M 310.06(a)(7), 310.06(d), He-M 503.10(c), and He-M 1001.05(b)	
(i): The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.		

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources and for room and board.	He-M 310.06(a), 310.09(5)f. and He-M 503.10(c)(10) are currently compliant. He-M 503.10(c)(11) is currently silent regarding that the documentation is based on resource available for room and board. This provision will be added to the regulation. He-M	July-Dec. 2016

	522 is currently non-compliant with this requirement and will be amended to be the same as He-M 503.10(c)(10) and (11).	
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.		
	No compliance action necessary. The following rules are compliant with this requirement: He-M 310.05(a),(c) and (d), 310.06(17), He-M 310.09(a)(4), He-M 1001.03(m) and He-M 1001.07.	

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(iv): Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.		
	The following rules are currently compliant: He-M 310.06(a)(7), 310.09(a)(5), He-M 503.07(b), and He-M 522.09(b).	

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(v): Facilitates individual choice regarding services and supports, and who provides them.		
	He-M 503.08-503.10 meets this requirement. He-M 522 is currently compliant as well, but will be amended to include the same language as 503.08-503.10. He-M 310.06(a)(4) a. is currently non-compliant and will be amended to read: "Is directed by the individual or representative, where possible."	Jul-Dec 2016

Community Living Facility-Community Residence		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(vi) In a provider-owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met:</p> <p>(A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.</p>		
	New Hampshire landlord tenant law currently exempts these settings from the protections therein. A legal review will be conducted to determine what changes are necessary to NH statutes and/or rules to comply with this requirement.	July – Dec. 2016, legal review will be complete and compliance steps will be identified.
<p>(B) <u>Each individual has privacy in their sleeping or living unit:</u></p> <p>(1) <u>Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors.</u></p> <p>(2) <u>Individuals sharing units have a choice of roommates in that setting.</u></p> <p>(3) <u>Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</u></p>		
	<p>He-M 310.09(a) is currently compliant. He-M 1001.03 is currently silent on items (1)-(3) He-M 1001.03 will be amended to provide: "An individual's rights in accordance with He-M 310.09 shall be protected."</p> <p>As noted above, a legal review will be conducted regarding changes necessary regarding "lease or other agreement."</p>	<p>Jul-Dec 2016</p> <p>July – Dec. 2016, legal review will be complete and compliance steps will be identified.</p>

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.		
<u>Freedom and support to control their own schedules and activities:</u>	No compliance action necessary. The following rules are currently compliant: He-M 310.06(a)(7), 310.09(a)(5), He-M 503.07(b), and He-M 522.09(b).	
Access to food at any time:	No compliance action necessary. The following rules are already in compliance: He-M 310.09(5), and He-M 1001.06(k).	

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(D) Individuals are able to have visitors of their choosing at any time.		
	No compliance action necessary. He-M 310.09(3)(c) complies with this requirement.	

Community Living Facility-Community Residence		
NH Statute/Regulation	Compliance Action Required	Timing
(E) The setting is physically accessible to the individual.		
	No compliance action necessary. He-M 310.09(a)(2) is in compliance.	

Community Living Facility-Community Residence		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(F): Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service		
	He-M 310.09(i) and He-M 503.10(i) and (j) are in compliance with this requirement. He-M 522 is silent on this requirement. It will be amended to include the language of He-M 503.10(i) and (j).	July – Dec. 2016 July – Dec. 2016, legal review will be complete and compliance

	As noted above, a legal review will be conducted regarding changes necessary regarding "lease or other agreement." Upon the completion of said review, changes can then be made.	steps will be identified.
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Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

RESIDENTIAL TREATMENT AND REHABILITATION FACILITIES

(RSA 151:2, I(e) & He---P 807)

The residential treatment and rehabilitation facility is a licensed setting.

RSA 151:2

I. The following facilities shall not be established, conducted, or maintained without acquiring a license under this chapter: . . .

(e) Residential care facilities, whether or not they are private homes or other structures built or adapted for the purpose of providing residential care, offering services beyond room and board to 2 or more individuals who may or may not be elderly or suffering from illness, injury, deformity, infirmity or other permanent or temporary physical or mental disability. Such facilities shall include those:

- (1) Offering residents home---like living arrangements and social or health services including, but not limited to, providing supervision, medical monitoring, assistance in daily living, protective care or monitoring and supervision of medications; or
- (2) Offering residents social, health, or medical services including, but not limited to, medical or nursing supervision, medical care or treatment, in addition to any services included under subparagraph (1).

Such homes or facilities shall include, but not be limited to, nursing homes, sheltered care facilities, rest homes, residential care facilities, board and care homes, or any other location, however named, whether owned publicly or privately or operated for profit or not.

Note: The RTRF licensing rule, He---P 807.01, incorrectly references RSA 151:2, I(d) as the governing statute. The Health Facilities Administration verified that the correct reference is RSA 151:2, I(e).

He---P 807.03 Residential Treatment and Rehabilitation Facilities

“Residential treatment and rehabilitation facility“(RTRF) means a place, excluding hospitals as defined in RSA 151---C:2, which provides residential care, treatment and comprehensive specialized services relating to the individual's medical, physical, psychosocial, vocational, educational and or substance abuse therapy needs.

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
<p>42 CFR § 441.301(c)(4): Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i): The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.</p>	<p>The following rules are currently compliant with all elements of this requirement– He-M 310.06(a)(7), 310.06(d), and He-M 503.10(c).</p> <p>He-P 807.14 (a) provides that the licensee shall comply with all relevant federal, state, and local laws, rules, codes, and ordinances as applicable. Thus, the licensee must comply with He-M 310 and He-M 503 as applicable, which are compliant with this requirement.</p>	

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
<p>(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</p>	<p>He-M 310.06(a) and He-M 503.10(c)(10) are currently compliant. He-M 503.10(c)(11) is currently silent regarding that the documentation is based on resource available for room and board. This provision will be added to the regulation. He-M 522 is currently non-compliant with this requirement and will be amended to be the same as He-M 503.10(c)(10) and (11).</p>	<p>July-Dec. 2016</p>

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(iii): Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.		
	No compliance action necessary. The following rules are compliant with this requirement: He-M 310.05(a),(c) and (d), 310.06(17), He-P 807.14 (n), and He-P 807.14(g)-(j).	

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(iv): Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.	No compliance action required. The following rules are currently compliant: He-M 310.06(a)(7), He-M 503.07(b), and He-M 522.09(b). He-M 807.14(n) requires the licensee to comply with RSA 151:21. RSA 151:21 complies with this requirement.	

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(v): Facilitates individual choice regarding services and supports, and who provides them.		
	He-M 503.08-503.10 meets this requirement. He-M 522 is currently compliant as well, but will be amended to include the same language as 503.08-503.10.	Jul-Dec 2016 for change to He-M 310.

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

	<p>He-M 310.06(a)(4) a. is currently non-compliant and will be amended to read:</p> <p>“Is directed by the individual or representative, where possible.”</p> <p>He-P 807 currently requires a “care plan,” which is developed by a different process than He-M 503 and 522. A legal review will be conducted to determine whether any changes are necessary to this rule to comply with this requirement.</p>	<p>July – Dec. 2016, legal review of He-P 807 will be complete and any compliance steps will be identified.</p>
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Residential Treatment and Rehabilitation Facility (RTRF)

NH Statute/Regulation and Analysis	Compliance Action Required	Timing
<p>(vi) In a provider---owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met:</p> <p>(A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.</p>		

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

	<p>New Hampshire landlord tenant law currently excepts these settings from the protections therein. A legal review will be conducted to determine what changes are necessary to NH statutes and/or rules to comply with this requirement.</p>	<p>July – Dec. 2016, legal review will be complete and compliance steps will be identified</p>
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Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
<p>(B) Each individual has privacy in their sleeping or living unit:</p> <p>(1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors.</p> <p>(2) Individuals sharing units have a choice of roommates in that setting.</p> <p>(3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p>		
	<p>RSA 151:21, XV provides the resident with the right to the choice of roommate.</p> <p>RSA 151:21 and He-P 807 are silent with respect to requirements (1) and (3). He-P 807.14(p)(2) is currently non-compliant with requirement (2). A legal review will be conducted to determine whether any changes are necessary to this rule to comply with this requirement.</p> <p>As noted above, a legal review will be conducted regarding changes necessary regarding “lease or other agreement.”</p>	<p>July – Dec. 2016, legal review will be complete and any compliance steps will be identified.</p> <p>July – Dec. 2016, legal review will be complete and</p>

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

		compliance steps will be identified
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Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.		
<u>Freedom and support to control their own schedules and activities:</u>	No compliance action necessary. The following rules are currently compliant: He-M 310.06(a)(7), 310.09(a)(5), He-M 503.07(b), and He-M 522.09(b).	
<u>Access to food at any time:</u>	He-P 807 is not compliant with this requirement. A legal review will be conducted to determine whether any changes are necessary to this rule to comply with this requirement.	July – Dec. 2016, legal review will be complete and any compliance steps will be identified.

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(D) Individuals are able to have visitors of their choosing at any time.		

Attachment F-2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities and Acquired Brain Disorders

State uses to review/approve them.	No compliance action necessary RSA 151:21 complies with this requirement.	
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Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(E) The setting is physically accessible to the individual.		
	He-P 807.23(a) complies with this requirement.	

Residential Treatment and Rehabilitation Facility (RTRF)		
NH Statute/Regulation and Analysis	Compliance Action Required	Timing
(F): Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person---centered service plan.		
	He-M 503.10(i) and (j) are in compliance with this requirement. He-M 522 is silent on this requirement. It will be amended to include the language of He-M 503.10(i) and (j). As noted above, a legal review will be conducted regarding changes necessary regarding "lease or other agreement." Upon the completion of said review, changes can then be made.	July – Dec. 2016 July – Dec. 2016, legal review will be complete and compliance steps will be identified.
	He-P 807 currently requires a "care plan," which is developed by a different process than He-M 503 and 522. A legal review will be	July – Dec. 2016, legal review will be complete

Attachment F-2

**42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for Individuals with Developmental Disabilities
and Acquired Brain Disorders**

	conducted to determine whether any changes are necessary to this rule to comply with this requirement.	and any compliance steps will be identified.
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**ADULT FAMILY CARE RESIDENCE
(RSA 151:9, VIII & He-P 813)**

The adult family care setting is a certified residential care facility.

RSA 151:2.

II. This chapter shall not be construed to require licensing of the following: . . . (b) Facilities maintained or operated for the sole benefit of persons related to the owner or manager by blood or marriage within the third degree of consanguinity.

IV. Rules for residential care facilities and supported residential care facilities, as defined in rules adopted by the department pursuant to RSA 541-A, which are licensed pursuant to RSA 151:2, I(e) or certified in accordance with RSA 151:9, VIII, shall permit such facilities to admit residents who have been determined eligible for nursing facility services under a Medicaid home and community-based care waiver for the elderly and chronically ill and who have been referred to such a facility as an alternative to placement in a nursing facility, provided that the clinical services and supports required by the person can be provided or obtained in the facility. No bed may be licensed in both the nursing facility and residential care facility categories at the same time.

RSA 151:9

VIII. The commissioner of the department of health and human services shall establish a program, by rule, to certify facilities that provide services to fewer than 3 individuals, beyond room and board care, in a residential setting, as an alternative to nursing facility care, which offers residents a home-like living arrangement, social, health, or medical services, including, but not limited to, medical or nursing supervision, medical care or treatment by appropriately trained or licensed individuals, assistance in daily living, or protective care.

151-E:2 Definitions.

VIII. "Residential care facility" means a facility, including a supported residential care facility, which provides services to 2 or more individuals, beyond room and board care, in a residential setting, as an alternative to nursing facility care, which offers residents home-like living arrangements, social, health, or medical services, including but not limited to, medical or nursing supervision, or medical care or treatment by appropriately trained or licensed individuals, assistance in daily living, or protective care. "Residential care facility" shall also include a facility certified in accordance with RSA 151:9, VIII.

He-P 813.03 Definitions

(d) "Adult family care (AFC)" means a housing option for eligible individuals under the New Hampshire choices for independence waiver program, which includes a combination of personal care, homemaking and other services that are provided to a person in the certified residence of an unrelated individual in accordance with a person-centered plan.

(e) "Adult family care residence (AFRC)" means the dwelling in which AFC is provided for one or 2 residents.

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFRC)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(4) Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.</p>	<ul style="list-style-type: none"> Amend He-E 801.02(j) to read - "Comprehensive care plan" means an individualized plan described in He-E 805.05 that is the result of a person-centered process that identifies the strengths, capacities, preferences, and desired outcomes of the participant." Amend He-E 805.05(b)(2) to read - "(2) Culminate in a written document that describes the participant's abilities and needs in the following areas: <ul style="list-style-type: none"> a. Biopsychosocial history; 	<p>Jan-June 2016</p>

Attachment G - 1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>b. Functional ability, including activities of daily living and instrumental activities of daily living;</p> <p>c. Living environment, including the participant's in-home mobility, accessibility and safety;</p> <p>d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual;</p> <p>e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime;</p> <p>f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk;</p> <p>g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney;</p> <p>h. Community participation, including the participant's need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities;</p> <p>i. Desired setting where individual will reside; and</p> <p>j. Any other area identified by the participant as being important to his or her life"</p> <p><i>Amend He-P 813.04(h) to read- "The family provider shall provide or arrange for the resident with access to community activities, including:</i></p> <ol style="list-style-type: none"> (1) Religious services; (2) Social and cultural events; (3) Educational activities; (4) Recreational activities; (5) Opportunities for the resident to visit with his or her family and friends; and (6) Employment activities." 	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</p>	<p><i>Amend He-E 805.05(b)(2) to read -</i></p>	

Attachment G - 1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the participant’s in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant’s need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; i. Desired setting where individual will reside; and j. Any other area identified by the participant as being important to his or her life” 	<p>Jan - June 2016</p>

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.</p>	<p><i>Amend He-P 813.04(c) to read –“ Family providers shall follow the orders of the licensed practitioner or other licensed professional with prescriptive authority for each resident and when a resident refuses care, ensure the resident understands the potential consequences of such an action.”</i></p>	<p>Jan- June 2016</p>

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited</p>		

Attachment G - 1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
to, daily activities, physical environment, and with whom to interact.	<ul style="list-style-type: none"> Amend He-P 813.15(a) to include, in addition to language already there – “The AFCR’s emergency and fires safety plan developed pursuant to He-P 813.20(d).” Remainder of requirement is met by RSA 151:21. 	Jan – June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
(v) Facilitates individual choice regarding services and supports, and who provides them.	<ul style="list-style-type: none"> Amend He-P 813.03(ab) to read- “Person-centered” means a planning process to develop an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.” Patient’s Bill of Rights (RSA 151:21, XVII) speaks to individuals being treated by a physician of their choice when in residential setting. 	Jan- June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
(vi) In a provider-owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met: (A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written		

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.</p>	<p>New Hampshire landlord tenant law currently exempts these settings from the protections therein. A legal review will be conducted to determine what changes are necessary to NH statutes and/or rules to comply with this requirement.</p>	
<p>(B) Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p>	<p><i>Amend He-P 813.19 to read -</i></p> <p>He-P 813.19 <u>Physical Environment</u>. (b) The family provider shall protect the resident's right to privacy and shall only enter the resident's bedroom if: (1) Invited; or (2) For the purpose of providing necessary care and services</p> <p>(d) Each resident bedroom shall: (1) Contain no more than 2 beds; (2) Have its own separate entry to permit the resident to reach his or her bedroom without passing through the room of another resident; (3) Not be used as an access way to a common area or another bedroom or for any other purposes; (4) Be separated from halls, corridors and other rooms by floor to ceiling walls; (5) Have at least one operable window with a tightly fitting screen to the outside; and (6) Be lockable by the resident.</p> <p>(f) The certified home family provider shall provide the following for the resident's use: (1) A bed appropriate to the needs of the resident, including a mattress, pillow, linens and blankets; (2) Clean linens for personal care; (3) Furniture including, a bureau, mirror, and lamp; (4) Easily accessible closet or storage space for clothing and personal belongings; (5) Window blinds or curtains</p>	<p>Jan-June 2016</p>

Attachment G - 1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>that provide privacy; (6) A lockable container for the storage of medications; and (7) A key to the resident's bedroom.</p> <ul style="list-style-type: none"> • RSA 151:21, XV currently provides for choice of roommate • RSA 151:21, XIV and He-P 813.19(g) currently provide for furnishing/decorating living unit 	
(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.	<ul style="list-style-type: none"> • RSA 151:21, XIII currently provides individuals the right to associate with anyone and participate in events of their choosing. • He-P 813.17 currently provides for access to food at any time 	
(D) Individuals are able to have visitors of their choosing at any time.	<ul style="list-style-type: none"> • RSA 151:21, XII, XVIII, & XIX currently provide individuals the right to have visitors 	
(E) The setting is physically accessible to the individual.	<p><i>Amend He-P 813.19(a) to read –</i></p> <p>(a) Living space and outdoor space shall be arranged and maintained as to provide for the health, safety and physical accessibility of all household members.</p>	Jan-June 2016
(F) Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service plan. The following requirements must be documented in the person-centered service plan:		
	<ol style="list-style-type: none"> (1) Identify a specific and individualized assessed need. (2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan. (3) Document less intrusive methods of meeting the need that have been tried but did not work. (4) Include a clear description of the condition that is directly proportionate to the specific assessed need. (5) Include regular collection and review of data to measure the ongoing effectiveness of the modification. (6) Include established time limits for periodic reviews to determine if the modification is still necessary or can 	

Attachment G - 1

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Adult Family Care Residence (AFCR)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>be terminated. (7) Include the informed consent of the individual. (8) Include an assurance that interventions and supports will cause no harm to the individual.</p>	<ul style="list-style-type: none">• He-E 805.05 currently meets this requirement	

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

HOME SETTING – HOME HEALTH CARE PROVIDER, HOME CARE SERVICE PROVIDER, & OTHER QUALIFIED AGENCY

(RSA 151:2-b, RSA 161-I:2, & He-P 601, 809, & 822)

The home health care provider and home care service provider are licensed agencies. The Other Qualified Agency is a certified agency.

RSA 151:2-b Home Health Care Provider and Individual Home Care Service Provider.

- I. "Home health care provider" means any organization, business entity, or subdivision thereof, whether public or private, whether operated for profit or not, which is engaged in arranging or providing, directly or through contract arrangement, one or more of the following: nursing services, home health aide services, or other therapeutic and related services which may include, but shall not be limited to, physical and occupational therapy, speech pathology, nutritional services, medical social services, personal care services, and homemaker services, which may be of a preventive, therapeutic, rehabilitative, health guidance or supportive nature to persons in their places of residence.
- II. Home health care providers which provide only homemaker services and no other health care services as listed in paragraph I of this section shall be issued a license limiting their services to homemaker services.
- III. Home health care providers that provide only personal care services and no other health care services as listed in paragraph I of this section shall be issued a license limiting their services to personal care services.

RSA 161-I:2

- IX. "Other qualified agency" means those entities authorized to offer personal care services and/or intermediary services by the department in accordance with rules adopted pursuant to RSA 541-A.

He-P 601.03 Definitions

- (q) "Other qualified agency (OQA)" means an entity certified in accordance with He-E 601 to offer personal care services and/or intermediary services.

He-P 809.03 Definitions

- (ab) "Home health care provider (HHCP)" means any organization or business entity, whether public or private, whether operated for profit or not, which is engaged in arranging or providing, directly or through contract arrangement, one or more of the following services: nursing services, home health aide services, or other therapeutic and related services, which can include but are not limited to, physical and occupational therapy, speech pathology, nutritional services, medical social services, personal care services and homemaker services which may be of a preventative, therapeutic, rehabilitative, health guidance or supportive nature to persons in their places of residence.

He-P 822.03 Definitions

- (z) "Home care service provider agency (HCSPA)" means any organization or business entity, except as identified in He-P 822.02(e), whether public or private, whether operated for profit or not, which is engaged in providing, through its employees, personal care services and/or homemaker services which may be of a supportive nature to persons in their places of residence.

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(4) Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.</p>	<ul style="list-style-type: none"> • Amend CFI rules to include a comprehensive care plan focus on supports for employment and regular participation in non-work activities, including volunteer activities, that is desired by the resident and outside of the residential setting. <p><i>Amend He-E 801.02(j) to read - "Comprehensive care plan" means an</i></p>	<p><u>Jan- June 2016</u></p>

Attachment G - 2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>individualized plan described in He-E 805.05 that is the result of a person-centered process that identifies the strengths, capacities, preferences, and desired outcomes of the participant.”</p> <p><i>Amend He-E 805.05(b)(2) to read –</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the participant’s in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant’s need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; <p>Desired setting where individual will reside; and</p> <ul style="list-style-type: none"> j. Any other area identified by the participant as being important to his or her life” 	
<p>(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</p>	<p><i>Amend He-E 805.05(b)(2) to read -</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the 	<p><u>Jan-June 2016</u></p>

Attachment G - 2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
	participant's in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant's need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; i. Desired setting where individual will reside; and j. Any other area identified by the participant as being important to his or her life"	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.	<ul style="list-style-type: none"> Requirement is already met by RSA 151:21-b 	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.	<ul style="list-style-type: none"> The home setting is assumed to meet this standard. 	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
(v) Facilitates individual choice regarding services and supports, and who provides them.	Amend He-P 809.03(k) to read –	Jan-June 2016

Attachment G - 2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>“Care plan” means an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p> <p><i>Amend He-P 822.03(av) to read –</i> (av) “Service plan” means an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.”</p> <p><i>Amend He-P 601.03(t) to read –</i> “Person-centered” means a planning process to develop an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p> <p><i>Amend He-E 805.02(g) to read –</i> “Person-centered” means a planning process to develop an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p>	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(vi) In a provider-owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met:</p> <p>(A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those</p>		

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>provided under the jurisdiction's landlord tenant law.</p> <p>(B) Each individual has privacy in their sleeping or living unit:</p> <p>(1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors.</p> <p>(2) Individuals sharing units have a choice of roommates in that setting.</p> <p>(3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p> <p>(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</p> <p>(D) Individuals are able to have visitors of their choosing at any time.</p> <p>(E) The setting is physically accessible to the individual.</p> <p>(F) Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service plan. The following requirements must be documented in the person-centered service plan:</p> <p>(1) Identify a specific and individualized assessed need.</p> <p>(2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan.</p> <p>(3) Document less intrusive methods of meeting the need that have been tried but did not work.</p> <p>(4) Include a clear description of the condition that is directly proportionate to the specific assessed need.</p> <p>(5) Include regular collection and review of data to measure the ongoing effectiveness of the modification.</p> <p>(6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.</p> <p>(7) Include the informed consent of the individual.</p> <p>(8) Include an assurance that interventions and supports will cause no harm to the individual.</p>		
	<ul style="list-style-type: none"> • This standard is not applicable to home 	

Attachment G - 2

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Home/Apartment Setting Home Health Care Providers (HHCP), Home Care Service Providers (HCSP) & Other Qualified Agency (OQA)		
NH Statute/Regulation	Compliance Action Required	Timing
	settings	

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

**ASSISTED LIVING RESIDENCE – SUPPORTED RESIDENTIAL HEALTH CARE FACILITY
(RSA 151:2, I(e) & He-P 805)**

The assisted living residence-supported residential health care facility setting is a licensed setting.

RSA 151:2, I(e): Residential care facilities, whether or not they are private homes or other structures built or adapted for the purpose of providing residential care, offering services beyond room and board to 2 or more individuals who may or may not be elderly or suffering from illness, injury, deformity, infirmity or other permanent or temporary physical or mental disability. Such facilities shall include those:

- (1) Offering residents home-like living arrangements and social or health services including, but not limited to, providing supervision, medical monitoring, assistance in daily living, protective care or monitoring and supervision of medications; or
- (2) Offering residents social, health, or medical services including, but not limited to, medical or nursing supervision, medical care or treatment, in addition to any services included under subparagraph (1).

Such homes or facilities shall include, but not be limited to, nursing homes, sheltered care facilities, rest homes, residential care facilities, board and care homes, or any other location, however named, whether owned publicly or privately or operated for profit or not.

RSA 151:9, VII(a): The rules adopted under RSA 151:9, I for residential care facilities shall, in establishing licensure classifications, recognize the following licensure levels which correspond to a continuum of care requiring different programs and services to assure quality of life in the least restrictive environment possible: . . .

- (2) Supported residential health care, reflecting the availability of social or health services, as needed, from appropriately trained or licensed individuals, who need not be employees of the facility, but shall not require nursing services complex enough to require 24-hour nursing supervision. Such facilities may also include short-term medical care for residents of the facility who may be convalescing from an illness and these residents shall be capable of self-evacuation.

151-E:2 Definitions.

I. "Assisted living facility" means a facility with individual living units where medical and social support services are provided on the basis of an individualized plan of care and which provides other common social support services.

VIII. "Residential care facility" means a facility, including a supported residential care facility, which provides services to 2 or more individuals, beyond room and board care, in a residential setting, as an alternative to nursing facility care, which offers residents home-like living arrangements, social, health, or medical services, including but not limited to, medical or nursing supervision, or medical care or treatment by appropriately trained or licensed individuals, assistance in daily living, or protective care.

He-P 805.03 Definitions

(bi) "Residential board and care", as defined in NFPA 101 of the fire code, means a facility where residents are provided with personal care and activities that foster continued independence and residents are trained and required to respond to fire drills to the extent they are able. These facilities are further grouped as "small", 4-16 beds or "large", over 16 beds.

(bj) "Residential care facility", as defined in NFPA 101 of the fire code, means a long term care residence providing personal assistance at the residential care level pursuant to RSA 151:9, VII(a)(1).

(bu) "Supported residential health care facility (SRHCF)" means a long-term care residence providing personal assistance at the supported residential care level pursuant to RSA 151:9, VII(a)(2).residence providing personal assistance at the residential care level pursuant to RSA 151:9, VII(a)(1).

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>42 CFR § 441.301(c)(4): Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i): The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid</p>		

Attachment G-3

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
HCBS.	<ul style="list-style-type: none"> • <i>Amend He-E 801.02(j) to read -</i> “Comprehensive care plan” means an individualized plan described in He-E 805.05 that is the result of a person-centered process that identifies the strengths, capacities, preferences, and desired outcomes of the participant. <p><i>Amend He-E 805.05(b)(2) to read –</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the participant’s in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant’s need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; i. Desired setting where individual will reside; and j. Any other area identified by the participant as being important to his or her life” <p><i>Amend He-P 805.16(c) by adding the following to the language already in place –</i></p> <p>“Information on access to supports for employment or participation in community activities.”</p>	Jan-June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs,		

Attachment G-3

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
preferences, and, for residential settings, resources available for room and board.	<p><i>Amend He-E 805.05(b)(2) to read –</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the participant’s in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant’s need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; i. Desired setting where individual will reside; and j. Any other area identified by the participant as being important to his or her life” 	Jan-June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
(iii): Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.	<ul style="list-style-type: none"> • Standard met by RSA 151:21 and He-P 805.16; 805.21. 	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
(iv): Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.	<p><i>Amend He-P 805.16(c) to add the following to the language already there – “Evacuation Drill requirements and procedures.”</i></p> <ul style="list-style-type: none"> • Remainder of requirement is met by RSA 	Jan – June 2016

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
	151:21	

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
(v): Facilitates individual choice regarding services and supports, and who provides them.	<p><i>Amend He-E 805.03(k) to read –</i> “Care plan” means an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p> <p><i>Amend He-E 805.02(q) to read –</i> “Person-centered” means a planning process to develop an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p>	Jan-June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
(vi) In a provider-owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met: (A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction’s landlord tenant law.	<p>New Hampshire landlord tenant law currently excepts these settings from the protections therein. A legal review will be conducted to determine what changes are necessary to NH statutes and/or rules to comply with this requirement.</p>	
(B) Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with		

Attachment G-3

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRIICF)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>only appropriate staff having keys to doors.</p> <p>(2) Individuals sharing units have a choice of roommates in that setting.</p> <p>(3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p>	<p><i>Amend He-P 805.24 to read –</i></p> <p>“(p) Each bedroom shall:</p> <ol style="list-style-type: none"> (1) Contain no more than 2 beds; (2) Have its own separate entry to permit the resident to reach his/her bedroom without passing through the room of another resident; (3) Have a side hinge door and not a folding or sliding door or a curtain; (4) Not be used simultaneously for other purposes; (5) Be separated from halls, corridors and other rooms by floor to ceiling walls; (6) Be located on the same level as the bathroom facilities, if the resident has impaired mobility as identified by the RAT; and (7) Be lockable by the resident. <p>(q) The licensee shall provide the following for the residents’ use, as needed:</p> <ol style="list-style-type: none"> (1) A bed appropriate to the needs of the resident; (2) A firm mattress that complies with Saf-C 6000; (3) Clean linens, blankets and a pillow; (4) A bureau, mirror and bedside table; (5) A lamp; (6) A chair; (7) A closet or storage space for personal belongings; (8) Window blinds, shades or curtains that provide privacy; and (9) A key for the resident’s bedroom” <p><i>Amend He-P 805.16(c)(1)t by adding the following to existing language -</i></p> <p>“Which staff may enter the resident’s bedroom without consent of the resident”</p> <ul style="list-style-type: none"> • RSA 151:21, XV currently provides for choice of roommate • RSA 151:21, XIV and He-P 805.24(r) currently provide for furnishing/decorating living unit 	<p>Jan-June 2016</p>
<p>(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</p>	<ul style="list-style-type: none"> • RSA 151:21, XIII currently provides individuals the right to associate with anyone and participate in events of their choosing. • He-P 805.14(b)(5) & 805.21(b)-(d). 	
<p>(D) Individuals are able to have visitors of their choosing at any time.</p>	<ul style="list-style-type: none"> • RSA 151:21, XII, XVIII, & XIX 	

Attachment G-3

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Assisted Living Residence-Supported Residential Health Care Facility (ALR-SRHCF)		
NH Statute/Regulation	Compliance Action Required	Timing
	currently provide individuals the right to have visitors	
(E) The setting is physically accessible to the individual.	<i>Amend He-P 805.24(a) to read –</i> “The physical environment shall be maintained, inside and outside, so as to provide for the health, safety, well-being and comfort of resident(s) and personnel, including reasonable accommodations for residents and personnel with disabilities to ensure access to a resident’s bedroom, all common areas, and all services provided by the SRHCF.”	Jan-June 2016
(F): Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service plan.	<ul style="list-style-type: none"> • He-E 805.05 currently meets this requirement 	

Attachment G-4

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

SUPPORTIVE HOUSING

(He-E 801.28)

Supportive housing is housing for older adults subsidized under HUD.

He-E 801.28 Supportive Housing Services.

(a) Supportive housing services shall be covered when provided by a home health care providers licensed in accordance with RSA 151:2 and He-P 809 and when provided to participants who live in federally subsidized individual apartments.

Note: BEAS provides that the federal subsidy is a HUD subsidy. The assumption made for this analysis is that this is "housing for older persons" as defined in RSA 161-J:2, III—

"Housing for older persons" means housing which provides or holds itself out as providing on-site personal assistance services over and above service coordination which is:

- (a) Provided under any state or federal program that the Secretary of the United States Department of Housing and Urban Development determines is specifically designed and operated to assist elderly persons as defined in the state or federal program; or
- (b) Intended for, and solely occupied by, persons 62 years of age or older; or
- (c) Intended and operated for occupancy by at least one person 55 years or older per unit.]

Note

Overall, the assumption is made here that this is a home-based care setting. Facts about this setting may show otherwise.

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Supportive Housing (SH)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>42 CFR § 441.301(c)(4): Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.</p>	<p><i>Amend He-E 805.05(b)(2) to read –</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; b. Functional ability, including activities of daily living and instrumental activities of daily living; c. Living environment, including the participant’s in-home mobility, accessibility and safety; d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual; e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime; f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk; g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney; h. Community participation, including the participant’s need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities; i. Desired setting where individual will reside; and j. Any other area identified by the participant as being important to his or her life” 	<p>Jan –June 2016</p>
<p>(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</p>	<ul style="list-style-type: none"> • “Amend He-E 805, the case management rule, to require identification and documentation of setting options and choice of setting in the CFI comprehensive care plan process. <p><i>Amend He-E 805.05(b)(2) to read –</i></p> <p>“(2) Culminate in a written document that describes the participant’s abilities and needs in the following areas:</p> <ul style="list-style-type: none"> a. Biopsychosocial history; 	<p>Jan-June 2016</p>

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Supportive Housing (SH)		
NH Statute/Regulation	Compliance Action Required	Timing
	<p>b. Functional ability, including activities of daily living and instrumental activities of daily living;</p> <p>c. Living environment, including the participant's in-home mobility, accessibility and safety;</p> <p>d. Social environment, including social/informal relationships and supports, activities and interests, such as avocational and spiritual;</p> <p>e. Self-awareness, or the degree to which the participant is aware of his/her own medical condition(s), treatment(s), and/or medication regime;</p> <p>f. Risk, including the potential for abuse, neglect, or exploitation by self or others, as well as health, social or behavioral issues that may indicate a risk;</p> <p>g. Legal status, including guardianship, legal system involvement, and availability of advance directives, such as durable power of attorney;</p> <p>h. Community participation, including the participant's need or expressed desire to access specific resources, such as the library, educational programs, restaurants, shopping, medical providers, employment, and volunteer activities;</p> <p>i. Desired setting where individual will reside; and</p> <p>j. Any other area identified by the participant as being important to his or her life"</p>	
(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.	<ul style="list-style-type: none"> No compliance action required; standard met by RSA 151:21-b. 	
(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.	<ul style="list-style-type: none"> No compliance action required; standard met by RSA 161-M:3 	
(v) Facilitates individual choice regarding services and supports, and who provides them.	<p><i>Amend He-P 809.03(k) to read –</i> “Care plan” means an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p> <p><i>Amend He-P 822.03(av) to read –</i> (av) “Service plan” means an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p> <p><i>Amend He-E 805.02(q) to read –</i> “Person-centered” means a planning process to develop an individual support plan that is directed by the person, his or her representative, or both, and which identifies his or her preferences, strengths, capacities, needs, and desired outcomes or goals.</p>	Jan-June 2016

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Supportive Housing (SH)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(vi) In a provider-owned or controlled residential setting, in addition to the qualities at § 441.301(c)(4)(i) through (v), the following additional conditions must be met:</p> <p>(A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.</p> <p>(B) Each individual has privacy in their sleeping or living unit:</p> <ol style="list-style-type: none"> (1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement. <p>(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</p> <p>(D) Individuals are able to have visitors of their choosing at any time.</p> <p>(E) The setting is physically accessible to the individual.</p> <p>(F) Any modification of the additional conditions, under § 441.301(c)(4)(vi)(A) through (D), must be supported by a specific assessed need and justified in the person-centered service plan. The following requirements must be documented in the person-centered service plan:</p> <ol style="list-style-type: none"> (1) Identify a specific and individualized assessed need. (2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan. (3) Document less intrusive methods of meeting the need that have been tried but did not work. 		

42 CFR 441.301(c)(4) Analysis-1915(c) Waiver Services for the Choices for Independence Waiver

Choices for Independence 1915(c) Home and Community-Based Care Waiver - Supportive Housing (SH)		
NH Statute/Regulation	Compliance Action Required	Timing
<p>(4) Include a clear description of the condition that is directly proportionate to the specific assessed need.</p> <p>(5) Include regular collection and review of data to measure the ongoing effectiveness of the modification.</p> <p>(6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.</p> <p>(7) Include the informed consent of the individual.</p> <p>(8) Include an assurance that interventions and supports will cause no harm to the individual.</p>		
	<ul style="list-style-type: none"> • This standard does not apply to these settings 	

Attachment H - Heightened Scrutiny Requests

EASTER SEALS HEIGHTENED SCRUTINY REQUEST

The state of New Hampshire would like to request heightened scrutiny for one site in Concord, New Hampshire, where services are provided by Easter Seals.

The documentation supporting the request for heightened scrutiny includes:

- state expectations for providers and the process for monitoring them,
- provider's job descriptions,
- provider policies, and
- New Hampshire's Summary Request Form

State Expectations:

Each Provider of services to individuals with Developmental Disabilities and/or Acquired Brain Disorders are expected to follow the requirements outlined in the following regulations:

He-M 202 Rights Protection Procedures for Developmental Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m200.html
He-M 310 Rights of Persons Receiving Developmental Services or Acquired Brain Disorder Services in the Community	http://www.gencourt.state.nh.us/rules/state_agencies/he-m300.html
He-M 503 Eligibility and the Process of Providing Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 506 Staff Qualifications and Staff Development Requirements for Developmental Service Agencies	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 507 Community Participation Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 517 Medicaid –Covered HCBS for Persons with Developmental Disabilities and Acquired Brain Disorders	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 518 Employment Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 522 Eligibility Determination and Service Planning for Individuals with an Acquired Brain Disorder	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 1001 Certification Standards for Community Residences	http://www.gencourt.state.nh.us/rules/state_agencies/he-m1000.html

EASTER SEALS HEIGHTENED SCRUTINY REQUEST

These regulations are specific to the site that is being reviewed and are not part of the expectations of the institution that is on the same grounds as this HCBS site.

The site is reviewed by the Office of Program Support which is the state's certification and licensing agency to ensure that the site is in compliance with the state regulations noted above. At each certification/licensing visit the surveyor (the person completing the site visit) completes a deficiency report (a report that outlines if there are areas of the regulations that the site is not in compliance). The provider develops a plan of correction outlining how they will fix the identified issue.

Each of the regulations has definitions within it to explain the service definitions that are relevant to the supports being offered.

Job Descriptions

The job descriptions outline the qualifications of the staff providing services to the participants at the site.

- a. Direct Support Associate/Direct Support Associate, Response Team (NH)
- b. House Manager/Residence Manager

Policies

The policies below outline the expectations of the staff at the site.

- a. Direct Support Staff Orientation Policy, and supporting documentation, including:
 - a. Sample orientation & training outline
 - b. Community Based Services Policy Orientation Checklist
 - c. Community Based Services Program Orientation Checklist
 - d. Human Rights Acknowledgement
 - e. Safeguarding Confidentiality Acknowledgement
 - f. Motor Vehicle Supervision Acknowledgement
 - g. Risk Acknowledgement
 - h. Community Based Services Person Specific Orientation Form
- b. Direct Support Training Policy
- c. Management Training Policy
- d. Human Rights & Complaint Policy
- e. Employment Services Policy
- f. Behavior Management Services Policy
- g. Individual Service Plan Policy
- h. Confidentiality Policy
- i. Record Management Policy

Summary Request Form for Heightened Scrutiny

The Summary Request Form contains the results of the review process that was done. The summary identifies each of the HCBS standards and the outcome based on the interviews of providers and participants, documentation and data review, and observations that were done.



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Level: NE—3

Job Code: DSPAS, DSPASR, DSATL

Job Title: Direct Support Associate

Direct Support Associate, Response Team (NH)

Direct Support Associate Youth Transitional Services Program, Maine

Direct Support Associate Team Leader (Rochester NY)

Job Objective: Provide support and skill building training to individuals with disabilities in order to assist in increasing their level of independence.

Qualifications:

- ◆ High School education or GED
- ◆ Two (2) years' work experience
- ◆ Must be 18 years of age for NH positions (per He-M 506.03)
- ◆ Commitment to providing high quality services to individuals with disabilities in community and residential settings
- ◆ Able to be medication certified for some programs
- ◆ Able to work flexible hours including nights, weekends and holidays.
- ◆ Valid driver's license and reliable transportation for use in regular transportation of program participants
- ◆ See **Addendum – Direct Support Associate Youth Transitional Services Program, Maine** for additional qualifications
- ◆ See **Addendum-Direct Support Associate Response Team (NH)** for additional qualifications

Competencies: See Appendix A

Background Checks: Motor vehicle record, Auto insurance (Agency limits apply), State criminal record
(For additional required background checks see Appendix B)

Essential Responsibilities:

1. Provide direct supervision to individuals in accordance with the treatment plan.
2. Demonstrate competencies in the following areas: Task Analysis, ISP Goal Development, Job Coaching/Teaching, Report Writing, and Behavioral Interventions, (NH & NY Programs).
3. Facilitate individual's independence in community/centered-based activities, job tasks or in residential activities.
4. Facilitate the development of appropriate social skills and encourage the establishment of social relationships.
5. Develop and coordinate schedules, which reflect integrated opportunities for individuals, geared toward increasing independence, community access and awareness.
6. Assist in development and revision of training plans, ISP objectives and fading plans, (NH & NY Programs).



Direct Support Associate (DSPAS, DSPASR, DSATL)

Page 2

7. Implement approved training and fading plans, ISP objectives and behavior plans, (NH & NY Programs).
8. Observe behavior, skill levels, areas of interest etc. to provide objective information and formulate data based recommendations.
9. Assure quality control standards in accordance with employer and volunteer expectations as applicable.
10. Provide positive role modeling for individuals.
11. Maintain documentation and prepare reports as required according to approved formats and designated time lines.
12. Maintain documentation and authorization for dispensing medication as applicable.
13. Transport individuals to and from program activities and or appointments in personal vehicle and/or agency van.
14. Provide training in related skills i.e., self-care skills, money management, cooking, social interactions, transportation systems, etc. as approved by the treatment team.
15. Provide services to individuals with varied behavior issues, which may include physical aggression, verbal assault, inappropriate sexual comments, gestures and/or acts.
16. Assist individual with personal care needs when necessary.
17. Communicate pertinent information with the team and support system to allow the individual to receive the maximal benefit from the services offered.
18. Demonstrate appropriate judgement and understanding of client safety while supporting individuals.
19. Follow through with supervisory requests and seek supervision when unclear about expectations.
20. Perform and/or assist with routine household task including meal preparation, housekeeping and outdoor maintenance as applicable.
21. Participate in available training opportunities geared toward expanding knowledge of treatment methods. Twenty hours of training is required per year.
22. Follow all policies and procedures as outlined by the department and agency.
23. See **Addendum – Direct Support Associate Team Leader (Rochester NY)** for additional responsibilities
24. See **Addendum – Direct Support Associate Response Team (NH)** for additional responsibilities



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Direct Support Associate (DSPAS, DSPASR, DSATL)
Page 3

Non-Essential Responsibilities:

1. Perform additional duties as requested.

The preceding Essential and Non-Essential Responsibilities are not intended to be an exhaustive list of tasks and functions for this position. Other tasks and functions may be assigned as needed to fulfill the Agency mission.

Physical Requirements:

1. Direct Support Associate

My signature below is an acknowledgement that I have received and reviewed a copy of this job description.

Employee Name (clearly printed)

Employee Signature

Date

Developed: 8/03; Revised: 04/2011, 07/11, 6/2012, 1/2013, 4/15



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Page 4

Addendum – Direct Support Associate, Team Leader (Rochester, NY)

Essential Responsibilities:

1. Review, monitor and participate in the development and implementation of program goals.
2. If applicable, assist in the development of integrated, community based employment and recreational activities.
3. Assist in the preparation of documentation for individualized service plans, and implement and monitor behavior plans.
4. Assist with scheduling and training staff.
5. Monitor documentation created by staff and provide corrective feedback.
6. Perform House Managers' duties in their absence.

The preceding essential and non-essential responsibilities are not intended to be an exhaustive list of tasks and functions for this position. Other tasks and functions may be assigned as needed to fulfill the Agency mission.

My signature below is an acknowledgement that I have received and reviewed a copy of this addendum.

Employee Name (clearly printed)

Employee Signature

Date



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Page 5

Addendum – Direct Support Associate –Youth Transitional Services Program, Maine

Additional Qualifications:

- ◆ Must be Ed Tech III certified (90 credits in an educational field) or
- ◆ Ability to obtain certification

My signature below is an acknowledgement that I have received and reviewed a copy of this addendum.

Employee Name (clearly printed)

Employee Signature

Date

Dev 1/2012



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Direct Support Associate (DSPAS, DSPASR, DSATL)
Page 6

Addendum – Direct Support Associate, Response Team (NH)

Additional Qualifications:

- ◆ Minimum three (3) years providing support to individuals with developmental disabilities or closely related experience
- ◆ Demonstrates competency to work with individuals requiring varying degrees of care, support and supervision, including but not limited to Preventative Services and individuals with behavior plans
- ◆ Demonstrates competency to work with multiple consumers in any given week
- ◆ Required to work flexible schedule, including nights, weekends and holidays
- ◆ Must be willing to work throughout the state of New Hampshire
- ◆ Must maintain Advanced MANDT/MOAB and Medication Certifications

Essential Responsibilities:

1. Provides on call coverage for Direct Support Associate emergency needs as requested

Other:

The first/last twenty (20) miles of commute is not eligible for reimbursement. Training mileage is not eligible for reimbursement.

The preceding essential and non-essential responsibilities are not intended to be an exhaustive list of tasks and functions for this position. Other tasks and functions may be assigned as needed to fulfill the Agency mission.

My signature below is an acknowledgement that I have received and reviewed a copy of this addendum.

Employee Name (clearly printed)
Dev 1/2013

Employee Signature

Date



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Direct Support Associate (DSPAS, DSPASR, DSATL)
 Page 7

Appendix A: Competencies

COMPASSION	Genuinely cares about people; is available and ready to help; is sympathetic to the plight of others; demonstrates empathy with the others.
INTEGRITY/TRUST	Is seen as a direct, truthful individual; can present the truth in an appropriate and helpful manner; admits mistakes and does not represent him/herself for personal gain.
PATIENCE	Is tolerant with people and processes; listens and understands the people and the data before making judgements and acting; sensitive to due process and proper pacing.
PERSONAL LEARNING	Picks up the need to change interpersonal behavior quickly; seeks feedback; watches others for their reaction to his/her attempt to influence and perform.
PROBLEM SOLVING	Uses logic and methods to solve difficult problems with effective solutions; can see hidden problems; excellent at analysis; looks beyond the obvious and doesn't stop at the first answers.
SKILLED	Adheres to an appropriate and effective set of core values and beliefs during both good and bad times; acts in line with those values; rewards the right values and disapproves of others; practices what he/she preaches.
WORK/LIFE BALANCE	Maintains a balance between work and personal life; is not one dimensional; gets what he/she wants from both



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Direct Support Associate (DSPAS, DSPASR, DSATL)
 Page 8

Appendix B: Additional Background Checks

<u>NH</u>	<input type="checkbox"/> Fingerprinting -Positions working with youth (ie YTS or School to Work and Camp) - Positions working in/ at Res/Ed/Childcare setting 5+ hrs/wk -All Billing/Accounting	<input type="checkbox"/> CCLU/ Household List - Positions working in/at Res/Ed/Childcare setting 5+ hrs/wk (not ISO/CCRR)	<input type="checkbox"/> BEAS - Positions working in Adult programs -ISO	<input type="checkbox"/> State Central Registry -ISO -Childcare Resource & Referral -STS	
<u>NY</u>	<input type="checkbox"/> OCFS Statewide Central Registry -All Positions	<input type="checkbox"/> Fingerprinting -Bronx: DOE/DOI -Valhalla, Monticello, Port Jervis, Sayville: OCFS -All positions working in/at DTC/ Res/Ed/CBS settings & Camp Colonie: Justice Center -Downstate: Voc & Devel n/a -All Veterans positions: n/a	<input type="checkbox"/> NYS Justice Center SEL -All Positions	<input type="checkbox"/> OMIG (Office Medicaid Inspector General) -All Positions	<input type="checkbox"/> OPWDD Mental Health Law 151/152 (staff hired beg. 6/30/13) -Res/Ed positions -In Home Respite positions
<u>ME</u>	<input type="checkbox"/> Fingerprinting -All positions working with children in a school setting	<input type="checkbox"/> CFS Abuse & Neglect - All positions working with children in a school setting			
<u>VT</u>	<input type="checkbox"/> Adult/Child Abuse Registry -All Positions				
<u>RI</u>	<input type="checkbox"/> N/A				



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Direct Support Associate (DSPAS, DSPASR, DSATL)
 Page 9

Physical Requirement Form

Position: Direct Support Associate **Department:** Community Based Services

Definition of Terms:
NOT AT ALL - Employee never engages in activity.
OCCASIONALLY - Employee engages in this activity 1% to 33% of time.
FREQUENTLY - Employee engages in this activity 34% to 66% of time.
CONTINUOUSLY - Employee engages in this activity 67% to 100% of time

1. On an average day, staff are required to:	Not at all	Occasionally	Frequently	Continuously
A. Sit	()	()	()	(X)
B. Stand	()	()	()	(X)
C. Walk	()	()	()	(X)
D. Drive	()	()	()	(X)
E. Bend/Stoop	()	()	()	(X)
F. Climb (i.e.: Stairs)	()	()	()	(X)
G. Kneel	()	()	(X)	()
H. Balance	()	()	()	(X)
I. Squat	()	()	(X)	()
J. Crouch	()	()	(X)	()
K. Crawl	()	()	(X)	()
L. Hold	()	()	()	(X)
M. Carry	()	()	()	(X)
N. Assist individual in/out of vehicles	()	()	()	(X)
O. Transfer individual in/out of wheelchair	()	()	()	(X)
2. On an average day, staff may be required to:	Not at all	Occasionally	Frequently	Continuously
<i>Lift/Customer Handling</i>				
A. 0-10 pounds	()	()	()	(X)
B. 11-25 pounds	()	()	()	(X)
C. 26-35 pounds	()	()	()	(X)
D. 36-50 pounds	()	()	(X)	()
E. 51-100 pounds	()	()	(X)	()
F. over 100 pounds	()	(X)	()	()
<i>Push/Pull</i>				
A. 0-10 pounds	()	()	()	(X)
B. 11-25 pounds	()	()	()	(X)
C. 26-50 pounds	()	()	()	(X)
D. 51-100 pounds	()	()	(X)	()
E. over 100 pounds	()	()	(X)	()



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Direct Support Associate (DSPAS, DSPASR, DSATL)

Page 10

3. On an average day staff are required to:				
Office	Not at all	Occasionally	Frequently	Continuously
A. Collate	()	()	(X)	()
B. Use Phone	()	()	(X)	()
C. File	()	()	(X)	()
D. Type	()	(X)	()	()
E. Schedule	()	()	(X)	()
F. Use Keyboard	()	(X)	()	()
G. Use Computer Monitor	()	(X)	()	()
Communication				
	Not at all	Occasionally	Frequently	Continuously
A. Hear	()	()	()	(X)
B. Speak	()	()	()	(X)
C. Write	()	()	()	(X)
4. Some positions require the use of behavioral intervention which may include:				
	Not at all	Occasionally	Frequently	Continuously
A. Pursuing an individual	()	()	()	(X)
B. Lowering an individual to floor	()	()	()	(X)
C. Lifting individual from floor to standing	()	()	()	(X)
D. Lowering an individual to sitting position	()	()	()	(X)
E. Blocking/Deflecting (stop force of hit/punch)	()	()	()	(X)
F. Cushioning individual from a fall	()	()	()	(X)
G. Preventing/releasing hair pulls/bites	()	()	()	(X)
H. Restraining an individual	()	()	()	(X)
I. Receiving/Enduring physical aggression	()	()	()	(X)

Comments:



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Level: E—2

Exempt Status: Administrative

Job Code: MGHOSK

Job Title: House Manager/Residence Manager

Job Objective: Recruit, train, supervise, evaluate and monitor community living residences and staffed programs as assigned.

Qualifications:

- ◆ Bachelor's degree in Human Services or related field
- ◆ Two years experience with person's with developmental and/or psychiatric disabilities
- ◆ Administrative and supervisory experience preferred
- ◆ Valid driver's license and reliable transportation.

Competencies: See Appendix A

Background Checks: Motor vehicle record, Auto insurance (Agency limits apply), State criminal record (For additional required background checks see Appendix B)

Essential Responsibilities:

1. Recruit, train, supervise, evaluate and monitor community living residences and staffed programs as assigned (including home visits a minimum of two times per month).
2. Implement and monitor program budgets.
3. Establish and maintain relationships with consultants who provide therapeutic services to residents.
4. Ensure compliance with state certification/licensing standards, agency policies, other governing agencies guidelines and contractual obligations.
5. Ensure compliance of documentation requirements as applicable (i.e. data, daily and monthly financial reports, monthly fire drills and other pertinent documentation).
6. Attend client-centered conferences, team meetings, agency and staff meetings and other meetings as requested.
7. Develop and monitor individual treatment plans to include scheduling and coordinating of appointments as necessary.
8. Provide emergency on-call services.
9. Ensure participation in integrated community activities on a regular basis for all consumers.
10. Provide direct care services in assisting residents in meeting all of their personal needs.
11. Provide services to individuals with varied behavior issues, which may include physical aggression, verbal assault, inappropriate sexual comments, gestures and/or acts.
12. Assist individuals with toileting and personal care needs when necessary.
13. Maintain all required data relative to program goals and objectives, resident activities, incidents, etc.



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House Manager (MGHOSK)

Page 2

Non-Essential Responsibilities:

1. Perform additional duties as requested.

The preceding Essential and Non-Essential Responsibilities are not intended to be an exhaustive list of tasks and functions for this position. Other tasks and functions may be assigned as needed to fulfill the Agency mission.

Physical Requirements:

1. House Manager

My signature below is an acknowledgement that I have received and reviewed a copy of this job description.

Employee Name (clearly printed)

Employee Signature

Date

Developed: 4/93, Revised: 3/94, 1/96, 3/96, 7/00, 1/01, 04/2011, 07/11, 4/15



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House Manager (MGHOSK)
 Page 3

Appendix A: Competencies

COMPASSION	Genuinely cares about people; is available and ready to help; is sympathetic to the plight of others; demonstrates empathy with the others.
INTEGRITY/TRUST	Is seen as a direct, truthful individual; can present the truth in an appropriate and helpful manner; admits mistakes and does not represent him/herself for personal gain.
PATIENCE	Is tolerant with people and processes; listens and understands the people and the data before making judgements and acting; sensitive to due process and proper pacing.
PERSONAL LEARNING	Picks up the need to change interpersonal behavior quickly; seeks feedback; watches others for their reaction to his/her attempt to influence and perform.
PROBLEM SOLVING	Uses logic and methods to solve difficult problems with effective solutions; can see hidden problems; excellent at analysis; looks beyond the obvious and doesn't stop at the first answers.
SKILLED	Adheres to an appropriate and effective set of core values and beliefs during both good and bad times; acts in line with those values; rewards the right values and disapproves of others; practices what he/she preaches.
WORK/LIFE BALANCE	Maintains a balance between work and personal life; is not one dimensional; gets what he/she wants from both
CONFLICT MANAGEMENT	Steps up to conflict, seeing them as opportunities; reads situations quickly; good at focused listening; can settle disputes equitably; can find common ground and get cooperation with minimum noise.
CUSTOMER FOCUSED	Is dedicated to meeting the expectations of internal and external customers; gets first-hand customer information and uses it for improvements in products and services; acts with customers in mind; establishes and maintains effective customer relationships and gains their trust and respect.
FAIRNESS TO DIRECT REPORTS	Treats direct reports equitably; acts fairly; has candid discussions; doesn't have a hidden agenda; doesn't give preferential treatment.
LISTENING	Practices active listening; has the patience to hear people out; can accurately restate the opinions of others even when he/ she disagrees.
MANAGING DIVERSITY	Manages all kinds and classes of people equitably; deals effectively with all races, nationalities, cultures, disabilities, ages and both sexes; hires variety and diversity with our regard to class; supports equal and fair treatment and opportunity for all.
ORGANIZING	Can marshal resources (people, funding, material, and support) to get things done; can organize multiply activities at once to accomplish a goal; arranges information and files in a useful manner.



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House Manager (MGHOSK)
 Page 4

Appendix A: Competencies continued

PEER RELATIONSHIPS	Can quickly find common ground and solve problems; can represent his/her own interests and yet be fair to other groups; can solve problems with peers; is seen as a team player and easily gains trust and support of peers.
TIMELY DECISION MAKING	Makes decisions in a timely manner; sometimes with incomplete information and under tight deadlines and pressure.
WRITTEN COMMUNICATION	Is able to write clearly and succinctly in a variety of communications settings and styles; can get messages across that have the desired effect.
APPROACHABILITY	Is easy to approach and talk to; spends the extra effort to put others at ease; is a good listener; is an early knower, getting informal and incomplete information in time to do something about it.
BUILDING EFFECTIVE TEAMS	Blends people into teams when needed; creates strong morale and spirit; shares wins and successes; defines success in terms of the whole team; creates a feeling of belonging.
COMPOSURE	Is cool under pressure; does not become defensive and can hold things together when times are tough; is not knocked off balance by the unexpected; is a calm influence in crisis.
DECISION QUALITY	Makes good decisions based on a mixture of analysis, wisdom, experience and judgement; sought out by others for advice and solutions.
DELEGATION	Clearly and comfortably delegates both routine and important tasks and decisions; shares both responsibility and accountability; trusts people to perform; lets direct reports finish their own work.
DIRECTING OTHERS	Is good at establishing clear directions; distributes the workload appropriately; lays out work in a well-planned organized manner; maintains two-way dialogue; is a clear communicator and brings out the best in people.
INTERPERSONAL SAVVY	Relates well to all kinds of people; builds constructive and effective relationships; uses diplomacy and tact; can diffuse high-tension situations comfortably.
MANAGING AND MEASURING WORK	Clearly assigns responsibility for tasks and decisions; sets clear objectives and measures; monitors process, progress and results; designs feedback loops into work.
PRIORITY SETTING	Spends his/her time and the time of others on what's important; quickly zeros in on the critical issues; can quickly sense what will help or hinder accomplishing a goal; eliminates roadblocks and creates focus.
NEGOTIATING	Can negotiate skillfully in tough situations with both internal and external groups; can settle differences with minimal noise; can be direct or diplomatic depending on the circumstances; has a good sense of timing.
SIZING UP PEOPLE	Is a good judge of talent; can articulate the strengths and limitations of people; can accurately project what people are likely to do across a variety of situations.



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House Manager (MGHOSK)
Page 5

Appendix B: Additional Background Checks

- | | | | | |
|-----------|---|--|---|---|
| <u>NH</u> | <input type="checkbox"/> Fingerprinting
-Positions working with youth (ie YTS or School to Work and Camp)
- Positions working in/ at Res/Ed/Childcare setting 5+ hrs/wk
-All Billing/Accounting | <input type="checkbox"/> CCLU/ Household List
- Positions working in/at Res/Ed/Childcare setting 5+ hrs/wk (not ISO/CCRR) | <input type="checkbox"/> BEAS
- Positions working in Adult programs
-ISO | <input type="checkbox"/> State Central Registry
-ISO
-Childcare Resource & Referral
-STS |
| <u>NY</u> | <input type="checkbox"/> OCFS Statewide Central Registry
-All Positions | <input type="checkbox"/> Fingerprinting
-Bronx: DOE/DOI
-Valhalla, Monticello, Port Jervis, Sayville: OCFS
-All positions working in/at DTC/ Res/Ed/CBS settings & Camp Colonie: Justice Center
-Downstate: Voc & Deve: n/a
-All Veterans positions: n/a | <input type="checkbox"/> NYS Justice Center SEL
-All Positions | <input type="checkbox"/> OMIG (Office Medicaid Inspector General)
-All Positions |
| <u>ME</u> | <input type="checkbox"/> Fingerprinting
-All positions working with children in a school setting | <input type="checkbox"/> CFS Abuse & Neglect
- All positions working with children in a school setting | | <input type="checkbox"/> OPWDD Mental Health Law 151/152 (staff hired beg. 6/30/13)
-Res/Ed positions
-In Home Respite positions |
| <u>VT</u> | <input type="checkbox"/> Adult/Child Abuse Registry
-All Positions | | | |
| <u>RI</u> | <input type="checkbox"/> N/A | | | |



Creating solutions, changing lives.

Easter Seals New Hampshire

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 Manchester, NH 03103-4800
 603.623.8863 phone/tdd
 603.625.1148 fax
 www.eastersealsnh.org

House Manager (MGHOSK)
 Page 6

Physical Requirement Form

Position: House Manager

Department:

Definition of Terms:

- NOT AT ALL** - Employee never engages in activity.
- OCCASIONALLY** - Employee engages in this activity 1% to 33% of time.
- FREQUENTLY** - Employee engages in this activity 34% to 66% of time.
- CONTINUOUSLY** - Employee engages in this activity 67% to 100% of time

1. On an average day, staff are required to:	Not at all	Occasionally	Frequently	Continuously
A. Sit	()	()	()	(X)
B. Stand	()	()	()	(X)
C. Walk	()	()	()	(X)
D. Drive	()	()	()	(X)
E. Bend/Stoop	()	()	()	(X)
F. Climb (i.e.: Stairs)	()	()	()	(X)
G. Kneel	()	()	(X)	()
H. Balance	()	()	()	(X)
I. Squat	()	()	(X)	()
J. Crouch	()	()	(X)	()
K. Crawl	()	()	(X)	()
L. Hold	()	()	()	(X)
M. Carry	()	()	()	(X)
N. Assist individual in/out of vehicles	()	()	()	(X)
O. Transfer individual in/out of wheelchair	()	()	()	(X)
2. On an average day, staff may be required to:	Not at all	Occasionally	Frequently	Continuously
<u>Lift/Customer Handling</u>				
A. 0-10 pounds	()	()	()	(X)
B. 11-25 pounds	()	()	()	(X)
C. 26-35 pounds	()	()	()	(X)
D. 36-50 pounds	()	()	(X)	()
E. 51-100 pounds	()	()	(X)	()
F. over 100 pounds	()	(X)	()	()
<u>Push/Pull</u>	Not at all	Occasionally	Frequently	Continuously
A. 0-10 pounds	()	()	()	(X)
B. 11-25 pounds	()	()	()	(X)
C. 26-50 pounds	()	()	()	(X)
D. 51-100 pounds	()	()	(X)	()
E. over 100 pounds	()	()	(X)	()

DIRECT SUPPORT STAFF ORIENTATION POLICY

Policy: All direct support staff hired within the Community Based Services department will participate in a standardized orientation process.

Rationale: To ensure that all staff receive information and training in a timely manner.

Procedure: Easter Seals Community Based Services has a three-part orientation process.

The first part of the orientation is conducted by Human Resources and covers the following:

- * Personnel policies & procedures
- * Benefits
- * Hep-B
- * Blood Borne Pathogens

The second part of orientation is conducted by the hiring supervisor and/or Regional Director prior to delivering services to an individual and includes the following:

- * Completion of Program Orientation (see attached form)
- * Overview of Rights & Safety (complete critical acknowledgement)
- * Review of confidentiality (complete critical acknowledgement)
- * Review of motor vehicle supervision (complete critical acknowledgement)
- * Review of risk acknowledgment (complete critical acknowledgement)

The program orientation and critical acknowledgement must be submitted to the Quality Improvement Coordinator upon completion.

The third part of the orientation is conducted by Community Based Services department staff. Direct Support personnel and independent contractor will attend a six-day orientation /training series within the first six months. The training series includes the following: (see attached checklist)

- * Completion of Program Orientation (see attached form)
- * CPR/First Aid
- * Human Rights Training
- * Overview of the Service Delivery System
- * First Aid kit issued
- * Teaching Strategies
- * Quality Of Life
- * Empowerment
- * Health & Safety Training
- * Behavior Principles Training
- * MANDT
- * Confidentiality & HIPAA
- * Community Skill Building
- * Overview of Disabilities
- * Documentation

The Quality Improvement Coordinator is responsible for ensuring completion and compliance of orientation training. All training records critical acknowledgments and orientation logs will be submitted to Human Resources.

Adopted 7/96 Revised 1/99, 7/99, 8/02, 9/03, 8/04

**EASTER SEALS DIRECT SUPPORT ASSOCIATE
ORIENTATION & TRAINING
Essential Learning Curriculum**

Day 1

Welcome to CBS Program Orientation

History of Disabilities

Disabilities Overview

9am – 3pm Bette Ouellette

Day 2

Health and Safety Management

9am-Noon Bette Ouellette

Policies and Procedures

12:30pm-1:30 Renee Fisher

Responding to the Health Needs of Individuals with DD;

1:30-3pm Bette Ouellette

Day 3

Assisting People with ID/DD in Choice Making;

General Documentation

9am-Noon Bette Ouellette

Specialized Documentation

12:30pm-2pm Sharon Sheridan

People Soft Mileage/Expense User Training

2pm-3pm Jennifer Krol

Day 4

MANDT I Behavior Management Certification

Basic Training

9am-5pm Diane Scribner/Tristan Daigle

Day 5

MANDT II Behavior Management Certification

Intermediate Training

9am-5pm Diane Scribner/Tristan Daigle

Day 6

Strategies for Teaching Individuals with Disabilities;

Supporting Quality of Life for Individuals with DD

Client Rights

9am-3pm Bette Ouellette

Day 7

Positive Behavioral Supports

9am-11am Behavioral Team

Dysphagia

11am-Noon Bette Ouellette

CPR/AED

12:30-3pm Bette Ouellette

Day 8

Supported Employment

9am-3pm Cindy Doudi

Day 9

Supported Employment

9am-Noon Cindy Doudi

Supporting Everyday Lives-Wrap up

12:30pm-3pm Bette Ouellette

Day10

Preventative Services

9am-3pm Jill Fitzgerald



COMMUNITY BASED SERVICES POLICY ORIENTATION

The following policies were reviewed during the CBS Department Orientation

- Department Vision, Philosophy, Statement and Services Offered
- Human Rights/Reporting/Investigation & Sign-off
- Staff Training Policy
- Supervision
- Home Visits
- Individual Service Plan
- Emergency Response
- Dress Standards
- Shift Change
- Confidentiality & Sign-off
- Personal Safety Emergency
- Transportation
- Motor Vehicle Supervision & Sign-off
- Service Supervision
- Day Services Drop Off
- Day Habilitation
- Risk Acknowledgement & Sign-off
- Recreational Safety
- Private Home Policy
- Car Accident
- Incident Reporting
- Medical Emergencies
- Badges

I understand it is my responsibility to read and understand the remaining policies in the CBS Policy Manual. If I have any questions or need clarification regarding any policy, I will notify my Supervisor immediately.

Employee

Date

Orientation Staff

Date



COMMUNITY BASED SERVICES PROGRAM ORIENTATION

ADMINISTRATIVE:

Date

Yes/No

Review

Performance/Contract Expectations	_____	_____
Staff Meeting/Training Schedule	_____	_____
Unplanned Absence Expectation/Procedure	_____	_____
Job Reassignment	_____	_____
Respite Request Procedure	_____	_____
Evacuation Procedures	_____	_____
Emergency Procedures	_____	_____
Inclement Weather Procedure	_____	_____
Documentation Expectations	_____	_____
Confidentiality	_____	_____
Roles & Responsibilities of Team Members	_____	_____
Human Rights & Reporting Procedures	_____	_____
Motor Vehicle Supervision	_____	_____
Time Sheets/Expense Reimbursement	_____	_____
Notification of Change in Home Composition	_____	_____
Keys Assigned	_____	_____
Pager Assigned/Usage Review	_____	Number # _____
Cell Phone Assigned/Usage Review	_____	Number # _____

Open Door Policy

_____ >> _____ >> _____ >> _____ >> _____ >> _____

On-The-Job-Training (minimum of 18 hours): **Note employee name, date & # of hours shadowed*

Name: _____ Date: _____ # of Hours: _____

Name: _____ Date: _____ # of Hours: _____

Name: _____ Date: _____ # of Hours: _____

Employee/Contractor

Date

Program Manager

Date



HUMAN RIGHTS ACKNOWLEDGEMENT

The people that we serve have equal rights and will be treated with dignity and respect. It is your responsibility to uphold these rights and report any suspicion of abuse, neglect, exploitation or rights violation. Disciplinary action including contract or employment termination will be taken for not reporting or being founded for an abuse/neglect allegation.

Human Rights are divided into the following categories:

Notice of Client Rights:

Programs will inform people of their rights
Programs must post rights information
State regulations must be kept at all sites

Fundamental Rights

Will not be deprived of any legal right
Free to practice religious preference
Assistance in attending worship
Register to vote
Manage personal affairs
Hold a contract
Hold licenses
Marriage
Divorce
Children
Make a will
Exercise civil rights
Free from discrimination
Receive legal assistance

Personal Rights

Free from abuse, neglect or exploitation
Free from verbal, nonverbal, mental, physical or sexual abuse
Free from intentional use of force
Free from financial/personal exploitation
Privacy
Confidentiality
Access to their records
Right to complain about rights violations
Freedom from photographs, fingerprints without authorization
Keep and spend their money

Treatment Rights

Adequate and humane treatment
Appropriate evaluations
Quality treatment and services
Services outlined in ISP
Least restrictive environment
Informed of risk
Voluntary placement
Refuse medication
Referral for health care
Second opinions
Have guardians or others present during meetings
Free from chemical, physical restraints and seclusion
Integrated services

Community Residences

Safe, sanitary & humane living environment
Free and private communications
Send and receive uncensored mail
Reasonable access to telephone
Receive and refuse visitors
Engage in social activities
Right to privacy
Courtesies such as knocking on doors
Free from searches of person and possessions
Keep and wear clothing of their taste
Reasonable space for personal belongings
Keep and read materials of their choosing
Not to work
Compensation for any work performed
Reimbursement for lost money by agency staff

I have read and understand the rights of the people we serve.

Printed Name

Signature

Date



SAFEGUARDING CONFIDENTIALITY:
WHAT IT MEANS

1. A written consent from the guardian is required prior to disclosing any information.
2. Do not discuss confidential information in front of other customers.
3. Do not discuss any customers with Service Coordinators, Guardians, Staff, Home Care Providers or other parties who are not assigned to work with that person.
4. Do not leave any documents around the home or office- i.e. kitchen table, living room, fax, copier, etc.
5. Conversations regarding our customers need to happen in a private place where you will not be overheard.
6. Keep all customer related information out of view while in the community and at home.

I have read and understand the importance of and how to safeguard the confidentiality of the individuals receiving services from Easter Seals. Any person who violates our customer's right to confidentiality will be subject to disciplinary action up to and including termination.

My signature signifies that I will follow the guidelines as stated above.

Signature

Date



MOTOR VEHICLE SUPERVISION ACKNOWLEDGEMENT

Individuals receiving services from Community Based Services will not be left unsupervised in a vehicle for any amount of time unless there is a signed consent from the guardian. This is to ensure the safety of the individuals served.

Any person who leaves an individual alone in a vehicle without written consent will be subject to disciplinary action including termination.

I have read and understand that I will not leave anyone in my care unsupervised in a vehicle.

Print Name

Signature

Date



RISK ACKNOWLEDGEMENT

As an employee of Easter Seals NH, Inc. I am aware and understand that some customers who receive services through Easter Seals can be physically aggressive, verbally abusive and sexually inappropriate towards themselves or others. It is Easter Seals responsibility to provide person specific training. If at any point during my employment I feel that I do not have adequate training or feel unsafe I am responsible to report my concerns to my supervisor immediately. If my supervisor is not responsive then I will use the chain of command until my concerns are resolved.

I understand and acknowledge the risk of supporting some individuals who receive services through Community Based Services. My signature signifies that I will follow the guidelines as stated above.

Signature

Date



Community Based Services Person Specific Orientation

Individual Name:

Date:

Completed by:

Title:

List All Allergies (food/medication/other):

List Medical Conditions/Medical History:

List Routine Protocols Medical/Behavioral Supports:

Diagnosis:

ADL Needs:

Nutrition/Dietary Needs:

Hydration Needs:

Elimination Needs:

Food Preferences:

Food Aversions:

Ambulation Needs:

Communication Needs:

Behavior Supports:

Fire Safety Assessment:

Note Specific Level of Supervision:

Evacuation Procedures:

Emergency Procedures:

Current ISP Goal(s):

Important Notes/Information (likes, dislikes, activities of choice etc):

I have been trained on _____ specific information/needs. I was given the opportunity for questions and clarification regarding any information. I understand it is my responsibility to seek out additional training if necessary. I am also responsible to apply all of the information that I have been trained on specific to each individual.

_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
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Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	
_____	_____	<input type="checkbox"/> Trained ISP Goals/Data Collection
Print Name /Title	Date	

DIRECT SUPPORT TRAINING POLICY

Policy: All staff will receive training in accordance with the He-M 506 & He-M 1001 standards and regional contract expectations.

Rationale: To ensure that staff are properly trained to provide high quality services to individuals served.

Procedure: Staff will be required to adhere to the following training schedule, unless proof of prior attendance is provided. Staff will complete a training development record for any attended training. The development record will be forwarded to the Quality Improvement Coordinator and/or designee who will send the record to Human Resources.

First Day of Employment:

- * Human Resources Orientation
- * Lifting
- * Blood Borne Pathogens

Prior to Service:

- * Completion of Program Orientation
- * Overview of Rights & Safety
- * Review of confidentiality
- * Review of motor vehicle supervision
- * Review of risk acknowledgment

Within 6 months:

- | | |
|---|--|
| * CPR/First Aid (recertified annually) | * Health & Safety |
| * Human Rights | * Behavior Principles |
| * Overview of the Service Delivery System | * MANDT (recertified annually) |
| * Confidentiality & HIPAA | * Documentation |
| * Teaching Strategies | * Community Skill Building |
| * Quality Of Life | * Overview of Disabilities |
| * Empowerment | * Completion of Department Orientation |
| * Medication Administration (as needed, recertified annually) | |

Within 6 months:

- * Defensive Driving (every three years)

Annually:

- * Human Rights
- * Participate in the development of staff training plan
- * 20 hours of additional training

MANAGEMENT TRAINING POLICY

Policy: All Community Based Services management staff will receive training in accordance with He-M 506, He-M 507, He-M 1001 & He-M 1201 standards, regional contract and Agency expectations.

Rationale: To ensure that management staff is properly trained to oversight and leadership to programs.

Procedure: A training plan will be developed with the Regional Director and Quality Improvement within one week of hire. The Regional Director and Quality Improvement Coordinator will ensure the following trainings will occur:

Within Two Months:

- * Six-day training series
- * Medication administration training

Within Three months:

- * Home Visits
- * Overview of Regulations
- * Contract Expectations
- * Fiscal Management
- * Policy & Procedures
- * Certification Standards
- * Development of Treatment Plans & Goals
- * Personnel Management
- * Behavioral Services
- * Nursing Services
- * Documentation Requirements
- * Defensive Driving

Annually:

- * Human Rights
- * Participate in the development of staff training plan
- * 40 hours of additional training
- * MANDT recertification
- * Medication Administration recertification
- * CPR recertification
- * Certification Standards

Every three Years:

- * Defensive Driving
- * First Aid

Management staff will complete a training development record for any attended training. The development record will be forwarded to the Quality Improvement Coordinator and/or designee who will send the record to Human Resources.

Human Rights & Complaint Policy

Policy: Individuals who receive services from Easter Seals will have equal rights and will be treated with dignity and respect.

Rationale: All staff and independent contractors will understand and respect the rights of people receiving services.

Procedure: Individual's served and/or their guardian will receive their human rights on their first day at Easter Seals and yearly thereafter or following a change in service. The Program Manager and/or designee will work in conjunction with the funding Area Agency to ensure that human rights are reviewed with the individual and/or their guardian. Documentation of rights notification will be kept in the individuals' record. Each program will conspicuously post rights information. Copies of the He-M 310 regulations will be kept in each office and made available to individuals receiving services as requested.

Staff and Independent Contractors will receive Human Rights training during department orientation and will sign a critical acknowledgement form. This will be reviewed annually thereafter.

Any staff or independent contractor who is suspected of violating an individual's rights will be reported to BEAS and BDS for further investigation. The program manager and/or designee will report the allegation to the individual's Service Coordinator, Guardian (if applicable). Staff and independent contractors may be placed on an unpaid administrative leave until the investigation is completed. If the investigation is determined unfounded, staff and/or independent contractors may or may not be reinstated. If the investigation is determined founded, staff and/or independent contractors will be subject to disciplinary action up to and including termination. Each individual's situation may vary.

Easter Seals designee will respond in writing to any Complaint Investigation Report submitted to the agency within 21 days in order to follow recommendations to ensure individual rights and safety. Easter Seals designee will work with program managers regarding recommendations and plans of correction.

Every person employed or contracted by Easter Seals is expected to immediately report any suspicion of abuse, neglect, exploitation, or rights violations. Disciplinary action up to and including contract or employment termination will be taken for not reporting incidents of abuse, neglect, exploitation, or rights violations.

Human rights are divided into the following categories:

Notice of Client Rights:

Programs will inform people of their rights
Programs must post rights information
State Regulations must be kept at all sites

Fundamental Rights:

Will not be deprived of any legal right
Free to practice religious preference
Assistance in attending worship
Register to vote
Manage personal affairs
Hold a contract
Hold licenses
Marriage
Divorce
Children
Make a will
Exercise civil rights
Free from discrimination
Receive legal assistance

Personal Rights:

Free from abuse, neglect, or exploitation
Free from verbal, nonverbal, mental, physical or sexual abuse
Free from intentional use of force
Free from financial/personal exploitation
Privacy
Confidentiality
Access to their records
Right to complain about rights violations
Freedom from photographs, fingerprints without authorization

Treatment Rights:

Adequate and humane treatment
Appropriate evaluations
Quality treatment and services
ISP and services outlined in ISP
Least restrictive environment
Informed of risks
Voluntary placement
Refuse medications
Referrals for health care
Second opinions
Have guardian or others present during meetings
Free from chemical, physical restraints and seclusion
Integrated services

Community Residences:

Safe, sanitary & humane living environment
Free and private communication
Send and receive uncensored mail
Reasonable access to telephone
Receive and refuse visitors
Engage in social activities
Right to privacy
Free from searches of person and possessions
Keep and wear clothing of their taste
Reasonable space for personal belongings
Keep and read materials of their choosing
Keep and spend their money
Not to work
Compensation for any work performed
Reimbursement for lost money by Agency staff

EMPLOYMENT SERVICES POLICY

Policy: Individuals who receive day habilitation services through Easter Seals have the right to paid employment.

Rationale: To provide equal access and opportunity to all individuals served.

Procedure:

The program manager will obtain guardian permission, I-9 information and relevant work history before making a referral to the Job Placement Specialist. A formal referral for job placement services will be made by completing the designated placement form.

The Job Placement Specialist will work in conjunction with the program manager to secure suitable employment for individual referred. The program manager will assign a Direct Support Associate to manage the work site. The Direct Support Associate will spend a minimum of two shifts at the work site without the individual served. The Direct Support Associate will gain the knowledge of work performed, co-workers, supports available, and company culture. The Direct Support Associate will also develop a training plan for the individual to learn the job skills.

Direct Support Associates will maintain proper dress and work behavior as outlined by the employer's policy. Work hours and holiday schedule will be outlined by the employer. The individual served will be provided support to report to work during inclement weather unless the employer closes.

The program manager will be responsible for completing site visits at a minimum of one time per week during the first month of employment. Site visit frequency may be reduced to monthly if placement is stable. Visit frequency should be increased when problems arise.

Any employment site where Easter Seals bills the employer (Production Employees) the manager is responsible to coordinate a signed contract between the employer and Vice President of Community Based Services. The contract will outline services, financial responsibility and statement of confidentiality.

The guardian and representative payee will approve paid employment to ensure that the person retains their Medicaid eligibility. Program managers are responsible for the completion of time studies. Any person who is not earning minimum wage will be subject to sub-minimum wage provision in the Department of Fair Labor Standards Act (FLSA).

Volunteerism will not substitute for paid employment and the guidelines established by the Department of Labor will be strictly followed.

BEHAVIOR MANAGEMENT SERVICES POLICY

Policy: All behavior management strategies will comply with Easter Seals and Area Agency human rights standards and policies.

Rationale: To ensure safe, effective, and least restrictive behavior management practices.

Procedure: The Community Based Services department accesses behavioral services through staff and consultants. Managers are responsible for making formal referrals for behavioral services. The Behavior Specialist conducts a file review, observations, and interviews to develop a protocol or plan. A positive, non-aversive approach is used with the emphasis being placed on staff and independent contractor training, environmental changes and positive programming.

Every Area Agency has behavioral guidelines, which Easter Seals, is required to follow. The guardian and Area Agency Human Rights Committee approve all plans before implementation.

The Behavioral Specialist will train staff and independent contractors on the implementation of the protocol/plan. The Behavior Specialist may delegate training to the manager if proper training is provided and the manager demonstrates the competencies to train staff/independent contractor. The Behavior Specialist must observe one training session before delegation. Delegation of training must be put in writing by the behavior specialist and filed in the individual's record. Managers must ensure that the plan is consistently implemented and that only trained staff/independent contractors are working with that individual. Documentation of trained authorized staff or independent contractors will be maintained in the individual's record. The Behavior Specialist must be notified if the plan is not working. Managers are not authorized to alter or discontinue a plan.

There are times when physical interventions are required to gain rapid and safe control of a situation. Staff or independent contractors are required to attend MANDT when providing supports to individuals who may require physical intervention.

INDIVIDUAL SERVICE PLAN POLICY

Policy: An individual planning meeting is held on an annual basis to coordinate services, develop short-term goals, and facilitate long term planning.

Rationale: To ensure that each person and/or their guardian has input on the services being delivered and that those services are meet the needs of the individual.

Procedure: The first thirty days of the program will focus on identifying strengths and growth areas. The Manager will ensure that comprehensive notes are taken during this assessment period and a report (see attached) will be generated that proposes areas for staff/independent contractors to address and anticipate any services that are needed. The planning meeting will occur after the first 30 days and at least annually thereafter. The planning documents should include the following unless a waiver from DMHDS is granted:

- *Review of progress
- *Discussion of concerns
- *Identification of needs and services to be provided
- *Measurable objectives w/implementation plans
- *Signatures of individuals in attendance
- *Guardian's approval
- *Future statement
- *Level of supervision
- *Client rights notification
- *Review of guardianship status

The Service Coordinator will schedule the annual planning meeting, if the person does not have a Service Coordinator then the Easter Seal's Program Manager will coordinate the meeting. Easter Seals staff must ensure that the meeting is scheduled as it is required for state certification. The person responsible for coordinating the meeting will be responsible for typing the planning document and disseminating to team members.

Easter Seals program manager must complete the Support Intensity Scale (SIS) prior to the Service Planning Meeting. The SIS must be completed by the program manager and a minimum of two other support members who have known the individual served for a minimum of 3 months. The SIS will serve as the basis for goal development, and the results will be shared with team.

Easter Seals program managers and/or designee will prepare documents outlined in ISP checklist (see attached). In the event that the program manager can not attend the planning meeting, an approved representative from Easter Seals must attend the meeting on his/her behalf.

Revised: 8/97, 7/99, 8/02, 8/04, 12/05

CONFIDENTIALITY POLICY

Policy: Easter Seals staff and Independent Contractors will maintain confidentiality at all times.

Rationale: To preserve our customers right to privacy.

Procedure: All information regarding individuals served and their family is confidential. This information will only be released to individuals and agencies when the legal guardian has given written consent.

Easter Seals Community Based Services management staff is responsible for obtaining appropriate releases for every individual on their caseload. Releases are valid for one year, they must be renewed at the annual planning meeting or as needed throughout the year.

Easter Seals will require all new staff and independent contractors to review the confidentiality policy to protect the confidential information, which will be shared with them. Staff and independent contractors will sign a confidentiality acknowledgement.

All conversations regarding the individuals who receive services must be conducted in a private secure place. Any person who breeches confidentiality will be subject to serious disciplinary action which may include employment or contract termination.

All staff and independent contractors will attend HIPAA (Health Insurance Portability and Accountability Act) training and comply in accordance with federal and agency policies.

Revised 1/99, 7/99, 8/02, 8/04

RECORD MANAGEMENT POLICY

Policy: Community Based Services will maintain individual case records for each person served. Records will be managed in accordance with He-M 502, He-M 507, He-M 1001 and HIPAA legislation. Records will meet all standards and regulations.

Rationale: To ensure thorough, accurate and confidential record keeping practices.

Procedure:

General Guidelines:

1. Blue or black ink is the only acceptable method to document information.
2. White out is not acceptable. When a mistake is made, a single line is drawn through the error, initial and date the error and continue writing.
3. Original copies are always kept in the individual's file.
4. Confidential documentation will be shredded and disposed per DMHDS regulations and HIPAA compliance.
5. Any person who enters an individual record will sign and date on the designated form. Signatures will include the staff/independent contractor's first, middle initial and complete last name and title.
6. The responsible manager will counter sign all intern/volunteer signatures.
7. Falsification of any documentation is grounds for immediate termination.
8. Managers are required to ensure that information in the record is current and accurate.
9. CBS has a chart index that will be used to organize the record.
10. Records will be kept in a locked, secure area.
11. Forms will not be altered or implemented without approval from CBS management team.

Minimum Required Individual Record Contents:

1. Name, address, telephone, social security #, marital status, physical description, and date of birth of individual served.
2. Photograph
3. Primary language or communication means and level.
3. Name, address and telephone of guardian and other emergency contacts.
4. Name, address and telephone of Service Coordinator, complaint investigator, medical, dental, psychiatric & home providers.
5. Medical information including diagnosis (es), history, status, medications, allergies, physical exam.
6. Results of diagnostic evaluations
6. Daily attendance logs
7. Monthly or quarterly progress notes as indicated in the service plan
8. Current Service Plan w/approved revisions
10. Implementation strategies and teaching plans for all service goals
10. Data collection on goals and objectives
11. Medication orders and medication administration logs in accordance with He-M 1201
12. Relevant current and historical assessments
13. Approved individual safety assessment and plan (if left unsupervised)
14. Residential and daily notes
15. Incident Reports
16. Weekly schedule including the days and times of activities (day hab)

Confidentiality:

All information contained in the record is considered confidential. This information will only be released to people/agencies that the legal guardian has authorized through written consent. When entering an individual's record they must sign and date the file access record located at the front of the chart. Releases will be kept in the individual's record. Any staff or independent contractor who breeches confidentiality will receive serious disciplinary action including employment or contract termination.

Records may be released to guardians upon request. Copies will be made and released within 48 hours upon request. Any documents released from the record for any purpose will be accounted for on the designated disclosure log form located in the individual's record. Information from the record may not be released to a third party unless written consent is obtain by the original author. Original records may not leave Easter Seals premises.

Maintenance/Storage:

Prior to the annual planning meeting, the Manager will complete all annual paperwork. If the individual does not have an annual planning meeting, July 1st will be the date used to renew and update the record.

Individual's records will be stored and locked in a secure area.

Historical Records:

DAY SERVICES

A historical file will be made within 15 days following the annual planning meeting. Everything will be removed from the chart and placed into the historical file, with the exception of the following:

1. Medical or psychiatric evaluations
2. Behavioral or Forensic evaluations
3. Employment or residential assessments
4. Guardianship papers & Medicaid card etc.
5. Previous treatment plan/ISP
6. Previous physical

Historical information will be placed in a binded manila folder locked in a cabinet labeled in chronological order. Six years of historical information will be stored on site for each individual served. Easter Seals will maintain historical information for at least 6 years after the person is discharged from services.

RESIDENTIAL SERVICES

Historical files are made within 15 days of the annual planning meeting or more often if the individual moves to a new residence. Historical records are to be maintained and locked at an Easter Seals facility. A copy of the historical file will be kept on the residential premises for the previous year. The Community Living Manager will be responsible for appropriately discarding the duplicate historical file. The Community Living Manager must retrieve the files from the residence on the day the individual moves out of the home. House Book information will be maintained in the same fashion as the individual records.

Summary Request Form for Heightened Scrutiny

Site located at: 87 Pleasant St., Concord, NH

of Participants: 2

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a two story home located in the middle of Concord. Each of the participants has a bedroom and living space on separate floors, and they share the kitchen and dining area. This allows for privacy for both of the men who live there.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of New Hampshire Hospital. Other than the location of the home, there is no relationship between New Hampshire Hospital and the provider of services. The home is a stand-alone building on the grounds of New Hampshire Hospital. There are no staff who work at New Hampshire Hospital and support the residents of this home.
- The home is located in the heart of Concord with the main street being just a few blocks away. Access to local businesses, restaurants, and theaters is within walking distance. Public transportation is available, but for the health and safety of the residents it is not currently used. Transportation is provided by staff.
- Both of the residents access the community on a regular basis with the support of their staff.
 - One participant has a behavior plan which is designed to ensure his safety and the safety of the community, so there are times when access to the community is restricted. The behavior plan is approved by the guardian as well as the Human Rights Committee of the area agency responsible for services.
 - One participant has health issues which impact his desire to go into the community on days when the weather is bad. On these occasions, staff alter the activities for the day based on the participant's preferences.
- Each of the participants have spending money and the amount varies by participant. Neither of the residents have a bank account. They both have Rep Payees who oversee their finances and ensure that all bills are paid. The provider ensures that the money they

Summary Request Form for Heightened Scrutiny
Site located at: 87 Pleasant St., Concord, NH
of Participants: 2

have is secure and available when it is needed. Financial records are kept and submitted to the Rep Payees for tracking.

- One of the residents is currently working part-time. The other resident is in the process of obtaining employment with the assistance of Vocational Rehabilitation services.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- Each of the participants in the home have guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan, under General Implementation Strategy #1. Each participant will have this incorporated into their next Service Agreement.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- The review team was able to observe staff's interactions with the residents. Staff were very responsive to the needs of the residents. They were flexible in their support and reviewers saw schedules being changed due to the needs and desires of the participants.
- It was identified by staff that they treat the residents with respect and they knock on the door and/or ask permission before entering a residents' room.
 - One participant said that staff treat him with dignity and respect, however he did say that some staff knock on the door and others do not.
 - This is an area that the provider has been made aware of for follow up and additional training was completed with staff.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

Summary Request Form for Heightened Scrutiny

Site located at: 87 Pleasant St., Concord, NH

of Participants: 2

- Both residents in the home have schedules that are based on their wants, needs and desires. The schedules are flexible and get updated often based on the resident's choices.
- The residents choose when to go to bed and when to get up. They identify what they want for meals and create a shopping list.
- The home and bedrooms are decorated according to the tastes of the residents. The rooms are personalized to their tastes.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences. The schedules were reviewed, as well as daily notes. The schedules are updated often. Daily notes outline the activities that occurred each day, as well as the location. The review team was able to see when activities identified on the schedule were changed to another option.
 - Each of the residents had weekly documentation that describes that activities that were done specific to their goals.
 - Monthly progress reports were completed identifying the progress being made on the goals, as well as general information about the services and supports provided during the month.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participants do not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the*

Summary Request Form for Heightened Scrutiny

Site located at: 87 Pleasant St., Concord, NH

of Participants: 2

freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

- Each resident has their own room that is decorated according to their tastes.
- There are locks on the bathroom and bedroom doors, as appropriate. The locks can be opened by staff in case of an emergency. For health and safety reason, one of the resident's does not have a lock on their bedroom or bathroom door. This is based on an assessment and is included in their behavior plan which has been approved by the guardian and Human Rights Committee.
- The residents can enter their home by means of a key or the use of a code.
- The residents and guardians made the choice when deciding on living arrangements.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage.
 - One participant enjoys volunteering at the local animal shelter, shopping, purchasing supplies for making items, going to fairs, fishing, going to coffee shops and growing vegetables in his vegetable garden. His behavior plan identifies how he will be supported when going into the community and if there are times when it is inappropriate to access the community based on his behavior.
 - The other participant enjoys swimming, using his IPAD and Wii, shopping, going out to eat, playing basketball, going out for coffee, exercising and going to the agricultural center.
 - Participants choose if and when they want to do activities and staff support them in their choices, as documented in the daily notes.
 - The residents can access food at any time.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes.
 - One of the participants identified that he has no family who visit him.
 - The other participant has family who come to visit as documented in his progress notes.

Summary Request Form for Heightened Scrutiny

Site located at: 87 Pleasant St., Concord, NH

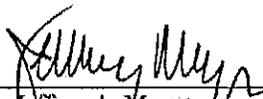
of Participants: 2

- *The setting is physically accessible to the individual.*
 - The home is accessible for the residents who live there. One individual has hearing and visual impairments and an unsteady gait. His bedroom is on the main floor of the home, and his bathroom has a walk-in shower, and grab bars to ensure his safety.
 - Due to the unsteady gait of one of the residents, there is a gate at the bottom of the stairs so that he cannot try to go upstairs without assistance. The other resident of the home can easily open the gate if/when he needs to go up or down the stairs. Appropriate approvals have been obtained for the gate.
 - To ensure the safety of one of the residents, there are chimes on the door and on the windows to alert staff if they have been opened. Appropriate approvals have been obtained for the chimes on the windows and doors.
 - There is no access for one of the residents to the basement because the steps are very steep and the resident has an unsteady gait. The laundry is located in the basement so the resident participates in all other aspects of doing laundry that he can do upstairs.

- **Recommendation:**
 - Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Easter Seals follow through on those areas of concern noted above. A plan will be developed by Easter Seals and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/18

Date

CROTCHED MOUNTAIN HEIGHTENED SCRUTINY REQUEST

The state of New Hampshire would like to request heightened scrutiny for nine sites in Greenfield, New Hampshire where services are provided by Crotched Mountain.

The documentation supporting the requests for heightened scrutiny includes:

- state expectations for providers and the process for monitoring them,
- provider's job descriptions,
- provider policies, and
- New Hampshire's Summary Request Form

State Expectations:

Each Provider of services to individuals with Developmental Disabilities and/or Acquired Brain Disorders are expected to follow the requirements outlined in the following regulations:

He-M 202 Rights Protection Procedures for Developmental Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m200.html
He-M 310 Rights of Persons Receiving Developmental Services or Acquired Brain Disorder Services in the Community	http://www.gencourt.state.nh.us/rules/state_agencies/he-m300.html
He-M 503 Eligibility and the Process of Providing Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 506 Staff Qualifications and Staff Development Requirements for Developmental Service Agencies	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 507 Community Participation Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 517 Medicaid –Covered HCBS for Persons with Developmental Disabilities and Acquired Brain Disorders	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 518 Employment Services	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 522 Eligibility Determination and Service Planning for Individuals with an Acquired Brain Disorder	http://www.gencourt.state.nh.us/rules/state_agencies/he-m500.html
He-M 1001 Certification Standards for Community Residences	http://www.gencourt.state.nh.us/rules/state_agencies/he-m1000.html

CROTCHED MOUNTAIN HEIGHTENED SCRUTINY REQUEST

These regulations are specific to the site that is being reviewed and are not part of the expectations of the institution that is on the same grounds as this HCBS site.

The site is reviewed by the Office of Program Support which is the state's certification and licensing agency to ensure that the site is in compliance with the state regulations noted above. At each certification/licensing visit the surveyor (the person completing the site visit) completes a deficiency report (a report that outlines if there are areas of the regulations that the site is not in compliance). The provider develops a plan of correction outlining how they will fix the identified issue.

Each of the regulations has definitions within it to explain the service definitions that are relevant to the supports being offered.

Job Descriptions

The job descriptions outline the qualifications of the staff providing services to the participants at the site.

- a. Residential Counselor II
- b. Residential Counselor III-W/E Lead
- c. Community Living Instructor
- d. Program Manager I
- e. Crisis Response Staff

Policies

The policies below outline the expectations of the staff at the site.

- a. Department Regulatory Training Requirements/Orientation Sample
- b. Identification and Notification of Potential Abuse Policy
- c. Adult Resident Finances in Program Standard Operating Procedure
- d. Confidential Information Policy

Summary Request Form for Heightened Scrutiny

The Summary Request Form contains the results of the review process that was done. The summary identifies each of the HCBS standards and the outcome based on the interviews of providers and participants, documentation and data review, and observations that were done.

**Crotched Mountain Foundation
Position Description**

Department/Division: **Residential**
Position Title: Residential Counselor II
Prepared by: Kristin Kostecki
Date: 8 December 2015

Reports to: Program Manager
Approved by: *Donna Carlson-Blastos*
Date: 12/10/15

DATE POSITION DESCRIPTION LAST REVISED:

Scope: (Position summary inclusive of scope of service; See Policy 498 3.2.2, include 3.2.4, if applicable)

To instruct, supervise and assist residents with activities of daily living through daily routines and to carry out scheduled activities and programs.

Perform tasks under supervision of Program Manager and Residential Counselor III in accordance with established Center policies/procedures.

Schedule: Second shift Monday-Friday 2:45-10 pm or Saturday and Sunday 7am-10pm. Third shift 10pm-7am. Schedule may vary according to assignment.

Demonstrates competency in the following areas:

Organizational Responsibilities:

- Supports the organization's mission – Crotched Mountain is dedicated to serving individuals with disabilities and their families, embracing personal choice and development, and building communities of mutual support.
- Supports the organizations vision- Crotched Mountain will be the region's most effective and respected provider of education, health, and clinical supports to society's most vulnerable populations.

Demonstrate understanding through support of the organizations 6 (six) Workplace Values:

- **Respect & Dignity** – treat each other with esteem, regardless of one's position and create a feeling of safety in a workplace free of fear and retaliation.
 - Listen actively, seeking to understand and value concerns
 - Value each person's ideas and encourages constructive feedback
- **Teamwork** – collaborates with others to achieve common goals by:
 - Recognize diversity, drawing on the strengths of every individual
 - Demonstrate support for others and team decisions
 - Use opportunities to influence policies and procedures
- **Effective Communication** –exchange meaningful information and ideas throughout and beyond our workplace, across all levels, directions, and channels.
 - Demonstrate open mindedness, honesty, and respect when listening and speaking to others
 - Take a direct approach, whenever possible, in resolving personal conflict with others
 - Share information with others that helps them perform their jobs and understand organizational decisions

Demonstrates competency in the following areas:

- **Accountability to Self and Others** – be responsible to ourselves and our peers, to our supervisors and those who we supervise, and the organization for our own performance.
 - Perform job in a purposeful, professional manner with pride and integrity
 - Acknowledge others accomplishments and addresses deficiencies in own job performance in a prompt and dignified manner.
 - Look continually for ways to improve performance at all levels
- **Positive Attitude** – while acknowledging our struggles, approach each day with enthusiasm.
 - Choose an optimistic and cheerful outlook
 - See the good in others, looks for solutions not blame
 - Foster a sense of enthusiasm
- **Growth and Learning** – acquire knowledge and skills through practice, training and experience.
 - Participate in opportunities for quality improvement and innovative solutions
 - Promote an environment in which creativity, problem solving and shared knowledge are highly regarded through spoken words and written communication
 - Help others overcome barriers to allow maximum staff participation in educational programs through flexibility
 - Perform all duties assigned in a professional manner.

Organizational General Requirements: (List competencies, include service recipient and staff safety requirements, as well as, professional requirements.)

Advocacy/Support: Assist and support the participant to remain safe and (if direct service role) develop strategies, make informed choices, follow through on responsibilities and take risks by:

- Being knowledgeable of patient/consumer rights and ensures an atmosphere which allows for dignity and well being of all patients/consumers in a safe secure environment.
- Advocate and protect clients'/patients' rights in accordance with Crotched Mountain policies and procedures.
- Identify the rights of individuals with disabilities, the consequences if those rights are violated, and strategies to effectively address these violations.
- Maintain appropriate professional boundaries.
- Identify the rights of individuals served and can address the situation if the staff or individual feels they are being violated in any way by any person.
- Accurately identify whether a described or observed situation should be reported as a suspected case of abuse or neglect and know appropriate steps to take to protect and support the individual in such a situation.

Demonstrates competency in the following areas:

Professionalism: Thinks carefully about the likely effects on others of one's words, actions, appearance, and mode of behavior. Selects the words or actions most likely to have the desired effect on the individual or group, by:

- Practice good hygiene and presents an appropriate professional appearance.
- Demonstrate understanding how one is perceived by others
- Take actions calculated to have a positive effect on others
- Work to make a friendly impression on others by using good eye contact and using names whenever possible.
- Work to develop and maintain positive working relationships with co-workers by being punctual, keeping personal communication to a minimum, and maintaining a pleasant work attitude.

Continuous Learning: Demonstrates desire and drive to acquire knowledge and skills necessary to perform job more effectively by:

- Take responsibility for one's own development.
- Maintain fluency in appropriate work applications, software, or tools.
- Identify and pursue areas of development and training that will enhance job performance.
- Take responsibility for own training requirements, maintain 100% completion rate for all required compliance training.

Safety Management: Demonstrates understanding of the importance of integrated safety management by:

- Utilize appropriate infection control techniques, especially demonstration of proper hand washing techniques.
- Protect self and others by using appropriate personal protective equipment (i.e. gloves, face shields, gowns).
- Locate safety equipment i.e. fire extinguishers, first aid kits, AED's, personal protective equipment.
- Locate emergency notification information in a timely manner.
- Locate and follow emergency evacuation plan
- Locate emergency exits and safe areas
- Demonstrate safe operation of any equipment used within the work environment
- Demonstrate ability to correctly follow procedures to report and /or correct unsafe working conditions.
- Follow correct procedure for equipment repair and maintenance needs
- Comply with current law and policy to provide a work environment free from harassment and all illegal discriminatory behavior

Initiative: The power or ability to begin or to follow through energetically with a plan or task

- Demonstrate ability to take the first step or move;
- Take responsibility by following the correct process for beginning or originating an action, new idea or method
- Demonstrate ability to think and act without being asked.
- Demonstrate ability to continue with a plan, task, and activity until it has been completed.

Demonstrates competency in the following areas:

General Business Acumen: Demonstrates the knowledge and understanding of everyday operational functions of Crochted Mountain.

- Wear identification while on duty;
- Record time worked timely and accurately.
- Represent the organization in a positive and professional manner.
- Report to work on time and as scheduled;
- Complete work within designated time.
- Complete required documentation that meets current organizational and/or department standards.
- Maintain confidentiality of all data, including patient/consumer, employee and operations data.
- Treat individuals and their families with respect and dignity, using tactful communication.

Primary Competency Requirements: (Refer to Policy 4983:2.5 and 3:2.6 and list evidenced based best practice competencies accordingly.

Residential Counselor II

- **Supports Safety and Consistency: Complies with individual programs and safety policies and procedures.**
 - Supports the safety of all individuals in everyday situations.
 - Performs and teaches housekeeping responsibilities as appropriate
 - Follows safety procedures in the residence by addressing needs and reporting unsafe conditions
 - Review of Material Safety Data Sheet/Exposure Control Plan/Suicide Intervention Protocol procedures and guidelines
 - Teaches and reinforces fire safety procedures by keeping all fire exits clear
 - Complete required record keeping, data collection and documentation.
 - Follow all client programs. Including Behavior Plans, Therapeutic Mealtime Protocols and any other individualized programs.
 - Complete medication sheets and treatment sheets.
 - May be required to administer over the counter topical treatments as prescribed by the physician and under direction of the Program Manager
- **Building and Maintaining Positive Relationships: Actively seeks opportunities to contribute to positive outcomes for individuals served.**
 - Assist residents to exercise the principles of residents' rights.
 - Select and supervise activities which are appropriate to each resident's capabilities.
 - Assist residents in the performances of residential programs and daily routines.
 - Ensure residents are dressed appropriately, in a manner which respects their human rights and dignity.
 - Assist residents in preparing well-balanced meals.
 - Teaches and reinforces the use of communication techniques and devices to meet the individual's needs.
 - Assist individuals with motor exercises designed to increase physical coordination.
 - Accompany individual's to community activities including worksites, cultural, religious and social events, day programs, doctor appointments and assist with modeling positive interaction with others.
 - Transports and arranges transportation for individuals to access community events.
 - Provide adequate supervision between shifts as described in the clients program.
 - May be required to acquire a working knowledge of sign language, alternative augmentative communication systems and knowledge of the deaf culture dependent upon the population served.

Demonstrates competency in the following areas:

- **Flexibility: Responds quickly to change and easily considers new approaches.**
 - Responds quickly to change and easily considers new approaches.
 - Demonstrate flexibility and effectively handle day-to-day work changes, shifting priorities as necessary.
 - Respond positively to change and uncertainty.
 - Share information with others and encourage cooperation in coping with change.
- **Problem Solving: Accurately assesses problems and effectively arrives at excellent solutions.**
 - Accurately assesses problems and effectively and efficiently arrives at appropriate solutions.
 - Look at problems by assessing available information and resources.
 - Make effective decisions within limited time that resolves the problem or situation.
 - Inform supervisor and use established methods to solve common problems.
 - Perform other duties as needed and/or directed.

Expectations:

- Advocate and protect clients' rights in accordance with current policies and procedures.
- Maintain a mature and positive attitude when dealing with residents, staff, parents and/or guardians.
- Work in a spirit of cooperation with all departments.
- Respect clients' personal property.
- Carry out all job responsibilities in a professional manner.
- Adhere to policies of Croton Point Rehabilitation Center.
- Accept constructive criticism in a professional manner.
- Maintain appropriate boundaries when handling resident finances and refrain from commingling of funds.
- Uphold the mission of Croton Point as put forth in the Workplace Culture and Values Statement.

Requirements: (According to State of NH Health & Human Services Licensing and Regulations)

1. Be at least 21 years of age and;
2. Have a high school diploma or its equivalent and shall have at least one of the following pre-service training and education requirements:
 - a. An associate's or higher degree or higher with a minimum of 12 credits in the field of Human Services, or other field related to residential care, awarded by a regionally accredited college or university;
 - b. The equivalent of two (2) years of full-time experience (3000 hours) working with children as a paid employee or as a volunteer (written documentation required).
 - c. Any combination of college credits in human services and experience with children that total two (2) years, as follows:
 - i. Two (2) years of full time college equals 60 credits;
 - ii. Two (2) years of full time employment equals 3000 hours; and
 - iii. One (1) credit equals 50 hours of experience; or
 - d. Documentation of seven (7) years of parenting experience.

Physical Demands:

- For physical demands of position, including vision, hearing, repetitive motion and environment, see following description.
- Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position without compromising the persons care.

=====

I have received, read and understand the Position Description above.

Name/Signature

Date

JOB TITLE: Residential Counselor	DEPARTMENT: Residential
NAME:	# HOURS/WORKDAY: 40 hrs/week
DEVELOPED BY:	DATE DEVELOPED: 1/15/14
MANAGER SIGNATURE:	DATE REVISED:

CHECK APPROPRIATE BOX FOR EACH OF THE FOLLOWING ITEMS TO BEST DESCRIBE THE EXTENT OF THE SPECIFIC ACTIVITY PERFORMED BY THE STAFF MEMBERS IN THIS POSITION

PHYSICAL DEMANDS

On-the-job time is spent in the following physical activities Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Stand:				x
Walk:				x
Sit:		x		
Talk or hear:				x
Use hands to finger, handle or feel:				x
Push/Pull:				x
Stoop, kneel, crouch or crawl:				x
Reach with hands and arms:				
Taste or smell:	x			

This job requires that weight be lifted or force be exerted. Show how much and how often by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Up to 10 pounds:			x	
Up to 25 pounds:			x	
Up to 50 pounds:	x			
Up to 100 pounds:	x			
More than 100 pounds:	x			

This job has special vision requirements. Check all that apply.

- Close Vision (clear vision at 20 inches or less)
- Distance Vision (clear vision at 20 feet or more)
- Color Vision (ability to identify and distinguish colors)
- Peripheral Vision (ability to observe an area that can be seen up and down or to the left and right while eyes are fixed on a given point)
- Depth Perception (three-dimensional vision; ability to judge distances and spatial relationships)
- Ability to Adjust Focus (ability to adjust eye to bring an object into sharp focus)
- No Special Vision Requirements

Specific demands not listed:

Employee must be able to move and react quickly to potentially dangerous situations including/involving aggressive residents.

I have received, read and understand the Position Description above.

Print Name: _____

Signature: _____

Date: _____

WORK ENVIRONMENT

This job requires exposure to the following environmental conditions. Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Wet, humid conditions (non-weather):	x			
Work near moving mechanical parts:	x			
Fumes or airborne particles:	x			
Toxic or caustic chemicals:	x			
Outdoor weather conditions:			x	
Extreme cold (non-weather):	x			
Extreme heat (non-weather):	x			
Risk of electrical shock:	x			
Work with explosives:	x			
Risk of radiation:	x			
Vibration:	x			

The typical noise level for the work environment is:

Check all that apply.

- Very Quiet
- Loud Noise
- Quiet
- Very Loud Noise
- Moderate Noise

Hearing:

- Ability to hear alarms on equipment
- Ability to hear patient call
- Ability to hear instructions from physician/department staff

REPETITIVE MOTION ACTIONS

	— Number of Hours —				
	0	1-2	3-4	5-6	7+
Repetitive use of foot control					
A. Right only					
B. Left Only					
C. Both	x				
Repetitive use of hands					
A. Right only					
B. Left Only					
C. Both	x				
Grasping: simple/light					
A. Right only					
B. Left Only					
C. Both				x	
Grasping: firm/heavy					
A. Right only					
B. Left Only					
C. Both				x	
Fine Dexterity					
A. Right only					
B. Left Only					
C. Both	x				

Date

**Crotched Mountain Foundation
Position Description**

Department/Division:	Residential	Reports to:	Program Manager
Position Title:	Residential Counselor III – W/E Lead	Approved by:	<i>Donna Carlson-Blastos</i>
Prepared by:	Kristin KostECKi	Date:	7/16/2015
Date:	4 November 2014		

DATE POSITION DESCRIPTION LAST REVISED:

Scope: (Position summary inclusive of scope of service; See Policy 498 3.2.2, include 3.2.4, if applicable)

To instruct, supervise and assist residents with activities of daily living through daily routines and to carry out scheduled activities and programs. Supervise staff and programs in absence of Program Manager.

Perform tasks under supervision of Program Manager in accordance with established Center policies/procedures.

Schedule: 40hrs per week. Schedule varies according to assignment.

Demonstrates competency in the following areas:

Organizational Responsibilities:

- Supports the organization's mission – Crotched Mountain is dedicated to serving individuals with disabilities and their families, embracing personal choice and development, and building communities of mutual support.
- Supports the organizations vision- Crotched Mountain will be the region's most effective and respected provider of education, health, and clinical supports to society's most vulnerable populations.

Demonstrate understanding through support of the organizations 6 (six) Workplace Values:

- **Respect & Dignity** – treat each other with esteem, regardless of one's position and create a feeling of safety in a workplace free of fear and retaliation.
 - Listen actively, seeking to understand and value concerns
 - Value each person's ideas and encourages constructive feedback
- **Teamwork** – collaborates with others to achieve common goals by:
 - Recognize diversity, drawing on the strengths of every individual
 - Demonstrate support for others and team decisions
 - Use opportunities to influence policies and procedures
- **Effective Communication** –exchange meaningful information and ideas throughout and beyond our workplace, across all levels, directions, and channels.
 - Demonstrate open mindedness, honesty, and respect when listening and speaking to others
 - Take a direct approach, whenever possible, in resolving personal conflict with others
 - Share information with others that helps them perform their jobs and understand organizational decisions

Demonstrates competency in the following areas:

- **Accountability to Self and Others** – be responsible to ourselves and our peers, to our supervisors and those who we supervise, and the organization for our own performance.
 - Perform job in a purposeful, professional manner with pride and integrity
 - Acknowledge others accomplishments and addresses deficiencies in own job performance in a prompt and dignified manner.
 - Look continually for ways to improve performance at all levels
- **Positive Attitude** – while acknowledging our struggles, approach each day with enthusiasm.
 - Choose an optimistic and cheerful outlook
 - See the good in others, looks for solutions not blame
 - Foster a sense of enthusiasm
- **Growth and Learning** – acquire knowledge and skills through practice, training and experience.
 - Participate in opportunities for quality improvement and innovative solutions
 - Promote an environment in which creativity, problem solving and shared knowledge are highly regarded through spoken words and written communication
 - Help others overcome barriers to allow maximum staff participation in educational programs through flexibility
 - Perform all duties assigned in a professional manner.

Organizational General Requirements: (List competencies. Include service recipient and staff safety requirements, as well as professional requirements.)

Advocacy/Support: Assist and support the participant to remain safe and (if direct service role) develop strategies, make informed choices, follow through on responsibilities and take risks by:

- Being knowledgeable of patient/consumer rights and ensures an atmosphere which allows for dignity and well being of all patients/consumers in a safe secure environment.
- Advocate and protect clients'/patients' rights in accordance with Crotched Mountain policies and procedures.
- Identify the rights of individuals with disabilities, the consequences if those rights are violated, and strategies to effectively address these violations.
- Maintain appropriate professional boundaries.
- Identify the rights of individuals served and can address the situation if the staff or individual feels they are being violated in any way by any person.
- Accurately identify whether a described or observed situation should be reported as a suspected case of abuse or neglect and know appropriate steps to take to protect and support the individual in such a situation.

Demonstrates competency in the following areas:

Professionalism: Thinks carefully about the likely effects on others of one's words, actions, appearance, and mode of behavior. Selects the words or actions most likely to have the desired effect on the individual or group, by:

- Practice good hygiene and presents an appropriate professional appearance.
- Demonstrate understanding how one is perceived by others
- Take actions calculated to have a positive effect on others
- Work to make a friendly impression on others by using good eye contact and using names whenever possible.
- Work to develop and maintain positive working relationships with co-workers by being punctual, keeping personal communication to a minimum, and maintaining a pleasant work attitude.

Continuous Learning: Demonstrates desire and drive to acquire knowledge and skills necessary to perform job more effectively by:

- Take responsibility for one's own development.
- Maintain fluency in appropriate work applications, software, or tools.
- Identify and pursue areas of development and training that will enhance job performance.
- Take responsibility for own training requirements, maintain 100% completion rate for all required compliance training.

Safety Management: Demonstrates understanding of the importance of integrated safety management by:

- Utilize appropriate infection control techniques, especially demonstration of proper hand washing techniques.
- Protect self and others by using appropriate personal protective equipment (i.e. gloves, face shields, gowns).
- Locate safety equipment i.e. fire extinguishers, first aid kits, AED's, personal protective equipment.
- Locate emergency notification information in a timely manner.
- Locate and follow emergency evacuation plan
- Locate emergency exits and safe areas
- Demonstrate safe operation of any equipment used within the work environment
- Demonstrate ability to correctly follow procedures to report and /or correct unsafe working conditions.
- Follow correct procedure for equipment repair and maintenance needs
- Comply with current law and policy to provide a work environment free from harassment and all illegal discriminatory behavior

Initiative: The power or ability to begin or to follow through energetically with a plan or task

- Demonstrate ability to take the first step or move;
- Take responsibility by following the correct process for beginning or originating an action, new idea or method
- Demonstrate ability to think and act without being asked.
- Demonstrate ability to continue with a plan, task, and activity until it has been completed.

Demonstrates competency in the following areas:

General Business Acumen: Demonstrates the knowledge and understanding of everyday operational functions of Crochted Mountain.

- Wear identification while on duty;
- Record time worked timely and accurately.
- Represent the organization in a positive and professional manner.
- Report to work on time and as scheduled;
- Complete work within designated time.
- Complete required documentation that meets current organizational and/or department standards.
- Maintain confidentiality of all data, including patient/consumer, employee and operations data.
- Treat individuals and their families with respect and dignity, using tactful communication.

Primary Competency Requirements: (Refer to Policy 498 3.2.5 and 3.2.6 and list evidenced based best practice competencies accordingly.)

General Responsibilities:

- Assist residents to exercise the principles of residents' rights.
- Assist residents in the performances of residential programs and daily routines.
- Accompanies residents on community trips/activities.
- Provides guidance and support to residents in decision making.
- Complete required record keeping, data collection and documentation.
- Administer over the counter topical treatments as prescribed by the physician and under direction of the Program Manager.
- Select and supervise activities which are appropriate to each resident's capabilities.
- Ensure adequate supervision between shifts.
- Attend program and behavior meetings, orientation and in-service training sessions.
- Correctly follow behavior programs and other therapeutic protocols as written.
- Assist residents in preparing well-balanced meals.
- Accurately complete medication sheets.
- Act as a role model for students and other staff.
- Complete scheduled household chores with/without students' help.
- Review of Material Safety Data Sheet/Exposure Control Plan/Suicide Intervention Protocol procedures and guidelines
- Ensure residents are dressed appropriately, in a manner which respects their human rights and dignity.
- May be required to acquire a working knowledge of sign language, alternative augmentative communication systems and knowledge of the deaf culture dependent upon the population served.
- Perform other duties as needed and/or directed.

Lead Responsibilities:

- Complete/monitor medication sign out sheets, daily student logs, adherence to behavior program including data keeping.
- Complete food requisitions according to established menus, ensuring balanced meals, oversee all special diets under supervision of Program Manager.
- Under direction of the Program Manager, complete activity schedules including trip planning, arts and crafts activities, cooking and recreational activities both on and off campus.

Demonstrates Competency in the following areas:

- In absence of Program Manager, assist and oversee general cleanliness of bathrooms, bedrooms and all common areas.
- Ensure residents are dressed appropriately and in a manner which respects the residents' rights and dignity.
- In absence of Program Manager communicate medical problems to nursing staff.
- Assist Program Manager with required paperwork to ensure maintenance of physical environment.
- Assist Program Manager in ordering/administering over the counter medications.
- Attend program meetings/behavior meetings and any other meetings upon request of Program Manager.
- Is required to read, demonstrate understanding and implement current Individual Educational Plans, Behavior plans and other therapeutic protocols and guidelines for each resident.
- Supervise and train assigned staff ensuring that students' individual goals and objectives are followed in accordance with their Individual Education Plans/Individual Service Agreements.

Expectations:

- Advocate and protect clients' rights in accordance with current policies and procedures.
- Promote the principle of normalization.
- Maintain a mature and positive attitude when dealing with residents, staff, parents and/or guardians.
- Work in a spirit of cooperation with all departments.
- Respect clients' personal property.
- Carry out all job responsibilities in a professional manner.
- Adhere to policies of Croton Mountain Rehabilitation Center.
- Accept constructive criticism in a professional manner.
- Maintain appropriate boundaries when handling resident finances and refrain from commingling of funds.
- Uphold the mission of Croton Mountain as put forth in the Workplace Culture and Values Statement.

Requirements: (According to State of NH Health & Human Services Licensing and Regulations)

1. Be at least 21 years of age and;
2. Have a high school diploma or its equivalent and shall have at least one of the following pre-service training and education requirements:
 - a. An associate's or higher degree or higher with a minimum of 12 credits in the field of Human Services, or other field related to residential care, awarded by a regionally accredited college or university;
 - b. The equivalent of two (2) years of full-time experience (3000 hours) working with children as a paid employee or as a volunteer (written documentation required).
 - c. Any combination of college credits in human services and experience with children that total two (2) years, as follows:
 - i. Two (2) years of full time college equals 60 credits;
 - ii. Two (2) years of full time employment equals 3000 hours; and
 - iii. One (1) credit equals 50 hours of experience; or
 - d. Documentation of seven (7) years of parenting experience.

Physical Demands:

- For physical demands of position, including vision, hearing, repetitive motion and environment, see following description.
- Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position without compromising the persons care.

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I have received, read and understand the Position Description above.

Name/Signature

Date

JOB TITLE: Residential Counselor III - Lead	DEPARTMENT: Residential
NAME:	# HOURS/WORKDAY: 7.25 + (40 hrs/week)
DEVELOPED BY:	DATE DEVELOPED: 1/15/14
MANAGER SIGNATURE:	DATE REVISED:

CHECK APPROPRIATE BOX FOR EACH OF THE FOLLOWING ITEMS TO BEST DESCRIBE THE EXTENT OF THE SPECIFIC ACTIVITY PERFORMED BY THE STAFF MEMBERS IN THIS POSITION

PHYSICAL DEMANDS

On-the-job time is spent in the following physical activities Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Stand:				X
Walk:				X
Sit:		X		
Talk or hear:				X
Use hands to finger, handle or feel:				X
Push/Pull:				X
Stoop, kneel, crouch or crawl:				X
Reach with hands and arms:				X
Taste or smell:	X			

This job requires that weight be lifted or force be exerted. Show how much and how often by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Up to 10 pounds:			X	
Up to 25 pounds:			X	
Up to 50 pounds:	X			
Up to 100 pounds:	X			
More than 100 pounds:	X			

This job has special vision requirements. Check all that apply.

- Close Vision (clear vision at 20 inches or less)
- Distance Vision (clear vision at 20 feet or more)
- Color Vision (ability to identify and distinguish colors)
- Peripheral Vision (ability to observe an area that can be seen up and down or to the left and right while eyes are fixed on a given point)
- Depth Perception (three-dimensional vision; ability to judge distances and spatial relationships)
- Ability to Adjust Focus (ability to adjust eye to bring an object into sharp focus)
- No Special Vision Requirements

Specific demands not listed: _____

I have received, read and understand the Position Description above.

Print Name: _____
Signature: _____
Date: _____

WORK ENVIRONMENT

This job requires exposure to the following environmental conditions. Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Wet, humid conditions (non-weather):	X			
Work near moving mechanical parts:	X			
Fumes or airborne particles:	X			
Toxic or caustic chemicals:	X			
Outdoor weather conditions:			X	
Extreme cold (non-weather):	X			
Extreme heat (non-weather):	X			
Risk of electrical shock:	X			
Work with explosives:	X			
Risk of radiation:	X			
Vibration:	X			

The typical noise level for the work environment is: Check all that apply.

- Very Quiet
- Quiet
- Moderate Noise
- Loud Noise
- Very Loud Noise

Hearing:

- Ability to hear alarms on equipment
- Ability to hear patient call
- Ability to hear instructions from physician/department staff

REPETITIVE MOTION ACTIONS

	— Number of Hours —				
	0	1-2	3-4	5-6	7+
Repetitive use of foot control					
A. Right only					
B. Left Only					
C. Both	X				
Repetitive use of hands					
A. Right only					
B. Left Only					
C. Both	X				
Grasping: simple/light					
A. Right only					
B. Left Only					
C. Both				X	
Grasping: firm/heavy					
A. Right only					
B. Left Only					
C. Both				X	
Fine Dexterity					
A. Right only					
B. Left Only					
C. Both	X				

Date

**Crotched Mountain Foundation
Position Description**

Department/Division: **Residential**
Position Title: Community Living Instructor
Prepared by: Kristin Kostecki
Date: 8 December 2015

Reports to: Program Manager
Approved by: Donna Carlson-Blastos
Date: 12/10/15

DATE POSITION DESCRIPTION LAST REVISED:

Scope: (Position summary inclusive of scope of service; See Policy 498 3.2.2, include 3.2.4, if applicable)

To instruct, supervise and assist residents with activities of daily living through daily routines and service plan objectives. Carry out scheduled activities and programs in a community setting.

Perform tasks under supervision of Program Coordinator and Program Provider in accordance with established Center policies/procedures.

Schedule: First shift Monday-Friday 7am-3pm.

Demonstrates competency in the following areas:

Organizational Responsibilities:

- Supports the organization's mission – Crotched Mountain is dedicated to serving individuals with disabilities and their families, embracing personal choice and development, and building communities of mutual support.
- Supports the organizations vision- Crotched Mountain will be the region's most effective and respected provider of education, health, and clinical supports to society's most vulnerable populations.

Demonstrate understanding through support of the organizations 6 (six) Workplace Values:

- **Respect & Dignity** – treat each other with esteem, regardless of one's position and create a feeling of safety in a workplace free of fear and retaliation.
 - Listen actively, seeking to understand and value concerns
 - Value each person's ideas and encourages constructive feedback
- **Teamwork** – collaborates with others to achieve common goals by:
 - Recognize diversity, drawing on the strengths of every individual
 - Demonstrate support for others and team decisions
 - Use opportunities to influence policies and procedures
- **Effective Communication** –exchange meaningful information and ideas throughout and beyond our workplace, across all levels, directions, and channels.
 - Demonstrate open mindedness, honesty, and respect when listening and speaking to others
 - Take a direct approach, whenever possible, in resolving personal conflict with others
 - Share information with others that helps them perform their jobs and understand organizational decisions

Demonstrates competency in the following areas:

- **Accountability to Self and Others** – be responsible to ourselves and our peers, to our supervisors and those who we supervise, and the organization for our own performance.
 - Perform job in a purposeful, professional manner with pride and integrity
 - Acknowledge others accomplishments and addresses deficiencies in own job performance in a prompt and dignified manner.
 - Look continually for ways to improve performance at all levels
- **Positive Attitude** – while acknowledging our struggles, approach each day with enthusiasm.
 - Choose an optimistic and cheerful outlook
 - See the good in others, looks for solutions not blame
 - Foster a sense of enthusiasm
- **Growth and Learning** – acquire knowledge and skills through practice, training and experience.
 - Participate in opportunities for quality improvement and innovative solutions
 - Promote an environment in which creativity, problem solving and shared knowledge are highly regarded through spoken words and written communication
 - Help others overcome barriers to allow maximum staff participation in educational programs through flexibility
 - Perform all duties assigned in a professional manner.

Organizational General Requirements: (List competencies. Include service recipient and staff safety requirements, as well as, professional requirements.)

Advocacy/Support: Assist and support the participant to remain safe and (if direct service role) develop strategies, make informed choices, follow through on responsibilities and take risks by:

- Being knowledgeable of patient/consumer rights and ensures an atmosphere which allows for dignity and well being of all patients/consumers in a safe secure environment.
- Advocate and protect clients'/patients' rights in accordance with Crotched Mountain policies and procedures.
- Identify the rights of individuals with disabilities, the consequences if those rights are violated, and strategies to effectively address these violations.
- Maintain appropriate professional boundaries.
- Identify the rights of individuals served and can address the situation if the staff or individual feels they are being violated in any way by any person.
- Accurately identify whether a described or observed situation should be reported as a suspected case of abuse or neglect and know appropriate steps to take to protect and support the individual in such a situation.

Demonstrates competency in the following areas:

Professionalism: Thinks carefully about the likely effects on others of one's words, actions, appearance, and mode of behavior. Selects the words or actions most likely to have the desired effect on the individual or group, by:

- Practice good hygiene and presents an appropriate professional appearance.
- Demonstrate understanding how one is perceived by others
- Take actions calculated to have a positive effect on others
- Work to make a friendly impression on others by using good eye contact and using names whenever possible.
- Work to develop and maintain positive working relationships with co-workers by being punctual, keeping personal communication to a minimum, and maintaining a pleasant work attitude.

Continuous Learning: Demonstrates desire and drive to acquire knowledge and skills necessary to perform job more effectively by:

- Take responsibility for one's own development.
- Maintain fluency in appropriate work applications, software, or tools.
- Identify and pursue areas of development and training that will enhance job performance.
- Take responsibility for own training requirements, maintain 100% completion rate for all required compliance training.

Safety Management: Demonstrates understanding of the importance of integrated safety management by:

- Utilize appropriate infection control techniques, especially demonstration of proper hand washing techniques.
- Protect self and others by using appropriate personal protective equipment (i.e. gloves, face shields, gowns).
- Locate safety equipment i.e. fire extinguishers, first aid kits, AED's, personal protective equipment.
- Locate emergency notification information in a timely manner.
- Locate and follow emergency evacuation plan
- Locate emergency exits and safe areas
- Demonstrate safe operation of any equipment used within the work environment
- Demonstrate ability to correctly follow procedures to report and /or correct unsafe working conditions.
- Follow correct procedure for equipment repair and maintenance needs
- Comply with current law and policy to provide a work environment free from harassment and all illegal discriminatory behavior

Initiative: The power or ability to begin or to follow through energetically with a plan or task

- Demonstrate ability to take the first step or move;
- Take responsibility by following the correct process for beginning or originating an action, new idea or method
- Demonstrate ability to think and act without being asked.
- Demonstrate ability to continue with a plan, task, and activity until it has been completed.

Demonstrates competency in the following areas:

General Business Acumen: Demonstrates the knowledge and understanding of everyday operational functions of Crochted Mountain.

- Wear identification while on duty;
- Record time worked timely and accurately.
- Represent the organization in a positive and professional manner.
- Report to work on time and as scheduled;
- Complete work within designated time.
- Complete required documentation that meets current organizational and/or department standards.
- Maintain confidentiality of all data, including patient/consumer, employee and operations data.
- Treat individuals and their families with respect and dignity, using tactful communication.

Primary Competency Requirements: (Refer to Policy 498 3.2.5 and 3.2.6 and list evidenced based best practice competencies accordingly).

Community Living Instructor

- **Supports Safety and Consistency: Complies with individual programs and safety policies and procedures.**
 - Supports the safety of all individuals in everyday situations.
 - Performs and teaches housekeeping responsibilities as appropriate.
 - Assist clients as necessary and contribute to the maintenance of the home as a quality living environment.
 - Follows safety procedures in the residence by addressing needs and reporting unsafe conditions
 - Review of Material Safety Data Sheet/Exposure Control Plan/Suicide Intervention Protocol procedures and guidelines
 - Teaches and reinforces fire safety procedures by keeping all fire exits clear
 - Complete required record keeping, data collection and documentation.
 - Follow all client programs. Including Behavior Plans, Therapeutic Mealtime Protocols and any other individualized programs.
 - Follow each client's individual service plan goals and objectives and routines for completion of daily tasks.
 - Complete medication sheets and treatment sheets.
 - Administer prescription medications and over the counter topical treatments as prescribed by the physician and under direction of the Program Manager and in accordance with state, federal and agency standards and regulations.
 - Be prepared to meet unscheduled and/or non-routine obligations by responding to client illness, weather, medical emergencies of appointments, holiday coverage, emergency evacuation plan, etc. Assess and respond appropriately to emergency situations at the program and in the community
- **Building and Maintaining Positive Relationships: Actively seeks opportunities to contribute to positive outcomes for individuals served.**
 - Assist residents to exercise the principles of residents' rights.
 - Select and supervise activities which are appropriate to each resident's capabilities.
 - Assist residents in the performances of residential programs and daily routines.
 - Ensure residents are dressed appropriately, in a manner which respects their human rights and dignity.
 - Assist residents in preparing well-balanced meals.

Demonstrates competency in the following areas:

- Teaches and reinforces the use of communication techniques and devices to meet the individual's needs.
- Provide opportunities for planned and spontaneous community activities, fostering consumer interests, choice and self-development. Accompany clients on community, spiritual and recreational activities
- Assist individuals with motor exercises designed to increase physical coordination.
- Transports and arranges transportation for individuals to access community events.
- Provide adequate supervision between shifts as described in the clients program.
- Attend program and behavior meetings, orientation and in-service training sessions.
- May be required to acquire a working knowledge of sign language, alternative augmentative communication systems and knowledge of the deaf culture dependent upon the population served.

- **Flexibility: Responds quickly to change and easily considers new approaches.**
 - Responds quickly to change and easily considers new approaches.
 - Demonstrate flexibility and effectively handle day-to-day work changes, shifting priorities as necessary.
 - Respond positively to change and uncertainty.
 - Share information with others and encourage cooperation in coping with change.

- **Problem Solving: Accurately assesses problems and effectively arrives at excellent solutions.**
 - Accurately assesses problems and effectively and efficiently arrives at appropriate solutions.
 - Look at problems by assessing available information and resources.
 - Make effective decisions within limited time that resolves the problem or situation.
 - Inform supervisor and use established methods to solve common problems.
 - Perform other duties as needed and/or directed.

Expectations:

- Advocate and protect clients' rights in accordance with current policies and procedures.
- Maintain a mature and positive attitude when dealing with residents, staff, parents and/or guardians.
- Model positive life skills for clients by providing emotional and social support and guidance.
- Continuously promote positive community relations and enhance awareness in the community regarding the needs and abilities of individuals being served.
- Respect clients' personal property.
- Carry out all job responsibilities in a professional manner.
- Adhere to policies of Crooked Mountain Rehabilitation Center.
- Accept constructive criticism in a professional manner.
- Uphold the mission of Crooked Mountain as put forth in the Workplace Culture and Values Statement.

Requirements:

- High School Diploma or equivalent.
- Minimum of three to six months experience in the Health/Human Service Field.
- Must hold a valid unencumbered driver's license,
- Must be willing to use personal vehicle for work purposes
- Must own a vehicle that will pass annual vehicle inspection requirements
- Must hold insurance on vehicle with \$100,000-\$300,000 liability coverage

Physical Demands:

- For physical demands of position, including vision, hearing, repetitive motion and environment, see following description.
- Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position without compromising the persons care.

=====

I have received, read and understand the Position Description above.

Name/Signature

Date

JOB TITLE: <i>Community Living Instructor</i>	DEPARTMENT: <i>Residential</i>
NAME:	# HOURS/WORKDAY: 40 hrs/week
DEVELOPED BY:	DATE DEVELOPED: 1/15/14
MANAGER SIGNATURE:	DATE REVISED:

CHECK APPROPRIATE BOX FOR EACH OF THE FOLLOWING ITEMS TO BEST DESCRIBE THE EXTENT OF THE SPECIFIC ACTIVITY PERFORMED BY THE STAFF MEMBERS IN THIS POSITION

PHYSICAL DEMANDS

On-the-job time is spent in the following physical activities Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Stand:				x
Walk:				x
Sit:		x		
Talk or hear:				x
Use hands to finger, handle or feel:				x
Push/Pull:				x
Stoop, kneel, crouch or crawl:				x
Reach with hands and arms:				
Taste or smell:	x			

This job requires that weight be lifted or force be exerted. Show how much and how often by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Up to 10 pounds:			x	
Up to 25 pounds:			x	
Up to 50 pounds:	x			
Up to 100 pounds:	x			
More than 100 pounds:	x			

This job has special vision requirements. Check all that apply.

- Close Vision (clear vision at 20 inches or less)
- Distance Vision (clear vision at 20 feet or more)
- Color Vision (ability to identify and distinguish colors)
- Peripheral Vision (ability to observe an area that can be seen up and down or to the left and right while eyes are fixed on a given point)
- Depth Perception (three-dimensional vision; ability to judge distances and spatial relationships)
- Ability to Adjust Focus (ability to adjust eye to bring an object into sharp focus)
- No Special Vision Requirements

Specific demands not listed:

Employee must be able to move and react quickly to potentially dangerous situations including/involving aggressive residents.

I have received, read and understand the Position Description above.

Print Name: _____

Signature: _____

Date: _____

WORK ENVIRONMENT

This job requires exposure to the following environmental conditions. Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Wet, humid conditions (non-weather):	x			
Work near moving mechanical parts:	x			
Fumes or airborne particles:	x			
Toxic or caustic chemicals:	x			
Outdoor weather conditions:			x	
Extreme cold (non-weather):	x			
Extreme heat (non-weather):	x			
Risk of electrical shock:	x			
Work with explosives:	x			
Risk of radiation:	x			
Vibration:	x			

The typical noise level for the work environment is: Check all that apply.

- Very Quiet
- Quiet
- Moderate Noise
- Loud Noise
- Very Loud Noise

Hearing:

- Ability to hear alarms on equipment
- Ability to hear patient call
- Ability to hear instructions from physician/department staff

REPETITIVE MOTION ACTIONS

	— Number of Hours —				
	0	1-2	3-4	5-6	7+
Repetitive use of foot control					
A. Right only					
B. Left Only					
C. Both	x				
Repetitive use of hands					
A. Right only					
B. Left Only					
C. Both	x				
Grasping: simple/light					
A. Right only					
B. Left Only					
C. Both				x	
Grasping: firm/heavy					
A. Right only					
B. Left Only					
C. Both				x	
Fine Dexterity					
A. Right only					
B. Left Only					
C. Both	x				

Date

**Crotched Mountain Foundation
Position Description**

Department/Division: Residential
Position Title: **Program Manager I**
Prepared by: Kristin Kostecki
Date: 19 February 2015

Reports to: Residential Coordinator
Approved by: *Donna Carlson-Blastos*
Date: July 16, 2015

DATE POSITION DESCRIPTION LAST REVISED:

Scope: (Position summary inclusive of scope of service; See Policy 498 3.2.2, include 3.2.4, if applicable)

Have on-site administrative and supervisory responsibility for the health, care, and safety of individuals with physical and emotional disabilities. Promotes a supportive and accepting environment within the home for the residents and regularly monitors each resident in the home to ensure the resident's needs are being met. The Program Manager directs, supervises, implements and evaluates the residential program(s), with the supervision from the Residential Coordinators, provides direct care and supervision of residents as outlined in the Residential Counselor Job Description. At least 60% of the workday is spent in direct services to the residents of the home.

Perform tasks with a reasonable amount of independence under supervision of Program Coordinator in accordance with established Center policies/procedures.

Schedule: 40 hours; Second Shift, days may vary.

Demonstrates competency in the following areas:

Organizational Responsibilities:

- Supports the organization's mission – Crotched Mountain is dedicated to serving individuals with disabilities and their families, embracing personal choice and development, and building communities of mutual support.
- Supports the organizations vision- Crotched Mountain will be the region's most effective and respected provider of education, health, and clinical supports to society's most vulnerable populations.

Demonstrate understanding through support of the organizations 6 (six) Workplace Values:

- **Respect & Dignity** – treat each other with esteem, regardless of one's position and create a feeling of safety in a workplace free of fear and retaliation.
 - Listen actively, seeking to understand and value concerns
 - Value each person's ideas and encourages constructive feedback
- **Teamwork** – collaborates with others to achieve common goals by:
 - Recognize diversity, drawing on the strengths of every individual
 - Demonstrate support for others and team decisions
 - Use opportunities to influence policies and procedures

Demonstrates competency in the following areas:

- **Effective Communication** –exchange meaningful information and ideas throughout and beyond our workplace, across all levels, directions, and channels.
 - Demonstrate open mindedness, honesty, and respect when listening and speaking to others
 - Take a direct approach, whenever possible, in resolving personal conflict with others
 - Share information with others that helps them perform their jobs and understand organizational decisions
- **Accountability to Self and Others** – be responsible to ourselves and our peers, to our supervisors and those who we supervise, and the organization for our own performance.
 - Perform job in a purposeful, professional manner with pride and integrity
 - Acknowledge others accomplishments and addresses deficiencies in own job performance in a prompt and dignified manner.
 - Look continually for ways to improve performance at all levels
- **Positive Attitude** – while acknowledging our struggles, approach each day with enthusiasm.
 - Choose an optimistic and cheerful outlook
 - See the good in others, looks for solutions not blame
 - Foster a sense of enthusiasm
- **Growth and Learning** – acquire knowledge and skills through practice, training and experience.
 - Participate in opportunities for quality improvement and innovative solutions
 - Promote an environment in which creativity, problem solving and shared knowledge are highly regarded through spoken words and written communication
 - Help others overcome barriers to allow maximum staff participation in educational programs through flexibility
 - Perform all duties assigned in a professional manner.

Organizational General Requirements: (List competencies. Include service recipient and staff safety requirements, as well as professional requirements.)

Advocacy/Support: Assist and support the participant to remain safe and (if direct service role) develop strategies, make informed choices, follow through on responsibilities and take risks by:

- Being knowledgeable of patient/consumer rights and ensures an atmosphere which allows for dignity and well being of all patients/consumers in a safe secure environment.
- Advocate and protect clients'/patients' rights in accordance with Crotched Mountain policies and procedures.
- Identify the rights of individuals with disabilities, the consequences if those rights are violated, and strategies to effectively address these violations.
- Maintain appropriate professional boundaries.
- Identify the rights of individuals served and can address the situation if the staff or individual feels they are being violated in any way by any person.
- Accurately identify whether a described or observed situation should be reported as a suspected case of abuse or neglect and know appropriate steps to take to protect and support the individual in such a situation.

Demonstrates competency in the following areas:

Professionalism: Thinks carefully about the likely effects on others of one's words, actions, appearance, and mode of behavior. Selects the words or actions most likely to have the desired effect on the individual or group, by:

- Practice good hygiene and presents an appropriate professional appearance.
- Demonstrate understanding how one is perceived by others
- Take actions calculated to have a positive effect on others
- Work to make a friendly impression on others by using good eye contact and using names whenever possible.
- Work to develop and maintain positive working relationships with co-workers by being punctual, keeping personal communication to a minimum, and maintaining a pleasant work attitude.

Continuous Learning: Demonstrates desire and drive to acquire knowledge and skills necessary to perform job more effectively by:

- Take responsibility for one's own development.
- Maintain fluency in appropriate work applications, software, or tools.
- Identify and pursue areas of development and training that will enhance job performance.
- Take responsibility for own training requirements, maintain 100% completion rate for all required compliance training.

Safety Management: Demonstrates understanding of the importance of integrated safety management by:

- Utilize appropriate infection control techniques, especially demonstration of proper hand washing techniques.
- Protect self and others by using appropriate personal protective equipment (i.e. gloves, face shields, gowns).
- Locate safety equipment i.e. fire extinguishers, first aid kits, AED's, personal protective equipment.
- Locate emergency notification information in a timely manner.
- Locate and follow emergency evacuation plan
- Locate emergency exits and safe areas
- Demonstrate safe operation of any equipment used within the work environment
- Demonstrate ability to correctly follow procedures to report and /or correct unsafe working conditions.
- Follow correct procedure for equipment repair and maintenance needs
- Comply with current law and policy to provide a work environment free from harassment and all illegal discriminatory behavior

Initiative: The power or ability to begin or to follow through energetically with a plan or task

- Demonstrate ability to take the first step or move;
- Take responsibility by following the correct process for beginning or originating an action, new idea or method
- Demonstrate ability to think and act without being asked.
- Demonstrate ability to continue with a plan, task, and activity until it has been completed.

Demonstrates competency in the following areas:

General Business Acumen: Demonstrates the knowledge and understanding of everyday operational functions of Crochted Mountain.

- Wear identification while on duty;
- Record time worked timely and accurately.
- Represent the organization in a positive and professional manner.
- Report to work on time and as scheduled;
- Complete work within designated time.
- Complete required documentation that meets current organizational and/or department standards.
- Maintain confidentiality of all data, including patient/consumer, employee and operations data.
- Treat individuals and their families with respect and dignity, using tactful communication.

Primary Competency Requirements: (Refer to Policy 498 3.2.5 and 3.2.6 and list evidenced based best practice competencies accordingly)

Manager I – Program Manager

- **Flexibility: Responds quickly to change and easily considers new approaches.**
 - Demonstrate flexibility and effectively handle day-to-day work changes, shifting priorities as necessary.
 - Respond positively to change and uncertainty.
 - Share information with others and encourage cooperation in coping with change.
- **Leadership: Clearly establishes and communicates expectations and accountabilities.**
 - Monitor and evaluate performance
 - Provide effective feedback and coaching
 - Identify development needs and help employees address them to achieve optimal performance.
 - Identify learning opportunities for others and delegate tasks effectively.
 - Provide direction and performance feedback.
 - Make allowances for staff to engage in areas of professional development.
 - List clear performance standards and give timely praise and recognition.
 - Conduct regular employee reviews
 - Make time for others and offer support when necessary.
 - Act as a role model by demonstrating workplace values.
- **Quality of work: Maintains high standards despite pressing deadlines; corrects own errors, regularly produces accurate, thorough, professional work.**
 - Participate in any necessary assessments of residents/programs.
 - Develop Individual Education Plan/ Service Agreement goals/objectives for all residents including objective writing, data collection and progress notes.
 - Directly implement, and/or supervise the Individual Education Plan/ Service Agreement goals/objectives and delegating program activities to Residential Counselors and Lead Counselors.
 - Submit monthly/quarterly reports on residents' progress in accordance with their Individual Education Plan/ Service Agreement/Residential Treatment plan in a timely manner.
 - Oversight of daily housekeeping needs and reporting problems to the maintenance department as necessary.
 - Provide in-house training in compliance with Continuing Ed Program policy.
 - Make sure all client books are up to date and maintained including all client information sheets and

individual programs are signed by all one to one staff working with students.

Demonstrates competency in the following areas:

- Monitor physical appearance of residents.
 - Maintain accurate balance of all program accounts including petty cash, fund raising income and resident accounts.
 - Maintain appropriate boundaries when handling resident finances by keeping them separate
 - Follow the residential financial policy as written.
 - Maintain accurate and timely 1:1 records and/or attendance sheets in order for the organization to bill School Districts and Area Agencies accordingly.
 - Maintain accurate and timely staffing patterns and schedules for the program.
 - Monitor the proper use of hours and adherence to work schedules.
 - Accurately approve all timecards for assigned employees by 10am payroll Monday.
 - Attend meetings as assigned.
 - Complete supervisory section of all incident reports.
 - Remain in compliance with State NH Child Care Licensing, DCYF and State of NY Department of Education certification standards.
 - Perform other duties as assigned.
- **Problem Solving: Accurately assesses problems and effectively and efficiently arrives at excellent solutions.**
 - Look at problems by assessing available information and resources.
 - Make effective decisions within limited time that resolves the problem or situation.
 - Inform supervisor and use established methods to solve common problems.
 - Respond to recurring problems by investigating root causes and taking steps to eliminate.
 - Assume responsibility for any emergency action in the absence of supervisor.
- **Collaboration/Partnering: Establishes and maintains relationships for the purpose of achieving program goals.**
 - Collaborate with dietary and physician to plan and coordinate meals for program to ensure that diets are followed correctly.
 - Attend and participate in team meetings with consultants about client needs (psychiatrists, developmental specialists, etc.).
 - Monitor medical needs of residents and consult with medical personnel as to behavioral and medical changes.
 - Monitor and report needs to Student Service Coordinators regarding adaptive equipment, clothing and equipment repair.
 - Actively participate along with Residential Supervisors in making transitions from one program area to another or transitions into the community in a timely manner.
 - Accurately implement and oversees staff application of:
 - Client information sheets
 - Individual Therapeutic Mealtime Protocols and special diets
 - Positive Behavior Support Plans and Guidelines
 - PT and OT plans and Guidelines
 - Speech plans and Guidelines
 - Nursing and medical guidelines and protocols
 - All other individual plans and protocols developed by appropriate team members.

Demonstrates competency in the following areas:

Expectations:

- Carry out all responsibilities professionally and efficiently.
- Maintain positive and effective working relationships with all other disciplines.
- Develop and foster an attitude of team effort and cooperation throughout the program during all shifts.
- Build and maintain morale for all staff
- Respond to staff, residents and peers and their families in a respectful, tactful and sensitive manner.
- Develop and maintain programs which will promote the concept of normalization.
- Assure that each person's human rights are respected and that all staff and programs reflect residents' rights.
- Uphold the mission of Crotched Mountain as put forth in the workplace Culture and Values Statement.
- Advocate and protect clients' rights in accordance with Crotched Mountain Rehabilitation Center policies and procedures.
- Ability to handle confidential information and be able to demonstrate high levels of trustworthiness and integrity.
- Strong communication skills, written and verbal, required.
- Strong interpersonal skills, able to build effective working relationships, required.
- Able to represent the department in a professional manner.
- Crisis response/support.
- Maintain current certification in required in-services and trainings at all times

Requirements:

A minimum of six years combined experience in a direct support, lead and/or management role in the Health/Human Services field, and a BA/BS degree in a related field. Or, any combination of training, experience and education.

Physical Demands:

- For physical demands of position, including vision, hearing, repetitive motion and environment, see following description.
- Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position without compromising the persons care.

=====

I have received, read and understand the Position Description above.

Name/Signature

Date

JOB TITLE: <i>Program Manager II</i>	DEPARTMENT: <i>Residential</i>
NAME:	# HOURS/WORKDAY: <i>40 hrs/week</i>
DEVELOPED BY:	DATE DEVELOPED: <i>1/15/14</i>
MANAGER SIGNATURE:	DATE REVISED:

CHECK APPROPRIATE BOX FOR EACH OF THE FOLLOWING ITEMS TO BEST DESCRIBE THE EXTENT OF THE SPECIFIC ACTIVITY PERFORMED BY THE STAFF MEMBERS IN THIS POSITION

PHYSICAL DEMANDS

On-the-job time is spent in the following physical activities Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Stand:				x
Walk:				x
Sit:		x		
Talk or hear:				x
Use hands to finger, handle or feel:				x
Push/Pull:				x
Stoop, kneel, crouch or crawl:				x
Reach with hands and arms:				
Taste or smell:	x			

This job requires that weight be lifted or force be exerted. Show how much and how often by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Up to 10 pounds:			x	
Up to 25 pounds:			x	
Up to 50 pounds:	x			
Up to 100 pounds:	x			
More than 100 pounds:	x			

This job has special vision requirements. Check all that apply.

- Close Vision (clear vision at 20 inches or less)
- Distance Vision (clear vision at 20 feet or more)
- Color Vision (ability to identify and distinguish colors)
- Peripheral Vision (ability to observe an area that can be seen up and down or to the left and right while eyes are fixed on a given point)
- Depth Perception (three-dimensional vision; ability to judge distances and spatial relationships)
- Ability to Adjust Focus (ability to adjust eye to bring an object into sharp focus)
- No Special Vision Requirements

Specific demands not listed: _____

I have received, read and understand the Position Description above.

Print Name: _____
 Signature: _____
 Date: _____

WORK ENVIRONMENT

This job requires exposure to the following environmental conditions. Show the amount of time by checking the appropriate boxes below.

	— Amount of Time —			
	None	up to 1/3	1/3 to 1/2	2/3 and more
Wet, humid conditions (non-weather):	x			
Work near moving mechanical parts:	x			
Fumes or airborne particles:	x			
Toxic or caustic chemicals:	x			
Outdoor weather conditions:			x	
Extreme cold (non-weather):	x			
Extreme heat (non-weather):	x			
Risk of electrical shock:	x			
Work with explosives:	x			
Risk of radiation:	x			
Vibration:	x			

The typical noise level for the work environment is: Check all that apply.

- Very Quiet
- Quiet
- Moderate Noise
- Loud Noise
- Very Loud Noise

Hearing:

- Ability to hear alarms on equipment
- Ability to hear patient call
- Ability to hear instructions from physician/department staff

REPETITIVE MOTION ACTIONS

	— Number of Hours —				
	0	1-2	3-4	5-6	7+
Repetitive use of foot control					
A. Right only					
B. Left Only					
C. Both	x				
Repetitive use of hands					
A. Right only					
B. Left Only					
C. Both	x				
Grasping: simple/light					
A. Right only					
B. Left Only					
C. Both				x	
Grasping: firm/heavy					
A. Right only					
B. Left Only					
C. Both				x	
Fine Dexterity					
A. Right only					
B. Left Only					
C. Both	x				

Date

CROTCHED MOUNTAIN REHABILITATION CENTER

Division/Department: Department of Occupational and Behavior Safety

Position Title: Crisis Response Staff

Reports to: Director of Occupational and Behavior Safety

Salary Grade: C14

FLSA Status: Non-exempt

Date Position Description Last Revised: 7/9/2014

Position Summary:

A Shift Support Coach epitomizes the concepts outlined in the CMRC code of conduct. The primary attribute of the shift support coach is the ability to treat all members of the Crotched Mountain Community (clients, students, family members, therapists, direct care staff, etc...) with dignity and respect during all interactions. By doing so, they assist in maintaining a hospitable environment for the people we serve and enhancing the competency of those who support them.

Standard Responsibilities:

1. Supports the Workplace Culture and Values of Crotched Mountain Foundation and the Facility
2. Support clients and team members in a professional and respectful manner
3. Is knowledgeable of rights and ensures an atmosphere which allows for the privacy, dignity and well-being of all clients in a safe, secure environment.
4. Supports, cooperates with, and implements specific procedures and programs for:
 - a. Safety, including universal precautions and safe work practices, established fire/safety/emergency plans, risk management, and security, report and/or correct unsafe working condition, equipment repair and maintenance needs.
 - b. Confidentiality of all data, including client, employee and operations data.
 - c. Quality Assurance and compliance with all regulatory requirements.
 - d. Compliance with current law and policy to provide a work environment free from sexual harassment and all illegal and discriminatory behavior.
5. Supports and participates in common teamwork:
 - a. Cooperates and works together with all co-workers; plan and complete job duties with minimal supervisory direction, including appropriate judgment.
 - b. Uses tactful, appropriate communications in sensitive and emotional situations.
 - c. Follows up as appropriate with supervisor, co-workers or clients regarding reported complaints, problems and concerns.

- d. Promotes positive public relations with clients, employees, family members and guests.
 - e. Completes requirements for in-service training, acceptable attendance, uniform and dress codes including hygiene, and other work duties as assigned.
6. As a mandatory reporter immediately alert the appropriate professionals of suspected and witnessed abuse, neglect and exploitation incidents.
 7. Maintain current certifications in required in-services and trainings at all times; including but not limited to Relational, Conceptual Technical and Advanced Mandt, CPR/First Aid, Defensive Driving.

Primary Duties:

1. Quickly and effectively assess situations and provide proper guidance, support or intervention necessary to ensure the safety and security of all.
2. When necessary demonstrate effective and approved physical intervention techniques for client support teams
3. Under appropriate supervision and consistent with program guidelines: understand and implement clients' IEP goals and objectives, court orders, positive behavior support plans, suicide intervention protocols, clinical treatment plans, et al.
4. When possible the SSC should debrief/process any incidents involving client/staff injury, restrictive physical intervention, and/or significant safety risk.
5. Assist with new client acclimatization by observing, working directly with, listing identified triggers/stimuli, and communicating findings with the client's team
6. As directed support client teams with developing behavior intervention strategies
7. Routinely audit client program areas (hospital, residential school, etc...) for physical and behavior safety compliance including but not limited to; adherence to individual client protocols, use of daily flows, and therapeutic meal plans.
8. Attend monthly SSC review meetings to ensure consistency of approach among the SSC team
9. Attend trainings and workshops as assigned. These activities may occur at times outside the scheduled shift
10. Be able to respond to injury emergencies, contact required personnel, and document medical incidents according to CMRC policy and procedure
11. Participate in field trips, community outings, Special Olympics events, CMRC special events, and vocational opportunities as directed
12. When required assist clients with Activities of Daily Living as determined by their level of need, including but not limited to; toileting, tooth brushing, and showering.
13. Respond to campus wide incidents per outlined procedures.

Job Location: Main Campus

Equipment/Machines used in the performance of this job:

The incumbent must maintain skills necessary to safely and efficiently operate the following equipment and machines used in the purpose of this job:

1. Computer (including touch screen and tablet devices)
2. Telephone and Walkie-Talkie
3. Clothes washer and dryer
4. Voice output devices (dynavox, etc...)
5. Video Camera
6. Adaptive eating equipment
7. Any prescribed therapy equipment; orthotics, splints, braces, etc...

Competencies (knowledge, skills, and abilities):

1. Utilize training to safely de-escalate clients that have become an immediate safety risk to themselves or others
2. Be able to safely and effectively perform all physical supports and interventions listed in the entire Mandt System curriculum including the advanced technical chapter and any individualized physical safety protocols that fall outside this curriculum, while avoiding the use of any prohibited practices.
3. Exercise tact, discretion and judgment in working with clients, parents, co-workers and other mountain professionals
4. Demonstrate the knowledge, skills and maturity necessary to provide appropriate care, treatment and services for behavioral health and emotional needs of clients
5. Ability to provide visual and auditory supervision of residents
6. Maintain appropriate professional boundaries and confidentiality
7. Strong verbal and written communication skills
8. Willingness to build effective working relationships with colleagues and clients
9. Advocate and protect clients' rights in accordance with Crotched Mountain Rehabilitation Center policies and procedures.

Supervision Exercised and Received:

I. Supervision Exercised:

FTE's directly supervised by this position (if no subordinates, indicate "none")	None
Subordinate Titles:	Number of Incumbents with this Title
N/A	N/A

II. Supervision Received (Place an "X" to select the best response to each item)

Discretion and Judgment

X	Follows established guidelines, procedures, or techniques to perform the job, and is expected to seek approval to deviate substantially from or change defined procedures
	Is expected to regularly use discretion and judgment to make decisions with approval such as planning projects, analyzing accounts, solving problems, or improving processes

III. Focus of Work:

Nature of Duties:

X	Primary duties in nature are: supporting, facilitating, therapeutic and/or caretaking		Primary duties are directly related to general business operations
	Primary duties are non-manual in nature (i.e. call handling, accounting)		Primary duties are indirectly related to general business operations (i.e. facilities management)

Knowledge of Requirements:

X	Ability to perform job duties requires a general orientation, department work instructions, an understanding of procedures and policies, on-the-job training, and/or mentoring.
	Ability to perform job duties requires use of advance knowledge acquired by a lengthy course of client and/or instruction.

Qualifications:

1. Minimum of 2 years experience working with children with disabilities
2. Currently hold, or able to obtain New Hampshire Department of Education Paraeducator I or II certification within 6 months of employment OR Qualify as Child Care Worker (RC II)
3. Meet physical fitness requirements for the position as designated below

Certifications/Licensures Required:

PHYSICAL DEMANDS IN PERFORMING ESSENTIAL JOB FUNCTIONS:

This Section is to comply with the American's with Disabilities Act (ADA)

Physical Demands	None	Up to 1/3	1/3 to 2/3	Over 2/3	Work Environment	None	Up to 1/3	1/3 to 2/3	Over 2/3
Stand				X	Work near moving mechanical parts	X			
Walk				X	Fumes or airborne particles	X			
Sit		X			Outdoor weather conditions				X
Talk or Hear			X		Extreme temperature variations (non-weather)	X			
Push/Pull				X	Risk of electrical Shock	X			
Reach with hands and arms				X	Loud noise level			X	
Stoop, Kneel, crouch or crawl			X		Overnight travel	X			
Fine Dexterity				X	Vibration	X			
Running				X					
Repetitive use of hands				X	Lifting, Carrying, or Exerting force	None	Up to 10 lbs	Up to 25 lbs	Over 25 lbs X
Avoid, deflect, and redirect punches, grabs, scratches and kicks				X	Specify amount if over 25 lbs -50 lbs				

Visual Acuity				X
Aural Acuity				X
Drive a vehicle		X		

Note: Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions of this position

Approvals:

Supervisor

Date

Director of Education

Date

Human Resources Director

Date

The above is intended to describe the general contents and requirements of work being performed by people assigned to this position. Nothing in this job description restricts Croctched Mountain's rights to assign or reassign duties and responsibilities at any time.

Receipt and Acknowledgement:

I acknowledge and understand that:

- Receipt of the job description does not imply nor create a promise of employment, nor an employment contract of any kind, and that my employment is at-will.
- The job description provides a general summary of the position in which I am employed, that the contents of this job description are job requirements and, at this time, I know of no limitations which would prevent me from performing these functions with or without accommodation. I further understand that it is my responsibility to inform my supervisor at any time that I am unable to perform these functions.
- Job duties, tasks, work hours and work requirements may be changed at any time.
- Acceptable job performance includes completion of the job responsibilities as well as compliance with the policies, procedures, rules and regulations of Croctched Mountain.
- I have read and understand this job description.

Employee Signature

Date



CROTCHED MOUNTAIN GENERAL ORIENTATION



Residential and Education Positions

January 4, 2016

Monday		Carter Hall
9:00 - 10:00	Introduction to Training <ul style="list-style-type: none"> ✓ Overview of Orientation Process ✓ Review of New Employee Orientation Policy ✓ Overview of Continuing Education & Supports ✓ Internal Programs 	Cindy Bluestein
10:00 - 11:00	Organization History, Beliefs & Values <ul style="list-style-type: none"> ✓ History, Workplace Culture & Values ✓ Mission Statement Exercise ✓ Development 	Cindy Bluestein
11:00 - 11:30	Abuse & Neglect Reporting Procedures	Cindy Bluestein
11:30 - 12:00	Brief Introduction: Gentle Teaching	Donna Carlson-Blastos
12:00 - 12:45	LUNCH	
12:45 - 2:15	GROUP A Employee Handbook Review of Policies <ul style="list-style-type: none"> ✓ Social Media ✓ Internet Use ✓ Employee Telephone & Mobile Device Use ✓ Employee Mobile Device Confidentiality of Information ✓ Harassment ✓ Whistleblower Act (Federal False Claims Act) ✓ PolicyStat Procedures 	Carter Hall Donna Carlson-Blastos Donna Carlson-Blastos
	GROUP B Welcome to Relias Learning Management System General Orientation <ul style="list-style-type: none"> ✓ Welcome to Relias Learning Management System (EL-WEL-0) ONLINE-RELIAS ✓ Medication Administration – Avoiding Common Errors (REL-C2L-USS-29000) ONLINE-RELIAS ✓ Client Rights (CSNI_ClientRights) ONLINE-RELIAS ✓ Abuse & Neglect of Individuals with I/DD (REL-ABIDD-DD-0) ONLINE-RELIAS ✓ Fire Safety (REL-C2L-USS-24100) ONLINE-RELIAS ✓ Workplace Harassment (EL-WH-COMP-0) ONLINE-RELIAS ✓ Drugs in the Workplace (LV101) ONLINE-RELIAS ✓ Hazardous Communications MSDS (REL-C2L-USS-10500) ONLINE-RELIAS ✓ Workplace Violence (EL-WV101-COMP-0) ONLINE-RELIAS ✓ Confidentiality & HIPAA (EL-CONFHIPAA-COMP-0) ONLINE-RELIAS ✓ Blood-borne Pathogens (REL-C2L-USS-10100) ONLINE-RELIAS ✓ Infection Control (REL-CV-0-IC) ONLINE-RELIAS ✓ Bullying in Healthcare (REL-C2L-1450AD) ONLINE-RELIAS 	Lawler Room Cindy Bluestein
2:15 - 2:30	BREAK	

Residential/Education Orientation Schedule Continued on back page

2:30 – 4:00

GROUP A	Lawler Room
Welcome to Relias Learning Management System	Cindy Bluestein
General Orientation	
✓ Welcome to Relias (EL-WEL-0)	ONLINE-RELIAS
✓ Medication Administration – Avoiding Common Errors (REL-C2L-USS-29000)	ONLINE-RELIAS
✓ Client Rights (CSNI_ClientRights)	ONLINE-RELIAS
✓ Abuse & Neglect of Individuals with I/DD (REL-ABIDD-DD-0)	ONLINE-RELIAS
✓ Fire Safety (REL-C2L-USS-24100)	ONLINE-RELIAS
✓ Workplace Harassment (EL-WH-COMP-0)	ONLINE-RELIAS
✓ Drugs in the Workplace (LV101)	ONLINE-RELIAS
✓ Hazardous Communications MSDS (REL-C2L-USS-10500)	ONLINE-RELIAS
✓ Workplace Violence (EL-WV101-COMP-0)	ONLINE-RELIAS
✓ Confidentiality & HIPAA (EL-CONFHIPAA-COMP-0)	ONLINE-RELIAS
✓ Blood-borne Pathogens (REL-C2L-USS-10100)	ONLINE-RELIAS
✓ Infection Control (REL-CV-0-IC)	ONLINE-RELIAS
✓ Bullying in Healthcare (REL-C2L-1450AD)	ONLINE-RELIAS

GROUP B	Carter Hall
Employee Handbook	Donna Carlson-Blastos
Review of Policies	Donna Carlson-Blastos
✓ Social Media	
✓ Internet Use	
✓ Employee Telephone & Mobile Device Use	
✓ Employee Mobile Device Confidentiality of Information	
✓ Harassment	
✓ Whistleblower Act (Federal False Claims Act)	
✓ PolicyStat Procedures	

Tuesday

		Carter Hall
8:30 - 12:30	MANDT – Relational and Communication	Russ Warshaw
12:30 – 1:15	LUNCH	
1:15 – 4:00	MANDT – Communication, Medical Risks & Post Test	

Wednesday

		Locations listed below
8:00 – 11:45	Structured Observation (Para-Educators, CLIs)	School, Group homes
12:00 – 2:00	Staff Roles & Responsibilities (Carter Hall Conference Center)	Jon Eriquezzo
2:00 – 3:00	Tour of Facility (both Residential & Para-Educators)	David Moulton
3:15 – 8:00	Structured Observation – (RC II)	Group homes

Thursday

		Carter Hall
8:30 – 11:45	MANDT - Technical	Russ Warshaw/TBD
11:45 – 12:15	LUNCH	
12:15 – 4:00	MANDT – Technical & Post Test	

Friday

		Lawler Rm or TBD
8:00 – 11:45	AHA CPR & AED/First Aid	Russ Warshaw/TBD
11:45 – 12:15	LUNCH	
12:15 – 3:00	AHA CPR & AED/First Aid Cont'd	
3:00 – 5:00	Complete Relias Training REVIEW & COLLECT PAPERWORK	Cindy Bluestein CE Staff

Residential/Education Orientation Schedule Continued on next page

Sunday or Monday Day you observe depends on your shift (Wkdy 1st, 2nd or 3rd) or (Wknd Doubles or 3rd shift)

Tuesday, January 12, 2016

		<u>Carter Hall</u>
9:30 – 12:30	Introduction to Medication Safety	Marie Roberts
12:30 – 1:00	LUNCH	
1:00 – 2:15	Seizure Awareness (Diasat & Midazolam Training)	Marie Roberts
2:15 – 2:30	1:1 Paperwork Explanation & Review	Gale Mahoney
2:30 – 3:00	Data Collection Overview	Vincent Barto
3:00 – 4:00	Complete Relias Training FINAL COLLECTION OF PAPERWORK	Cindy Bluestein CE Staff



**CROTCHED
MOUNTAIN**
GIVING A LIFELONG ALLIANCE
TO PEOPLE WITH DISABILITIES

Date Of Issue: 5/24/2011
Approved: 5/13/2014
Last Revised: 5/13/2014
Expiration: 5/12/2019
Owner: Michael Redmond: Chief
Operating Officer
Document Area: Crotched Mountain Wide
Scope: Greenfield Campus Wide

Identification and Notification of Potential Abuse Policy

Policy

1. It is the policy of Crotched Mountain to ensure that each client and student has the right to be free from mistreatment, abuse, neglect, misappropriation of client property, corporal punishment, and involuntary seclusion. Clients will not be subjected to abuse by anyone, including, but not limited to, facility staff, other clients, consultants or volunteers, staff of other agencies servicing the client, family members or legal guardians, friends or other individuals.

Purpose

1. To establish uniform abuse policy and procedures for screening, training, prevention, identification, investigation, protection and reporting.

Responsibility to Report and Protection against Liability

1. Any staff who witnesses or has reason to suspect that a client is being abused is required to institute preventive measures by intervening immediately on behalf of the client, including but not limited to requiring another employee to step out of a situation and taking charge of the client, declining to participate in any activity that he or she feels constitutes abuse or neglect of a client and/or immediately initiating the reporting process.
2. New Hampshire state law requires the reporting of ALL SUSPECTED abuse and neglect:
 1. Absolute proof of abuse or neglect is not required before reporting.
 2. New Hampshire law provides protection against civil or criminal liability if a citizen makes a "good faith" report.
 3. In accordance with New Hampshire law RSA 169-C:31 provides as follows: "Anyone participating in good faith in the making of a report pursuant to this chapter is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant has the same immunity with respect to participation in any investigation by the department or judicial proceeding resulting from such report.

1. Definitions

2. **Abuse** means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish.
3. **Verbal abuse** is defined as the use of oral, written or gestured language that willfully includes disparaging and derogatory terms to clients or their families, or within their hearing distance, regardless of their age, ability to comprehend, or disability.
4. **Sexual abuse** includes, but is not limited to, sexual harassment, sexual coercion or sexual assault.
5. **Physical abuse** includes hitting, slapping, pinching and kicking. It also includes controlling behavior through corporal punishment.
6. **Mental abuse** includes, but it not limited to humiliation, harassment, threats of punishment or deprivation.
7. **Emotional abuse** means the misuse of power, authority, or both, verbal harassment, or unreasonable confinement which results or could result in the mental anguish or emotional distress of a client.
8. **Exploitation** means the illegal use of client's person or property for another person's profit or advantage, or the breach of a fiduciary relationship through the use of a person or a person's property for any purpose not in the proper and lawful execution of a trust, including but not limited to situations where a person obtains money, property, or services from a client through the use of undue influence, harassment, duress, deception or fraud.
9. **Injuries of unknown source** should be classified as an "injury of unknown source" when **both** of the following conditions are met:
 1. The source of the injury was not observed by any person or the source of the injury could not be explained by the client: and
 2. The injury is suspicious because of the extent of the injury or the location of the injury (e.g. the injury is located in an area not generally vulnerable to trauma) or the number of injuries observed at one particular point in time or the incidence of injuries over time.
10. **Serious Bodily Injury** is an injury involving extreme physical pain; involving substantial risk of death; involving protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or requiring medical intervention such as surgery, hospitalization, or physical rehabilitation.
11. **Neglect** means failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness.
12. **Misappropriation of a client's property** means the deliberate misplacement, exploitation, or wrongful, temporary or permanent use of a client's belongings or money without the client's consent.
13. **Involuntary seclusion** is defined as a separation of a client from other clients or from his/her room or confinement to against the client's will, or the will of the client's legal representatives.
14. **Definitions for a Client Less than 18 Years Old**
 1. New Hampshire RSA 169:C:3 II defines **ABUSE** as:
 1. Sexually abused, or
 2. Intentionally physically injured, or
 3. Psychologically injured so that the child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect, or
 4. Physically injured by other than accidental means.
 5. Involuntary seclusion.

6. Misappropriation of client property

15. New Hampshire RSA 169:C:3 XIX defines **NEGLECTED CHILD**:

1. Who has been abandoned by his/her parents, guardian, or custodian.
2. Who is without proper care or control, subsistence, education as required by law, or other control necessary for his / her physical, mental, or emotional health, when it is established that his / her health has suffered or is very likely to suffer serious impairment and the deprivation is not due primarily to the lack of financial means of his / her parents, guardian or custodian.
3. Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity;
4. Provided that no child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child under this chapter.

16. New Hampshire RSA 169:C:3 XXVII-a defines **SEXUAL ABUSE** as the following activities under circumstances which indicate the child's health or welfare is harmed or threatened with harm:

1. The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having child assist any other person to engage in any sexually explicit conduct or stimulation of such conduct for the purpose of producing any visual depiction of such conduct.
2. The rape, molestation, prostitution or any other form of sexual exploitation of children, or incest of children.

Reporting Suspected Abuse or Neglect of a Client

1. Any employee of Crotoned Mountain who witnesses or has reason to suspect that a client is being abused is **required** to institute preventive measures by intervening immediately on behalf of the client, including but not limited to:
 1. Requiring another employee to step out of a situation and taking charge of the client;
 2. Declining to participate in any activity that he or she feels constitutes abuse or neglect of a client and;
 3. Immediately initiating the reporting process.
2. The employee shall immediately notify his or her direct supervisor or department manager.
(Requirements for reporting are within 24 hours)
3. Any employee or contractor of Crotoned Mountain who has a reasonable suspicion of a crime against **any patient of any age** of the hospital is required to report this suspicion to the appropriate authorities as required by the Elder Justice Act.
 1. A suspicion of the crime against a patient should be reported to the facility administrator, Michael Terrian, VP Administration. He will then coordinate reporting to the NH Bureau of Elderly and Adult Services and NH Health Facilities Licensing Unit (the State Survey Agencies) and the local law enforcement agency.

2. A suspicion of the crime against the patient can also be reported by the employee or contractor to local law enforcement (Greenfield Police).
 3. It is the policy of Crotched Mountain that there will be no retaliation of any form including discharge, demotion, suspension, threats by supervisors, harassment or denial of promotion against any individual who lawfully reports a reasonable suspicion of a crime under this section of the law. Any employee who is involved in any retaliation activities will be subject to disciplinary acts up to and including termination.
 4. Crotched Mountain will provide annual notice to all employees and contractors covered by the Elder Justice Act of their reporting obligations under this act.
 5. Crotched Mountain will post in conspicuous locations within the hospital a notice that specifies employee's rights and obligations under the Elder Justice Act. These rights include a statement that the employee can file a complaint with the NH Department of Elderly and Adult Services against Crotched Mountain if it should engage in retaliatory behavior against an employee with respect to reporting a suspected crime against a patient.
4. The employee and the notified supervisor shall proceed with the following standard operating procedures associated with their department:
 1. **Crotched Mountain Specialty Hospital-** Notification of and Investigating Suspected Abuse or Neglect.
 2. **Crotched Mountain School-**Notification of and Investigating Suspected Abuse or Neglect.
 3. **Crotched Mountain Adult Residential and Day-** Notification of and Investigating Suspected Abuse or Neglect
 5. Other agencies and organizations may also have obligations to investigate allegations of abuse or neglect. These may include the NH Bureau of Developmental Disabilities, NH Bureau of Elderly and Adult Services, NH Division of Children Youth and Families and local, state, and federal law enforcement agencies. Crotched Mountain Rehabilitation Center will cooperate and coordinate investigation procedures with these or other agencies as requested.

Prevention of Abuse

1. The Residents' Bill of Rights and the Client Grievance Process will be posted in visible places in the facility with information on how and to whom report concerns, incidents and grievances.
 1. Dissatisfaction with care or treatment provided may not in and of itself constitute abuse or neglect. A disagreement about assessment findings, diagnosis, or care or treatment needed or provided is not grounds for conducting an investigation of abuse or neglect. These issues are more appropriately addressed through other processes such as discussion with the clients' team, the grievance process or review by clinical supervisors or administrative personnel.
2. Abuse of clients, verbal, physical or sexual, or by exploitation or neglect, is not tolerated and is considered grounds for disciplinary action up to and including termination.
 1. Retaliation, discrimination, or coercion against clients, employees, or others who report abuse or neglect is also not tolerated and is considered grounds for disciplinary action up to and including termination.
 2. Crotched Mountain Rehabilitation Center recognizes that abuse or neglect may occur unintentionally. The fact that it was unintended does not diminish the fact that it occurred.

3. It may be confirmed that abuse or neglect occurred even though there may be no obvious evidence that a client suffered harm. The risk of being harmed is sufficient to conclude that abuse or neglect occurred. The extent of the harm or risk of harm will be considered in determining the appropriate level of employee discipline or corrective action to take place when abuse or neglect is confirmed.
3. Clients who are victims of abuse or neglect will be provided counseling and support directed at re-establishing therapeutic relationships and addressing the impact of the abuse or neglect on the individual. Also, at times people may perceive themselves to be the victim of abuse or neglect even though this cannot be substantiated by the facts. In this situation, appropriate counseling should be given as part of the individual's plan of care.
4. Crotched Mountain will deploy staff in sufficient numbers in the Hospital to meet the needs of clients and assure that the staff assigned has knowledge of individual client's needs. Staff will be supervised to identify any inappropriate behaviors. The assessment, care planning and monitoring of clients will address any needs or behaviors of clients that could lead to conflict or neglect.
5. Crotched Mountain will screen all employment applicants according to the rules that have been established by the federal and state governments.
6. Crotched Mountain will provide orientation and annual refresher training to all staff on Residents' Bill of Rights, abuse policies and procedures, including reporting obligations, and grievance procedures.
7. All employees are required to attend a mandatory orientation presentation that includes exposure to and acknowledgement of training in all aspects of abuse reporting.
8. A mandatory annual refresher course in Abuse Reporting will be required of all employees.

All revision dates:

5/13/2014, 5/28/2013

Attachments:

No Attachments

Committee	Approver	Date
	Lori Keehl-Markowitz: Quality Improvement Specialist	5/13/2014
	Michael Redmond: Chief Operating Officer	5/13/2014
Quality Council	Michael Redmond: Chief Operating Officer	5/13/2014
	Lori Keehl-Markowitz: Quality Improvement Specialist	5/13/2014
	Michael Redmond: Chief Operating Officer	5/13/2014
Quality Council	Michael Redmond: Chief Operating Officer	5/13/2014



**CROTCHED
MOUNTAIN**

10000 ROUTE 100 GREENFIELD VT 05743
TEL: 802-535-1000 FAX: 802-535-1001

Date Of Issue: 1/18/2016
Approved: 1/18/2016
Last Revised: 1/18/2016
Expiration: 1/16/2021
Owner: Patti Leccese: ASP III
Document Area: Residential
Scope:

Adult Resident Finances in Program Standard Operating Procedure

Scope

1. This document applies to the preparation of a Standard Operating Procedure (SOP) within the Crotched Mountain Residential Department regarding common procedures for the development of safeguard client finances, the following procedure is followed.

Objective

1. Crotched Mountain Residential will have common procedures for the safeguard of client finances.

Procedure Description

1. All resident transactions that are managed by Crotched Mountain will be documented in a ledger.
 1. Funds will be reconciled at each shift change
 1. Staff will count the funds and sign the ledger indication that both the amount of money in the residence is:
 1. Accurate, and
 2. Safely stored with controlled access
 2. The program manager will be responsible for the overall security of resident funds and will oversee the reconciliation of the ledger, as well as take immediate action when security issues arise.
 2. No more than \$40.00 per resident may be kept at the home, and no more than \$150.00 may be kept at the home in total.
 1. Excess monies will be sent to our finance department.
 2. When the finance department is not open, excess funds will be transferred to the residential office for safekeeping. (Greenfield campus only) or to an interest bearing savings account (adult residents only).
 3. Excess funds that have been received at the residential office will be transferred to finance on the next business day.
 4. Receipts for these transactions will be maintained in the resident's ledger book.

3. Combination lock boxes are maintained at each home and secured in such a way as to minimize opportunities for theft.
 1. Combination lock boxes shall be attached to a file cabinet or a non movable object in the office.
4. A safe is maintained in the residential office, and access is limited to the Residential Shift Supervisors and ASP III.

All revision dates:

1/18/2016

Attachments:

No Attachments

Committee:	Approver:	Date
	Patti Leccese: ASP III	1/18/2016
	Kristin Kosteki: Assistant Director of Residential Services	1/18/2016
	Patti Leccese: ASP III	1/18/2016

COPY

**CROTCHED MOUNTAIN RESIDENTIAL SERVICES
ADULT SPENDING ACCOUNT**

Client Name: _____

Date of Birth: _____

MRN: _____

Pursuant to our licensure by the State of New Hampshire, Crotched Mountain Rehabilitation Center Inc. is required to obtain written permission to assist in the management of adult's spending account. We ask that you or an authorized person indicate your permission, as noted below, to avoid any difficulty in establishing an account and depositing or distributing personal funds for the above named client.

(Initial) I hereby give permission to Crotched Mountain to establish and maintain funds and process deposits and withdrawals in a client account for the above named client's personal spending needs.

(Initial) I hereby give permission to authorized Crotched Mountain personnel to act on behalf of the above named client regarding all deposits and withdrawals of client funds.

Crotched Mountain will provide quarterly account statements, upon request. Specific spending allocations should be discussed and coordinated with your Program Manager. It is recommended that all checks be made payable only to Crotched Mountain. (Crotched Mountain will not be held responsible for any monies left in the form of cash or written to individual Crotched Mountain employees.)

Client/Legal Representative	Relationship	Date
Admission Representative		Date

Current Status: Active

PolicyStat ID: 745131



**CROTCHED
MOUNTAIN**
OFFERING A LIFELONG ALLIANCE
TO PEOPLE WITH DISABILITIES

Date Of Issue: 12/14/2012
Approved: 2/5/2014
Last Revised: 2/5/2014
Expiration: 2/4/2019
Owner: Lorrie Rudis: Vice President
Human Resources
Document Area: Crotched Mountain Wide
Scope: No Scope

Confidential Information Policy

Policy

1. Organization property includes not only items such as desks and computers but information as well. Confidential information is any information not generally known to the public or the industry and relates to patient, staff members and all other information obtained by employees during the course of their work.
2. Examples are customer lists, personnel files, computer records, financial and marketing data. Employees may not disclose or use proprietary or confidential information as their jobs require. Anyone who violates this guideline will be subject to discipline and possible legal recourse.
3. All information, personal or otherwise, stored on the organization's electronic mail system, voice mail system, or computer systems are the property of the organization and, as such, the organization reserves the right to access all systems at its sole discretion.
4. Certain resources can be accessed only by entering an authorized password. Employees are expected to maintain their passwords as confidential. Employees may not share passwords or access coworker's systems without express authorization.
5. Confidential information should not be sent over the Internet. Electronic mail addresses should be verified prior to sending messages.
6. All employees will be required to sign a Confidentiality Statement prior to the start of employment.
7. HR will comply with all HIPPA regulations.

All revision dates:

2/5/2014

Attachments:

No Attachments

Summary Request Form for Heightened Scrutiny
Site located at: 27 Staff House Circle, Greenfield, NH
of Participants: 1

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is called "Farmers" because the home looks like an old farmhouse. It is a two story residence with two bedrooms. There is one participant supported at the residence.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotoned Mountain Rehabilitation Center.
- The individual in the home has a schedule that is based on his preferences. Each day the participant decides what he wants to do.
 - The resident will often decide not to participate in activities. The staff interviewed felt that the resident could be more active in the local community.
 - This is an area needing improvement.
- The participant receives spending money each week. The participant's family provides additional money if it is needed.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotoned Mountain vehicles which are driven by support staff.
- The participant is not currently interested in seeking employment.
- The participant accesses the local community for running errands, grocery shopping, attending community meetings, and eating out as identified in his schedule and daily notes.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The*

27 Staff House Circle, Greenfield, NH

Summary Request Form for Heightened Scrutiny
Site located at: 27 Staff House Circle, Greenfield, NH
of Participants: 1

setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board

- The participant in the home has a guardian who assists with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan under General Implementation Strategy #1. All participants will have this incorporated into their next Service Agreement.
- The current needs of the participant indicated that a setting without peers would work best for them, so their living arrangement was changed to meet that need.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- The participant is treated with respect and has privacy within the setting.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- The participant determines what they want to do each day and it's based on their preferences.
- When the participant identifies that they doesn't want to work with the scheduled staff, alternative arrangements are made.
- The participant continues to work on making choices and decisions for themselves in order to maximize their autonomy.
- The home is arranged as the participant desires.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

Summary Request Form for Heightened Scrutiny
Site located at: 27 Staff House Circle, Greenfield, NH
of Participants: 1

- The participant has their own schedule and it is flexible to their needs and preferences. The schedule was reviewed, as well as daily notes. The schedule is updated often as activities of choice and/or seasons change. Daily notes outline the activities that occurred each day, as well as the location.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participant does not have a lease or tenancy agreement. This is a statewide issue and will be addressed as outlined in the remediation plan, Topic Area Goal #15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - The participant has privacy within the home. They have their own bedroom and will access their room when they do not want to be around other people.
 - Staff knock or ask permission before entering the participant's bedroom or home.
 - There are locks on both the front door (it's a keypad), the bedroom and the bathroom doors.
 - The home is decorated as the participant desires.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - The participant has control over their schedule and the activities in which they engage. Often the participant chooses not to engage in activities. An activity of choice for the participant is to work at the cafeteria at Crotched Mountain filling

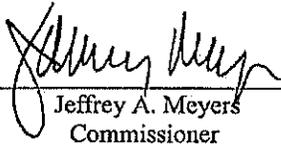
Summary Request Form for Heightened Scrutiny
Site located at: 27 Staff House Circle, Greenfield, NH
of Participants: 1

trays and other tasks within that setting. Another preferred activity is making a snack for a weekly meeting they attend.

- The participant develops their own menu and does grocery shopping each week. The participant can access food at any time.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. The participant does not like to have visitors. The participant currently is working on a goal to have regular contact with family which includes having them visit.
- *The setting is physically accessible to the individual.*
 - The setting is physically accessible by the participant. The participant can access the whole home with the exception of the second bedroom, the room containing the boiler and the medication cabinet. All of these areas are locked for health and safety reasons.
- **Recommendation:**
 - Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner



Date

Summary Request Form for Heightened Scrutiny
Site located at: 5 Staff House Circle, Greenfield, NH
of Participants: 3

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a one level, three bedroom, four bathroom apartment supporting three participants of Home and Community Based Services. Each participant receives both residential and community participation services from the provider.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- Each of the participants in the home have individualized schedules. The schedules are based on the participant's areas of interest as identified by the participants and their support staff, and as outlined in the service agreements. Each participant accesses the community on a regular basis. However, many of the activities are on the Crotched Mountain property and are not in the broader community.
 - This is an area that needing improvement.
- One of the participants, who is new to the provider within the last two months, has a job at the Recycling Center on campus. He indicated that he is working as many hours as he likes. He works two hours a day, Monday through Friday.
 - Two of the participants do not have employment currently, but do have volunteer positions. Of the two participants one wants a job and the other does not.
- Each of the participants have spending money and the amount varies by participant. Participants receive money on a weekly basis. If they need more money than they receive on a weekly basis, they can request money from the finance office at Crotched Mountain. This process can occur at any time that the office is open and does not have to be planned in advance.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles.

Summary Request Form for Heightened Scrutiny
Site located at: 5 Staff House Circle, Greenfield, NH
of Participants: 3

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.*

- The participant in the home has guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan under General Implementation Strategy #1. All participants will have this incorporated into their next Service Agreement.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- Each participant in the residence has their own bedroom which has a bathroom within it. Each participant and the staff interviewed indicated that staff knock on the door, or ask before entering the participant's room.
- Participants all stated that they are treated with respect by the staff, and that staff do not talk about them as if they weren't there when speaking to others.
- The participants identified that they have not been placed in seclusion, physically restrained or chemically restrained against their wishes. They each identified that they know who to talk to about issues or concerns that they may have, and know who to contact to file a complaint.
- Participants identified that they are treated with dignity and respect by their support staff. One of the participants in the home communicates through sign language and his support staff are trained in American Sign Language, and interpreter services are an identified service in the participant's service agreement, if needed.
-

Summary Request Form for Heightened Scrutiny
Site located at: 5 Staff House Circle, Greenfield, NH
of Participants: 3

- The review team observed staff interacting with the participants and saw interactions that were respectful and genuine. Staff are cross trained and the review team was able to see the staff interact with all participants in the home.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- Participants identified that they choose their schedules and what they want to do. The team observed one participant getting up during the late morning and staff said that the participant had stayed up late.
- The participants are able to access the entire home, with the exception of their housemate's bedrooms. Additionally, the door to the basement is locked for safety reasons. There is no reason for participants to access the basement; laundry facilities are on the main floor.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences, as identified by the participants and the staff. The schedules were reviewed, as well as daily notes. The schedules are updated often. Daily notes outline the activities that occurred each day, as well as the location. Each schedule identified specific parts of the week where the participant had the choice of activities, based on their preference that day.
- Each participant has a behavior plan that is individualized, and specific to the participant and their identified needs. All staff are trained on behavior plans before working with the participant.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*

Summary Request Form for Heightened Scrutiny
Site located at: 5 Staff House Circle, Greenfield, NH
of Participants: 3

- The participant does not have a lease or tenancy agreement. This is a statewide issue and will be addressed as outlined in the remediation plan, Topic Area Goal #15 in the Statewide Transition Plan
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - Each of the participants have their own bedroom which had its own bathroom. Although there were no locks on either the bedroom or bathroom doors, this will be addressed as outlined in the remediation plan, DD/ABD Topic Area Goal #12 in the Statewide Transition Plan.
 - There is a key box on the outside of the home that is opened with a number code.
 - All participant's rooms are decorated to their tastes. The main living area contains a poker table which is a preferred item of one of the participants and is used by all residents of the home.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage.
 - Two of the participants have access to food at any time; one participant has a health issues relating to food, so there is a behavior plan which includes the monitoring of food. The behavior plan has been approved by the guardian as well as the local Human Rights Committee of the area agency that is responsible for service provision.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes.
- *The setting is physically accessible to the individual.*
 - The home is accessible by all of the participants. It is a one level residence, and includes a courtyard area outside that can be accessed during nice weather.
 - The medications, chemicals and sharps (knives, scissors, etc.) are locked up for the health and safety of the residents.

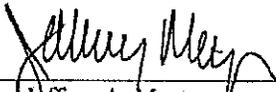
Summary Request Form for Heightened Scrutiny
Site located at: 5 Staff House Circle, Greenfield, NH
of Participants: 3

Recommendation:

- Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/10

Date

Summary Request Form for Heightened Scrutiny
Site located at: 103A Verney Dr., Greenfield, NH
of Participants: 1

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

The home is a one bedroom apartment which is connected to another apartment where three participants live. The staff work independently within each of the residences. There is a patio area outside of the home to use in the warmer weather.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- The participant has an individualized schedule.
- The participant receives money each week for spending. The money is accessed through the finance office at Crotched Mountain. Receipts are kept in order to ensure an accurate accounting of how the money is spent.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles..

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- The participant in the home has guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan under General Implementation Strategy #1. All participants will have this incorporated into their next Service Agreement.

Summary Request Form for Heightened Scrutiny
Site located at: 103A Verney Dr., Greenfield, NH
of Participants: 1

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- The participant has family who are very active in their life and have frequent opportunities to observe staff and their interactions with the participant. Any issues would be brought forward in the appropriate manner.
- Staff knock on the door before entering the participant's room. This was observed by the review team during their visit.
- The review team was able to observe interactions between the staff and the participant. The staff was extremely patient with the participant and was in tune with their communication style.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- The participant has a schedule that is defined by preferred activities. Activities included swimming, grocery shopping, accessing local stores, participating in recycling, kayaking, dog walking in the community, and making dog biscuits for the local animal shelter.
- The participant can access the entire home with the exception of the cleaning supply closet and where the medications are kept. This is done for the health and safety of the participant.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- The participant has their own schedule and it is flexible to their needs and preferences. The schedules were reviewed, as well as daily notes. The schedules are updated often. Daily notes outline the activities that occurred each day, as well as the location.

Summary Request Form for Heightened Scrutiny
Site located at: 103A Verney Dr., Greenfield, NH
of Participants: 1

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participant does not have a lease or tenancy agreement. This is a statewide issue and will be addressed as outlined in the remediation plan, Topic Area Goal #15 in the Statewide Transition Plan.

- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - The participant has privacy in their room and there are locks on the entrance, bedroom and bathroom doors. The locks on the bedroom and bathroom doors are not used.
 - The participant requires assistance with personal care and it is done in private, ensuring the dignity of the participant.
 - The resident does not have keys to their home. This is a statewide area to be addressed. This will be addressed as outlined in the remediation plan, Topic Area Goal # 13 in the Statewide Transition Plan.
 - The home is decorated as the participant wants as observed by the basketball hoop with return shoot in the living room and the full size tent in his bedroom. There were holiday decorations both inside and outside of the home that were put up with the help on the participant's family. It is the tradition that they decorate for all of the holidays.

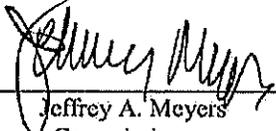
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*

Summary Request Form for Heightened Scrutiny
Site located at: 103A Verney Dr., Greenfield, NH
of Participants: 1

- The participant chooses what activities he wants to do and when he wants to do them.
- The participant has access to food at any time.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. The participant's family visits regularly.
- *The setting is physically accessible to the individual.*
 - The participant can access all areas of the home. The medications, cleaning supplies and sharp objects are locked up for health and safety reasons.
- **Recommendation:**
 - Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/16

Date

Summary Request Form for Heightened Scrutiny
Site located at: 101 Verney Drive, Greenfield, NH
of Participants: 3

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, if possible, staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including participant specific data, and provider policies.

This residence is a two story home located on a corner lot. The home has three bedrooms and is comfortable for the residents who live there. The furnishings and décor are very appropriate for the three men who live there.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- Each of the participants in the home have an individualized schedule. Each schedule contains activities that are preferred by the participant, such as hiking, swimming, going to the gym, the book store, biking, working, music therapy, volunteer activities and getting a massage. Each participant is supported 30 hours a week for their Community Participation Services. Participants go out to eat regularly, and attend local church suppers once a week.
 - Based on the documentation that was reviewed, additional opportunities for activities that engage the broader community should be investigated and included into the participant's schedules.
 - This should be an area of focus for Crotched Mountain.
- Each of the participants have spending money and the amount varies by participant.
 - There is a process in place to ensure that participants can access their funds to make purchases whenever they desire.
 - One participant is in the process of opening a bank account at one of the local banks.
- One of the participants has a job in the local community. He is supported to perform his job duties and is trying to increase the responsibilities he has at work.

Summary Request Form for Heightened Scrutiny
Site located at: 101 Verney Drive, Greenfield, NH
of Participants: 3

- There is no local public transportation for residents to access. All transportation is provided by the support staff using either private vehicles or Crotched Mountain vehicles.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- Each of the participants in the home have guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the Statewide Transition Plan, General Implementation Strategy #1. Each participant will have this expectation incorporated into their next Service Agreement. Service Agreements occur annually in the same month each year.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually to the participant and/or guardian, at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected.
- The review team observed interactions between support staff and the residents. The staff were respectful and responsive to the residents.
- The review team saw the job descriptions and training expectations for the support staff at the residence. It is clear that staff are expected to ensure that all rights are protected for those being supported. Staff working in the program have annual training on rights of individuals receiving services in community residences as per state regulations/certification criteria.
- Staff knock on the bedroom doors of those who live in the home. Each participant has their own room which supports their privacy.
- Each of the residents have individualized behavior plans that support the residents' needs. Each plan has been approved by the guardian and the local Human Rights Committee of the area agency that is responsible for services.

Summary Request Form for Heightened Scrutiny
Site located at: 101 Verney Drive, Greenfield, NH
of Participants: 3

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences, as identified by daily documentation. The schedules were reviewed, as well as daily notes. The schedules are updated often. Daily notes outline the activities that occurred each day, as well as the location. The daily notes clearly identified that the activities on the schedule were not always the activities that occurred. It was at these times that the participant identified they wanted to do an alternate activity.
- Participants can work with staff depending on their preference. All staff are cross trained.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participants do not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - According to staff there is a key box that can be accessed on the outside of the house; this was observed by the review team.

Summary Request Form for Heightened Scrutiny
Site located at: 101 Verney Drive, Greenfield, NH
of Participants: 3

- Participants do not have locks on their bedroom doors. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal #12 in the Statewide Transition Plan.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage. Schedules are updated as the seasons change or if new activities are identified as a preference by the participant.
 - Each participant is supported one-on-one to ensure that activities are focused on their needs, preferences and desires.
 - Food is available to the participants at any time. They can help themselves whenever they are hungry.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. The families of the participants are very involved and are at the home frequently.
- *The setting is physically accessible to the individual.*
 - The home is accessible by all the participants. It is a two story home and each of the participants who live in the home are able to access the second floor without any issues.
 - The areas where medication and sharps (knives, scissors) are kept are locked for the safety of the residents.

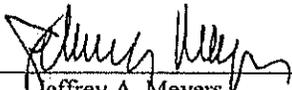
Summary Request Form for Heightened Scrutiny
Site located at: 101 Verney Drive, Greenfield, NH
of Participants: 3

• **Recommendation:**

- Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotoned Mountain follow through on those areas of concern noted above. A plan will be developed by Crotoned Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/16

Date

Summary Form for Heightened Scrutiny
Site located at: 44 Cart Lane., Greenfield, NH
of Participants: 1

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a one story home with a large yard both in the front and the back of the house. There is one participant who lives in the home.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- The participant has the opportunity to access the community. Because the participant does not make choices independently, his provider offers activities on things he likes to do based on their ten year history.
- The participant has spending money that is available to him at any time through use of a credit card that he carries.
- There is no local public transportation for the participant to access. The provider is responsible for all of the transportation.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- The participant has a guardian who assists with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan, under General Implementation Strategy #1. Each participant will have this incorporated into their next Service Agreement.

Summary Form for Heightened Scrutiny
Site located at: 44 Cart Lane., Greenfield, NH
of Participants: 1

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including his guardian ensure that his rights are protected.
- The provider has annual training on rights of individuals receiving services in community residences.
- The provider knocks on the participant's door before entering. Personal assistance is provided in private as the review team observed during the course of their visit.
- The review team observed the interactions between the participant and the provider. The provider was very responsive to the participant and was able to redirect the participant into the restroom when he decided he didn't want to wear any clothing. The provider was patient and respectful of the participant while providing support to him.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- The team observed the participant in his home as he engaged with the provider. It was evident that the participant constantly makes choices about his life. He identified many different things he wanted to include on the grocery list, and what he wanted to eat that day.
- The participant has family who lives out of state and he is supported to go see them on a regular basis.
- The participant can access all of the residence with the exception of the provider's bedroom.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- The participant chooses what he wants to do as choices are offered to him; he will not make choices independently.
- His guardian makes choices about the supports and services the participant receives. The current supports have been in place for ten years and the guardian has chosen to continue

Summary Form for Heightened Scrutiny
Site located at: 44 Cart Lane., Greenfield, NH
of Participants: 1

with them due to the close relationship between the provider and the participant. Satisfaction with services is documented in the annual service agreement.

- The participant identified that he likes his home and his provider.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

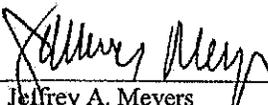
- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participant does not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - The participant has his own room which offers privacy to him.
 - The participant's bedroom is decorated with many decorative masks, exhibiting history and culture from around the world. The paint color in the room was selected by the participant, as were the curtains.
 - There are locks on the bathroom doors in the home. The issue of locks on bedroom doors is a statewide area for remediation. This will be addressed as outlined in the remediation plan, Topic Area Goal # 12 in the Statewide Transition Plan.
 - The home is decorated with artwork done by the participant with the support of his provider.
 - The resident does not have keys to their home. This is a statewide area to be addressed. This will be addressed as outlined in the remediation plan, Topic Area Goal # 13 in the Statewide Transition Plan.

Summary Form for Heightened Scrutiny
Site located at: 44 Cart Lane., Greenfield, NH
of Participants: 1

- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - The participant identifies things that he likes to do based on choices provided to him. He enjoys going to the gym, walking his dog, going out to eat, visiting with family and friends, going to the Humane Society and swimming. The participant identifies when he doesn't want to participate in an activity and alternatives are offered to him. The review team observed this during the visit.
 - The participant has access to food at any time. Alternative options for meals are available but has not been an issue for the participant based on his healthy appetite.
 - The participant chooses when he wants to get up and when he wants to go to bed. His schedule is flexible based on his wants, needs and desires.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes.
- *The setting is physically accessible to the individual.*
 - The home is physically accessible to the participant. He can access any part of the home with the exception of the provider's bedroom. It was clear to the review team that the participant is comfortable in the home.
- **Recommendation:**
 - Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/16

Date

Summary Form for Heightened Scrutiny
Site located at: 37 Fox Meadow Lane, Greenfield, NH
of Participants: 5

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a one level residence that is easily accessible for all of the residents. The home has a patio area to be accessed in nice weather and is enjoyed by the participants.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- Each of the participants in the home have individualized schedules, however, the residents of the home do not access the broader community on a regular basis. According to staff interviewed, there are residents of the home who only participate in activities that are offered on the Crotched Mountain property.
 - This is an area needing improvement.
- Each of the participants have spending money and the amount varies by participant. Money is accessible at any time and there is a formal process in place to ensure that all financial transactions are tracked.
 - One participant in the home has gift cards to local businesses for making purchases.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles which are driven by support staff.

Summary Form for Heightened Scrutiny
Site located at: 37 Fox Meadow Lane, Greenfield, NH
of Participants: 5

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- The participant in the home has guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan under General Implementation Strategy #1. All participants will have this incorporated into their next Service Agreement.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on the rights of individuals receiving services in community residences.
- The team observed the interactions between the staff members and the residents of the home. Staff were actively engaged with the participants in different activities. The staff were very responsive to the needs of the residents in the home. Two staff got up during their interviews and excused themselves to go and support the residents of the home.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- Residents of the home are supported to be as independent as possible.
- Staff are responsive to the requests made by the residents including what activity they want to do and with whom they do it. This was observed by the review team while they were at the residence.
- The residents of the home can access all areas of the home except where the medications are kept. This area is locked for the safety of the residents.
- One resident has a behavior plan which has been approved by his guardian and the local Human Rights Committee. The plan is specific to him and does not impact others in the home.

Summary Form for Heightened Scrutiny
Site located at: 37 Fox Meadow Lane, Greenfield, NH
of Participants: 5

- One resident has alcoholic beverages when they choose. Others in the home have not shown interest.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences. The schedules were reviewed, as well as daily notes. Daily notes outline the activities that occurred each day, as well as the location. Each schedule identified specific parts of the week where the participant had the choice of activities, based on their preference that day.
- Staff are cross trained and are able to work with all participants in the home, as the need arises.
- All of the participants have guardians who assist with decision making. The guardians have identified that they are satisfied with the services and supports that are being provided.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

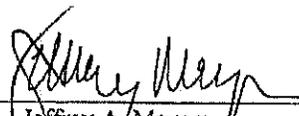
- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participants do not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - Each of the participants have their own room affording them the privacy that they need.

Summary Form for Heightened Scrutiny
Site located at: 37 Fox Meadow Lane, Greenfield, NH
of Participants: 5

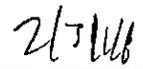
- Each of the participant's rooms is decorated according to the tastes of the participant and includes hobby items, personal decorations, and photos.
- The residents do not have keys to their home. This is a statewide area to be addressed. This will be addressed as outlined in the remediation plan, Topic Area Goal # 13 in the Statewide Transition Plan.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage.
 - Food is accessible at any time. Residents are supported to ensure that healthy food choices are made so that optimum health is maintained for those residents who have specific health issues.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. During the visit one of the residents had their family member visiting.
- *The setting is physically accessible to the individual.*
 - The home is on one level and is easily accessible by those residents who use wheelchairs. There are grab bars in the bathrooms and a ceiling track system to support participants who needs it.
- **Recommendation:**
 - Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner



Date

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2B, Greenfield, NH
of Participants: 1

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a one level apartment that is adjacent to another HCBS setting. Each setting has its own entrances. This setting supports one participant who has their own staff. There is a front patio area that can be accessed during the warmer weather.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- The participant has their own schedule that fluctuates depending upon their preferences. The participant goes into the local community daily. The participant has a job stocking shelves at a local store. Their schedule changes monthly for Community Participation Services. The participant frequently spends time with their family at the family's home. The team observed a picture calendar hanging in the home that included a picture of the participant's parent's home indicating that they would be going there for several days during the month.
- The participant has money that they keep at their home. Additionally, they have a credit card to use if necessary.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles which are driven by support staff.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2B, Greenfield, NH
of Participants: 1

- The participant in the home has guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan under General Implementation Strategy #1. All participants will have this incorporated into their next Service Agreement.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- The participant has family who are very active in their life and have frequent opportunities to observe staff and their interactions with the participant. Any issues would be brought forward in the appropriate manner.
- Staff knock on the door before entering the participant's room. This was observed by the review team during their visit.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- The participant will choose with whom to do activities and the provider responds by offering alternative staff.
- The participant determines their own schedule both during residential and community support services. The staff are responsive to the participant's needs as observed by the review team. The staff incorporate all three of the IPADS that the participant uses into their daily activities with the participant, assisting them be as independent as possible.
- The participant can access the entire home with the exception of the cleaning supply closet and where the medications are kept. This is done for the health and safety of the participant.

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2B, Greenfield, NH
of Participants: 1

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- The participant has their own schedule and it is flexible to their needs and preferences. Staff are cross trained so if the participant decides they want to work with someone else, the change is made.
- Additional decisions about supports are made by the participant's guardian.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participant does not have a lease or tenancy agreement. This is a statewide issue and will be addressed as outlined in the remediation plan, Topic Area Goal #15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - The participant has privacy in their room and there are locks on the entrance, bedroom and bathroom doors. The locks on the bedroom and bathroom doors are not used.
 - The participant requires assistance with personal care and it is done in private, ensuring the dignity of the participant. This was observed to occur during the review team's visit.
 - The resident does not have keys to their home. This is a statewide area to be addressed. This will be addressed as outlined in the remediation plan, Topic Area Goal # 13 in the Statewide Transition Plan.

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2B, Greenfield, NH
of Participants: 1

- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - The participant has control over their schedule and the activities in which they engage.
 - The participant has access to food at any time. The team observed the participant request food on two occasions and staff were quick in meeting the request and offering the necessary assistance to the participant.
 - The participant has specific dietary needs which are met by a committed support team. The participant's mother, nutritionist and staff all work together to ensure that dietary requirements are met and the participant's health is optimal. The team viewed the menus and dietary requirements.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. The family comes to the home often and are active members of the support team for this participant.
- *The setting is physically accessible to the individual.*
 - The setting is a one level apartment and accessible for all the participant's needs.
 - The participant can access all areas of the residence with the exception of those areas that are locked for the participant's safety.

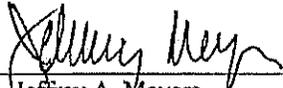
Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2B, Greenfield, NH
of Participants: 1

• **Recommendation:**

- Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner

2/3/16

Date

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2A, Greenfield, NH
of Participants: 3

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, if possible, staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including participant data, and provider policies.

This residence is a one level home that supports three participants.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center.
- Each of the participants in the home have individualized schedules that focus on their needs, wants, and preferences. Two of the residents have Community Participation Services, one resident has residential services only.
 - Based on the schedules and daily notes that were reviewed, additional opportunities for activities in the broader community should be implemented.
 - This should be an area of focus for Crotched Mountain.
- Each of the participants have spending money and the amount varies by participant. The money is held for safety purposes at the home, and is accessible whenever the resident chooses. Records are kept of all financial transactions.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles which are driven by support staff.

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- Each of the participants in the home have guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2A, Greenfield, NH
of Participants: 3

remediation plan, under General Implementation Strategy #1. Each participant will have this incorporated into their next Service Agreement.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- The interactions between staff and the residents of the home was genuine and sincere. The staff made sure that through the review process, the focus was on the needs of the residents. Staff educated the review team to ensure that they were consistent with the approaches that have been identified as successful for the residents.
- Participants identified that they like where they live and the staff treat them with dignity and respect.

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- Participants identified that they choose their schedules and what they want to do.
- The review team observed staff asking participants if and how they wanted to be part of the review process. Staff were very respectful of the choices made by the residents and ensured the follow through of their choices. When participants identified that they were finished with the interview, staff supported them to become engaged in activities of choice.
- Two of the residents in the home have behavior plans that are individualized to their needs. Both plans have been approved by the guardian(s) and the local Human Rights Committee at the area agency responsible for services. The plans are specific to the resident for whom they are written and do not impact other residents of the home.

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2A, Greenfield, NH
of Participants: 3

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences, as identified by the participants and the staff. The schedules were reviewed, as well as daily notes. The schedules are updated often. Daily notes outline the activities that occurred each day, as well as the location. Each schedule identified specific parts of the week where the participant had the choice of activities, based on their preference that day.
- Staff in the home are crossed trained and can provide support to any of the residents of the home, making it easy to honor the request of a resident to work with a different staff.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participants do not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.
- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - Each of the participants have their own room which ensures their privacy. Staff knock on doors before entering. This was observed during the review.
 - Each resident's room is decorated to their specific tastes and includes hobby items, favorite colors, personal items and photos.
 - There are locks on the bathroom doors in the home. The issue of locks on bedroom doors is a statewide area for remediation. This will be addressed as

36 Fox Meadow Lane, Apt 2A, Greenfield, NH

Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2A, Greenfield, NH
of Participants: 3

outlined in the remediation plan, Topic Area Goal # 12 in the Statewide Transition Plan.

- The residents do not have keys to their home. This is a statewide area to be addressed. This will be addressed as outlined in the remediation plan, Topic Area Goal # 13 in the Statewide Transition Plan.
- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage.
 - All of the participants have access to food at any time. Alternative meals are available if desired by the participant. One of the residents of the home frequently chooses alternative meals.
 - Participants routinely choose when to get up, when to go to bed and when to eat.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. Family members of the residents regularly visit the home as documented in the daily notes and progress notes.
- *The setting is physically accessible to the individual.*
 - The home is one level, making it easy for residents to move throughout the home.
 - The med closet and supply closet are all locked for safety purposes.
 - There is a computer in the office which is accessed by residents of the home.

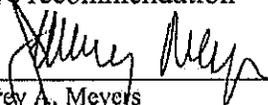
Summary Request Form for Heightened Scrutiny
Site located at: 36 Fox Meadow Lane, Apt. 2A, Greenfield, NH
of Participants: 3

• **Recommendation:**

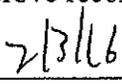
- Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner



Date

Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

Review Process:

The review process involved a two person team. The team was comprised of a member of the Office of Program Support (the agency that completes certification and licensing reviews at sites around the state) and the project manager for the Statewide Transition Plan, from the Institute on Disability. For each on-site review, the participant(s) were interviewed, (if possible), staff were interviewed, observational data was obtained, a tour of the site occurred, and documentation was reviewed, including Service Agreements, behavior plans, Community Participation Services (CPS) schedules, daily notes, monthly progress notes for Residential services and CPS, (if applicable), incident reports, certification data, complaint data, and provider policies.

This residence is a single story home that is staffed to support five participants of Home and Community Based Services.

HCBS Standard: *The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.*

- Due to the location of this home, it is presumed institutional because it is on the grounds of Crotched Mountain Rehabilitation Center. Although it is located on the grounds of the Rehabilitation Center, participants have the opportunity to access the broader community on a regular basis.
- Each of the participants in the home have individualized schedules that meet their needs and preferences.
 - Three participants in the home receive both Community Participation and Residential services
 - Two participants receive residential services only.
- Each of the participants have spending money and the amount varies by participant. For safety reasons, the money is kept locked up.
 - When money is needed, support staff ask the manager for it on the participant's behalf before going to an activity.
 - One participant has the staff hold the money until it is time to make the purchase, other participants need hand-over-hand assistance with making purchases.
- There is no local public transportation for residents to access. All transportation is provided by the staff using either private vehicles or Crotched Mountain vehicles which are driven by support staff.
 - This home has two vans at its disposal; one is a wheelchair van and the other is a mini-van. In addition, some staff use their personal vehicles to access the community.

Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

HCBS Standard: *The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board*

- Each of the participants in the home have guardians who assist with decision making. At this time, the Service Agreement does not document the setting options that were offered. The new service agreement template will include this information as outlined in the remediation plan, General Implementation Strategy #1. Each participant will have this incorporated into their next Service Agreement, upon the development of the statewide template.
- In each participant's Service Agreement it identified that the individual and guardian(s) are satisfied with the supports and services they are receiving and they continue to want services provided by the current area agency and vendor of services.

HCBS Standard: *Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.*

- The participant's rights are explained annually at the service agreement meeting as per He-M 503, Eligibility and the Process of Providing Services. The participant's support team, including guardians ensure that the participant's rights are protected. Each participant identified that they are treated with respect by the staff at the site and they felt comfortable talking about any concerns that they had.
- Staff working in the program have annual training on rights of individuals receiving services in community residences.
- It was identified to the review team that staff knock on bedroom doors and/or request to go in before entering anyone's bedroom.
- Participants stated that they like where they are living and feel like they are treated with respect by the support staff.
- The review team was able to observe staff interacting with the residents of the home. On several occasions while being interviewed, staff excused themselves to go address a need of the residents that was identified through vocalizations that the staff heard. The review team saw extreme patience and support being provided to the participants. On two occasions, one team member saw a staff support a resident to calm himself so that he was no longer anxious about the disruption in his schedule.

Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

HCBS Standard: *Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.*

- Each of the participants has their own schedule which can be altered based on the preferences of the participant. They can choose with whom to do an activity, and all staff are crossed trained to be able to work with all participants in the home.
- Three participants have individualized behavior plans specific to their needs. All of the plans have been approved by the participant's guardians and the Human Rights Committee of the area agency which is responsible for the participant's supports.
 - All staff are trained on the plans specific to the participants in the home. In addition, staff are provided with MANDT training as part of their orientation training.
 - Staff are trained to offer a "change of face" when a staff is unable to de-escalate a participant who is having difficulty. Additionally, there is a Crisis Response Team that is accessible 24/7 as a resource to staff. They have special training to be able to provide emergency support to the regular staff.

HCBS Standard: *Facilitates individual choice regarding services and supports, and who provides them.*

- Each participant has their own schedule and it is flexible to their needs and preferences.
 - For those participants who receive Community Participation Services (CPS) or day services, a schedule is part of the state regulatory requirements. Schedules were reviewed, as well as daily notes. Schedules are updated often to reflect changes in desired activities. Daily notes outline the activities that occurred each day, as well as the location where they happened. Each schedule identified specific parts of the week where there was nothing scheduled and the participant had the choice of activities, based on their preference that day. Additionally, it was identified that schedules were flexible and were determined by the participant's wants, needs and preferences on any given day.
 - For those participants who weren't receiving CPS, there was a schedule in place to ensure consistency for the staff who provided supports. The schedule was flexible based on what the participant wanted to do that day.
- Staff in the home are crossed trained and can provide support to any of the residents of the home, making it easy for staff to honor the request of a resident to work with a certain staff.

HCBS Standard: *In a provider-owned or controlled residential setting, in addition to the qualities specified above, the following additional conditions must be met:*

Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

- *The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.*
 - The participants do not have a lease or tenancy agreement. This is a statewide issue and is addressed in the remediation plan, Topic Area Goal # 15 in the Statewide Transition Plan.

- *Each individual has privacy in their sleeping or living unit: Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors, individuals sharing units have a choice of roommates in that setting and individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.*
 - Each participant has their own room and it is decorated as they desire. Décor included sports paraphernalia, hobby items, family photos, and colors of choice for bedding and curtains.

 - There is a sensory swing hanging in the living room to accommodate the needs of one of the residents. This allows him to help relax and still be part of the activities of the home.

 - There are locks on the bathroom doors in the home. The issue of locks on bedroom doors is a statewide area for remediation. This will be addressed as outlined in the remediation plan, Topic Area Goal # 12 in the Statewide Transition Plan.

- *Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.*
 - All participants have control over their schedules and the activities in which they engage.

 - Each of the participants have a schedule that is specific to their interests, needs and desires
 - One participant volunteers for Meals on Wheels, goes shopping, bowling, to the library, movies, out to eat, visits local parks and enjoys holiday activities in the local community
 - One participant's schedule includes range of motion exercises, a sensory diet, accessing the local community center, going shopping, going out to eat, food shopping, going to church and socializing with friends.

Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

- Another participant volunteers at the swap shop, volunteers at the local library, goes out to eat, goes shopping, and is in the process of looking for employment.
 - One participant volunteers at a local health center, goes out to eat, to the local community center, does range of motion exercises, goes grocery shopping, spends time with friends and participates in the local men's group.
 - Another participant goes to the local farm, goes shopping, out to eat, hikes at local parks and trails, and enjoys local activities such as festivals and fairs. Additionally, he incorporates a sensory diet into his schedule.
- There is a half door on the kitchen which is used to ensure the safety of the participants during medication administration and cooking time according to the staff working in the home.
 - Additionally, the medications and chemicals used for cleaning are locked up and cannot be accessed by the participants.
 - Participants can access food at any time, although according to those interviewed, the participants do not independently seek out food during the day. Snacks are offered during the day and the participants choose between various options.
- *Individuals are able to have visitors of their choosing at any time.*
 - Visitors are welcome to the home at any time, including mealtimes. Family members visit the participants often and regularly take them their homes for visits.
 - *The setting is physically accessible to the individual.*
 - The setting is accessible to all the residents of the home. It is easy for residents who use wheelchairs to move around in the home. Entry into the home is seamless, ensuring that it is welcoming to all who live there.

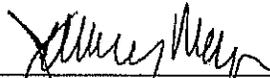
Summary Request Form for Heightened Scrutiny
Site located at: 32 Fox Meadow Lane, Greenfield, NH
of Participants: 5

• **Recommendation:**

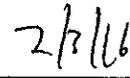
- Based on the interviews, documentation review, and policy review, it is recommended that DHHS request heightened scrutiny with expectation that Crotched Mountain follow through on those areas of concern noted above. A plan will be developed by Crotched Mountain and submitted to DHHS within 30 days of the request submission.

Approve recommendation

Do not approve recommendation



Jeffrey A. Meyers
Commissioner



Date

Attachment I

DD/ABD ISOLATION MONITORING PROCESS			
Process: Develop and implement systems to ensure participants are not being isolated from the broader community.	Verification/Validation	Timeline	Entity Responsible
1. Deliver training for providers regarding HCBS expectations, including access to and participation in the broader community, as outlined in General Implementation Strategy #6, steps #5-7 found on pages 32 and 33.	<ul style="list-style-type: none"> • Training attendance 	Sept. – Oct. 2016	DHHS-LTSS
2. Monitor the training requirement during the certification/licensing visits, as outlined in General Implementation Strategy #2, step #6 found on pages 29 and 30, and General Implementation Strategy #6, step #8 found on page 32.	<ul style="list-style-type: none"> • Certification/licensing data 	TBD	Office of Program Support
3. Revise contracts with providers to include all of the HCBS expectations, including access to and participation in the broader community, as outlined in DD/ABD Topic Area Goal #1, steps #1 and 2 found on pages 37 and 38. <ul style="list-style-type: none"> a. Revise Area Agency’s templates for services provided in family homes under He-M 521, He-M 524, and He-M 525, as outlined in DD/ABD Topic Area Goal #1, step #1 to include the expectation of access to and participation in the broader community found on page 37. 	<ul style="list-style-type: none"> • Updated contracts • Updated contracts be submitted to DHHS-LTSS • Area Agency’s template for contracted services include this requirement 	June 2017 June 2017	DHHS-LTSS DHHS-LTSS, Providers
4. Quarterly Satisfaction Form be revised to include access to and participation in the broader community, as outlined in DD/ABD Topic Area Goal #1, step #5 found on page 38.	<ul style="list-style-type: none"> • Revised Quarterly Satisfaction form 	Jan. 2017	Waiver Transition Team
5. Review the statewide complaint data to identify if there are any issues related to isolation, as outlined in DD/ABD Ongoing Monitoring Goal #9, found on page 120.			
6. Quarterly Satisfaction data be analyzed and follow up actions taken as outlined in DD/ABD Ongoing Monitoring Goal #8, steps #4 through 6 found on pages 119 and 120.	<ul style="list-style-type: none"> • Data reports 	Ongoing	Providers, Waiver Transition Team
7. Monitor all HCBS expectations during certification/licensing visits as outlined in General Implementation Strategy #2, step # 6, (found on pages 29 and 30) and once the regulations have been revised, as outlined in	<ul style="list-style-type: none"> • Data reports 	Ongoing	Providers, Waiver Transition Team

DD/ABD General Implementation Strategy #3, steps #6 and 7 found on page 31.			
8. Additional site visits will occur as per DD/ABD Ongoing Monitoring Goal #6, steps #1 and #2 found on pages 118 and 119.	<ul style="list-style-type: none"> • A list of additional site visits will be kept 	Ongoing	DHHS-LTSS, Office of Program Support, Waiver Transition Team
9. At any time if a site is identified as potentially being isolating, an on-site visit will occur and will include: <ul style="list-style-type: none"> a. An interview with the participant b. An interview with the provider c. Review of documentation d. Observation 	<ul style="list-style-type: none"> • Summary of on-site visit 	Ongoing	DHHS-LTSS, Office of Program Support, Waiver Transition Team
10. The summary is used to determine if follow up measures are necessary. Follow up may include: <ul style="list-style-type: none"> a. Remediation Plan b. Implementation of the Heightened Scrutiny Process found on page 131. c. Implementation of the DD/ABD Relocation Process found on page 135. d. No further action 	<ul style="list-style-type: none"> • Identification of next steps 	Ongoing	Waiver Transition Team
11. If a remediation plan is initiated, the Remediation Form (see Attachment E) will be completed with timeframes and the process outlined in DD/ABD Ongoing Monitoring Goal #6, steps #3 through 8, found on pages 118 and 119, will be followed.	<ul style="list-style-type: none"> • Remediation form 	Within 21 days of receiving the form	Provider
12. If it is determined that Heightened Scrutiny will be requested, the Heightened Scrutiny process found on page 131 will be implemented.	<ul style="list-style-type: none"> • Heightened Scrutiny Request Form 	Ongoing	DHHS-LTSS

Attachment J

CFI ISOLATION MONITORING PROCESS			
Process: Develop and implement systems to ensure participants are not being isolated from the broader community.	Verification/Validation	Timeline	Entity Responsible
1. Deliver training for providers regarding HCBS expectations, including access to and participation in the broader community, as outlined in CFI General Implementation Strategy #3, step #2 found on pages 75 and 76.	<ul style="list-style-type: none"> • Training outline created 	Sept. – Oct. 2016	Workgroup
2. Quality Monitoring process be developed for Adult Day settings as outlined in CFI Ongoing Monitoring Goal #7, found on page 126 which will include HCBS expectations, including access to the broader community.	<ul style="list-style-type: none"> • See goal for details 	Outlined in goal	See goal for details
3. Quality monitoring process be developed for Assisted Living Settings as outlined in CFI Ongoing Monitoring Goal #8, found on page 127, which will include HCBS expectations, including access to the broader community.	<ul style="list-style-type: none"> • See goal for details 	Outlined in goal	See goal for details
4. Quarterly Satisfaction data be analyzed and follow up actions taken as outlined in CFI Ongoing Monitoring Goal #12, steps #9 and #11 found on pages 129 and 130.	<ul style="list-style-type: none"> • Data report 	Ongoing	Providers, Waiver Transition Team
	<ul style="list-style-type: none"> • Follow up Action Plan 	Ongoing	DHHS-LTSS, Waiver Transition Team, Providers
5. Review the statewide complaint data to identify if there are any issues related to isolation, as outlined in CFI Ongoing Monitoring Goal #10, found on page 128.	<ul style="list-style-type: none"> • See goal for details 	Outlined in goal	See goal for details
6. Monitor all HCBS expectations during licensing visits as outlined in CFI General Implementation Strategy #5, steps #5 and #6, found on pages 77 and 78.	<ul style="list-style-type: none"> • Data Report 	Ongoing	Office of Program Support, Waiver Transition Team
7. Additional site visits will occur as per CFI Short-Term Monitoring Goal #1, found on page 122 and 123.	<ul style="list-style-type: none"> • See goal for details 	Outlined in goal	See goal for details
8. At any time if a site is identified as potentially being isolating, an on-site visit will occur and will include: <ol style="list-style-type: none"> An interview with the participant An interview with the provider Review of documentation 	<ul style="list-style-type: none"> • Summary of on-site visit 	Ongoing	DHHS-LTSS, Office of Program Support,

d. Observation			Waiver Transition Team
9. The summary is used to determine if follow up measures are necessary. Follow up may include: <ul style="list-style-type: none"> a. Remediation Plan b. Implementation of the Heightened Scrutiny Process found on page 131 and 132. c. Implementation of the Relocation Process found on page 135 and 136. d. No further action 	<ul style="list-style-type: none"> • Identification of next steps 	Ongoing	Waiver Transition Team
10. If a remediation plan is initiated, the Remediation Form (see Attachment E) will be completed with timeframes and the process outlined in CFI Short-Term Monitoring Goal #1, steps #3 through 8, found on page 123 will be followed.	<ul style="list-style-type: none"> • Remediation form 	Within 21 days of receiving the form	Provider
11. If it is determined that Heightened Scrutiny will be requested, the Heightened Scrutiny process found on pages 131 and 132 will be implemented.	<ul style="list-style-type: none"> • Heightened Scrutiny Request Form 	Ongoing	DHHS-LTSS

ATTACHMENT K DD/ABD GOALS SUMMARY

PROCESS TYPE	Page # in STP	PROCESS
Regulatory Goal #1	20	Regulatory Revision & Training
Regulatory Goal #2	20-21	Update all policies related to the transition process so they correspond to the HCBS expectations
General Implementation Strategy #1	28-29	Create standardized service agreement template for use by all providers
General Implementation Strategy #2	29-30	Implement "concern" form to be used during certification/licensing visits while the regulatory revisions are being made. Once the regulations are revised, General Implementation Strategy #3 will be followed and "concerns" will be considered deficiencies
General Implementation Strategy #3	30-31	Update Certification/Licensing Process <ul style="list-style-type: none"> • Includes new expectations for monitoring of HCBS compliance • Will include implementation of a critical deficiency system where some deficiencies are identified as being more serious than others
General Implementation Strategy #4	31	Revise the applicable provider contracts to include compliance with HCBS expectations
General Implementation Strategy #5	31	Revise Medicaid enrollment process for DD/ABD providers <ul style="list-style-type: none"> • Ensuring enrollment identifies compliance with HCBS expectations
General Implementation Strategy #6	32-33	Additional training on HCBS and state expectations for providers
General Implementation Strategy #7	33	Develop HCBS Toolkit for providers and participants <ul style="list-style-type: none"> • Compile resources for providers and participants relating to HCBS expectations
Topic Area Goal #1	37-38	Enhance opportunities for activities, community participation and community integration in order to prevent isolation <ul style="list-style-type: none"> • HCBS expectations are that individuals participate in local community activities and are part of the broader community, including integrated work sites, volunteer activities, etc.
Topic Area Goal #2	40	Enhance knowledge about employment and its impact on benefits <ul style="list-style-type: none"> • Includes development of training and guide
Topic Area Goal #3	40	Continue to enhance the opportunities for participants to find meaningful employment
Topic Area Goal #4	42	Identify options for easy access to funds for participants <ul style="list-style-type: none"> • Include discussion at Service Agreement about spending money and how that process will occur

ATTACHMENT K DD/ABD GOALS SUMMARY

Topic Area Goal #5	45-46	Enhance the participants input into the decision making about their choice of setting <ul style="list-style-type: none"> • Include the choice of setting in the Service Agreement and the options that were offered
Topic Area Goal #6	48-49	Update individual rights booklet & create training for participants to include all regulatory and HCBS expectations
Topic Area Goal #7	49	Create a process for any modifications to the residential expectations of Home and Community Based Settings (e.g., ability to access to the kitchen, locks on bedroom doors, etc.) to ensure that modifications are identified, documented and approved as per HCBS and state expectations.
Topic Area Goal #8	50	Update Policy for obtaining, storing and sharing health information
Topic Area Goal #9	52-53	Ensure that there are locks on all bedroom and bathroom doors for privacy <ul style="list-style-type: none"> • Includes meeting with the Fire Marshal's office
Topic Area Goal #10	54-55	Enhance participants ability to make their own decisions, even when they have a guardian <ul style="list-style-type: none"> • Empower the voice of the individual
Topic Area Goal #11	58-59	Identify a process to be used if there is limited access to the environment to ensure that all options and resources have been explored for the participant to have full access if possible <ul style="list-style-type: none"> • To identify if there are ways for the individual to have full access to a site, such as environmental modifications, ATEC evaluation, etc.
Topic Area Goal #12	59-60	Develop process for participants to have keys or alternative option for accessing their homes
Topic Area Goal #13	60-61	Update provider policies regarding informed choice
Topic Area Goal #14	62-64	Enhance the Person Centered Service Planning Process <ul style="list-style-type: none"> • Individual receive a copy of SA even if they have a guardian
Topic Area Goal #15	65-66	Develop Settings Agreements for all residential sites <ul style="list-style-type: none"> • Lease or tenancy agreement for those HCBS participants in a residential setting
Topic Area Goal #16	68-69	Identify choice of roommate/housemate in Person Centered Planning Process <ul style="list-style-type: none"> • Documentation of the choice of housemate/roommate be included in the Service Agreement
Short-Term Monitoring Goal #1	115-116	Re-evaluate the status of the state's compliance with the HCBS expectations <ul style="list-style-type: none"> • Beginning in January 2018 • Using survey and data analysis obtained through process
Short-Term Monitoring Goal #2	116	To ensure transparency of the transition process provide annual reports to stakeholder groups regarding status of Waiver Transition Plan <ul style="list-style-type: none"> • Reports compiled in October of 2016, 2017 and 2018 • Posted on DHHS website
Short-Term Monitoring	116-117	Re-designation process for Area Agencies be used for monitoring during the transition period

**ATTACHMENT K
DD/ABD GOALS SUMMARY**

Goal #3		
Ongoing Monitoring Goal #4	117	Ongoing oversight by Advisory Task Force, ensuring transparency of the process and the progress being made <ul style="list-style-type: none"> • ATF to meet quarterly • ATF members to be part of the processes, as appropriate
Ongoing Monitoring Goal #5	117-118	Enhance the efficiency of the certification/licensing process by standardizing the forms used by providers <ul style="list-style-type: none"> • Standardizing forms will decrease the amount of time that certification/licensing visits will take
Ongoing Monitoring Goal #6	118-119	Complete additional site visits <ul style="list-style-type: none"> • New sites • Sites where concerns are identified • Random selection
Ongoing Monitoring Goal #7	119	Develop certification expectations for He-M 518, Employment Services, so that monitoring can be done through the certification process to ensure that HCBS expectations are met
Ongoing Monitoring Goal #8	119-120	Use the quarterly satisfaction process required in He-M 503, Eligibility and the Process of Providing Services and He-M 522, Eligibility, Determination and Service Planning for Individuals with an Acquired Brain Disorder to ensure ongoing compliance with HCBS expectations <ul style="list-style-type: none"> • Quarterly satisfaction form will include HCBS expectations so that participants are aware of them and they can give feedback
Ongoing Monitoring Goal #9	120	Analyze statewide complaint data to monitor trends, identify focus areas and action plan
Ongoing Monitoring Goal #10	120-121	Analyze statewide employment data to monitor the status of New Hampshire's efforts regarding employment as it relates to the HCBS expectations
Ongoing Monitoring Goal #11	121	Enhance participant knowledge of how to file a complaint <ul style="list-style-type: none"> • Put complaint filing # on the website of each provider
Ongoing Monitoring Goal #12	122	Develop a monitoring system that identifies if there is a direct link between complaints and employees that have waivers.

ATTACHMENT L
CFI GOALS SUMMARY

PROCESS TYPE	Page # in STP	PROCESS
Regulatory Goal #1	21	Regulatory Revision & Training <ul style="list-style-type: none"> Revise regulations and provide training to stakeholders
Regulatory Goal #2	22	Update all policies related to the transition process so they correspond to the HCBS expectations.
General Implementation Strategy # 1	74	Establish a workgroup of CFI waiver providers to lead the efforts toward HCBS compliance
General Implementation Strategy #2	75	Revise Medicaid enrollment process for CFI providers
General Implementation Strategy #3	75-76	Develop training on HCBS and state expectations
General Implementation Strategy #4	76-77	Develop a standardized tool for Licensing Visits <ul style="list-style-type: none"> Create tool for licensors to use that includes HCBS expectations
General Implementation Strategy #5	77-78	Update Licensing Process <ul style="list-style-type: none"> Includes new expectations for monitoring of HCBS compliance Will include implementation of a critical deficiency system where some deficiencies are identified as being more serious than others
General Implementation Strategy #6	78	Develop HCBS Toolkit for providers and participants <ul style="list-style-type: none"> Place to have resources for providers and participants that relate to HCBS expectations
Topic Area Goal #1	82	Enhance opportunities for activities, community participation and community integration in order to prevent isolation <ul style="list-style-type: none"> Identify resources and opportunities for providers to support participants to get out into the community more frequently
Topic Area Goal # 2	82-83	Investigate opportunities to pilot innovative options for ensuring community participation and integration <ul style="list-style-type: none"> Work with DD/ABD providers for ideas for collaborative efforts that will support community access
Topic Area Goal #3	84	(Employment) Not an area of concern for those receiving services under the CFI waiver at this time.
Topic Area Goal #4	85-86	Identify ways that participants can have access to funds <ul style="list-style-type: none"> Discussion to occur at care plan meetings about money
Topic Area Goal #5	89	Enhance the participants input into the decision making about their choice of setting <ul style="list-style-type: none"> Identify options that would make it more inclusive and put options and choice made in care plan.

ATTACHMENT L
CFI GOALS SUMMARY

Topic Area Goal #6	89-90	To enhance the choices for participants, adopt and implement the philosophy of least restrictive setting when identifying the options available regarding where to live <ul style="list-style-type: none"> • Look at options similar to the DD/ABD participants, such as EFC
Topic Area Goal #7	92-93	Develop training for participants, their families and guardians regarding Rights and HCBS expectations <ul style="list-style-type: none"> • Workgroup to work on training for stakeholders
Topic Area Goal #8	93-94	Create a process to use for any modifications to the expectations of Home and Community Based Settings <ul style="list-style-type: none"> • For residential settings only; if there are modifications to the expectations, there are requirements that need to be in the person centered plan
Topic Area Goal #9	94-95	Update policy for obtaining, storing and sharing health information
Topic Area Goal #10	96-97	Ensure that there are locks on all bedroom and bathroom doors for privacy <ul style="list-style-type: none"> • Includes meeting with the Fire Marshal's office
Topic Area Goal #11	98-99	Enhance participants ability to make their own decisions <ul style="list-style-type: none"> • Discuss role of guardian and guardianship options that would increase the ability of the participant to make choices
Topic Area Goal #12	102-103	Develop process for participants to have keys to their homes and/or rooms
Topic Area Goal #13	103	Implement a process to identify and document when access is limited in provider setting <ul style="list-style-type: none"> • To identify if there are ways for the individual to have full access to a site (evaluations, etc.)
Topic Area Goal #14	104	Update provider policies regarding informed choice
Topic Area Goal #15	106-107	Enhance process for implementation of care plans/person centered planning to ensure optimal input of participant <ul style="list-style-type: none"> • To include all HCBS expectations • Individual receive a copy of SA even if they have a guardian
Topic Area Goal #16	108-109	Update Settings Agreements for all residential sites, to be sure all HCBS expectations are met <ul style="list-style-type: none"> • To include all HCBS expectations
Short-Term Monitoring Goal #1	122-123	Complete additional site visits <ul style="list-style-type: none"> • New sites • Sites where concerns are identified • Random selection
Short-Term Monitoring	123-124	Follow-up assessment of statewide status on transition process for HCBS compliance

ATTACHMENT L
CFI GOALS SUMMARY

Goal #2		<ul style="list-style-type: none"> • Beginning in January 2018 • Using survey and data analysis obtained through process
Short-Term Monitoring Goal #3	124	<p>Analyze the rates paid to providers under the CFI waiver to ensure that there continues to be options for participants</p> <ul style="list-style-type: none"> • Workgroup identified • Look at current process • Identify options for change
Short-Term Monitoring Goal #4	124-125	<p>To ensure transparency of the transition process provide annual report to stakeholder groups regarding status of Waiver Transition Plan</p> <ul style="list-style-type: none"> • Reports compiled in October of 2016, 2017 and 2018 • Posted on DHHS website
Short-Term Monitoring Goal #5	125	<p>Implement Contracts/Agreements between CFI Providers and DHHS for service provision</p> <ul style="list-style-type: none"> • Include HCBS expectations
Ongoing Monitoring Goal #6	125	<p>Ongoing oversight by Advisory Task Force, ensuring transparency of the process and the progress being made</p> <ul style="list-style-type: none"> • ATF to meet quarterly • ATF members to be part of the processes, as appropriate
Ongoing Monitoring Goal #7	126	<p>Develop quality monitoring process for Adult Day Services settings</p> <ul style="list-style-type: none"> • Workgroup formed to develop process
Ongoing Monitoring Goal #8	127	<p>Develop quality monitoring process for Assisted Living Settings</p> <ul style="list-style-type: none"> • Workgroup formed to develop process
Ongoing Monitoring Goal #9	128	<p>Implement ongoing quality monitoring process for Case Management Agencies</p> <ul style="list-style-type: none"> • Implementation of process on a regular basis
Ongoing Monitoring Goal #10	128	<p>Analyze statewide complaint data to monitor trends, identify focus areas and action plan</p> <ul style="list-style-type: none"> • Develop process
Ongoing Monitoring Goal #11	128-129	<p>Enhance the Risk Identification Mitigation and Planning (RIMP) Process</p> <ul style="list-style-type: none"> • Workgroup to review and revise RIMP process
Ongoing Monitoring Goal #12	129-130	<p>Develop a quarterly satisfaction process to monitor CFI participant experience in HCBS settings</p>

Attachment M

To: Centers for Medicare and Medicaid Services
From: Kathleen Dunn, Associate Commissioner & Medicaid Director
Date: April 5, 2016
Re: New Hampshire's Statewide Transition Plan for the Settings Requirement

Below is an outline delineating where to find the information you requested in your letter dated October 1, 2015 in response to New Hampshire's Transition Framework, submitted to CMS on March 11, 2015.

The Centers for Medicare & Medicaid Services (CMS) has completed its review of New Hampshire's Statewide Transition Plan (STP) to bring state standards and settings into compliance with new federal home and community based settings requirements. New Hampshire submitted its STP to CMS on March 11, 2015. In October, 2015 CMS requested additional detail with regard to assessment processes and outcomes, remedial action processes, and monitoring. According to the STP, New Hampshire will complete an updated and revised STP by April 5, 2016, which provides a three year period for the state to achieve full compliance. CMS agrees that this is an adequate amount of time for New Hampshire to comply, but requests further clarification regarding the issues that are summarized below.

Covered Settings:

Please include all settings that are covered by the state's waivers in the STP, to ensure a comprehensive accounting of locations in which home and community-based services are provided.

- *The state of New Hampshire's Transition Plan outlines the settings covered by the waivers in Inventory of eligible sites/covered settings found on pages 13 and 14.*

Systemic Assessments:

New Hampshire describes the process by which the systemic assessment of the state standards is being conducted. The schedule indicates that some outcomes of that assessment are available.

However, the state did not include outcomes of its assessment in the STP, specifically the list of providers and the state standards inventory completed in December 2014. Please include this information, along with the specific state regulations that were analyzed, and the specific aspect of each regulation found to be compliant, non-compliant or silent. Please indicate any changes that must be made to each regulation to bring it into compliance. The STP also included a third party legal review as part of the assessment. Please describe how that review is done. New Hampshire should provide the outcomes to date and the additional details of the systemic assessment, including a crosswalk for each quality of the federal settings regulation against the sections of the state regulations to inform the state's assessment.

- *Please see Attachments F (DD/ABD analysis) and G (CFI analysis) in the Appendix for complete details on the legal review of the state's regulations.*

- *The process for the third party review of the regulations was completed by a staff attorney for the UNH Institute on Disability as part of the project management agreement for NH DHHS. The staff attorney conducted the initial review of all state rules, regulations, and policies related the HCBS Settings compliance. The final review, remediation steps and timelines were completed by NH DHHS staff attorneys as outlined in Attachments F (DD/ABD analysis) and G (CFI analysis).*

Site-specific Assessments:

- The state does not provide estimates of how many residential and non-residential settings fully comply with the settings requirements, could comply with modifications, cannot comply, or are presumed to be institutional.
 - *Please see Data analysis and results, on page 25 and 26 for detailed information on the number of sites that comply with the settings requirements, could comply with modifications, or cannot comply.*
 - *For those sites presumed institutional, please see Settings Not in Compliance on pages 130 and 131.*

The STP does not include any details on the site specific assessment process or composition of the Transition Framework Team and the Advisory Taskforce.

- *Please see Validation Visits on pages 23 and 24 for details on the site specific process.*
- *Please see the Acknowledgements on page 2 for the composition of the Waiver Transition Team.*
- *Please see Advisory Task Force on pages 22 and 23 for a description of the role and composition of the Advisory Task Force.*

The Taskforce will review the assessment activities, including the development of the provider and participant assessment tools, and the sample validation plan. Please include information that will substantiate that the composition of these groups is free from conflict of interest concerns. And please include details in the STP on how site-specific assessments will be conducted.

- *Please see Advisory Task Force on pages 22 and 23 for a description of how the composition of the task force is free from conflict of interest concerns.*
- *Please see Validation Visits on pages 23 and 24 for a detailed description of the site visit process.*

- Please include information regarding how the state will respond if a provider does not complete a self-assessment.
 - *New Hampshire determined that completing the self-assessment would not be mandatory. For those providers who refused to participate in an on-site validation visit, the Waiver Transition Team contacted the Office of Program Support, (the state's certification and licensing agency), and they completed unannounced visits to the sites for the purposes of the on-site review.*
- Please explain how the participant assessments are linked to specific settings/sites.
 - *Each participant survey reflected in the data reported was conducted during the validation site visit and tied directly to that site. In addition, we gathered other feedback from participants, although it was not site specific it adds to the overall assessment of compliance.*
- Please provide additional information on the field validation process, including how the process will be conducted and the entities which will complete the validation.
 - *Please see Validation Visits and Validation Team Members Selection and Training Process on pages 23-25 for a detailed explanation of the visit process and the qualifications of the team members who completed the on-site visits.*

Monitoring and Oversight:

- Please provide more details on the specific oversight and monitoring process, including a timeline with milestones and a description of the staff who will conduct the monitoring.
 - *The Statewide Transition Plan is broken down into two sections; one section for the Developmental Disability/Acquired Brain Disorder waiver and one for the Choices For Independence waiver. The plan outlines three types of remediation based on data analysis, input from the Advisory Taskforce and the Waiver Transition Team. The remediation includes:*
 - ***General Implementation Strategies*** which are steps to be taken which impact all areas of the HCBS expectations.
 - ***Topic Area Goals*** which are specific to each HCBS Standard and the each topic area within the standard.
 - ***Ongoing Monitoring Goals*** which identify how the state will ensure that there are systems in place to assure compliance is maintained. These are broken down into short-term and ongoing monitoring measures.

- The STP indicates that it will provide training and education for providers during enrollment and orientation; please explain how the state will address training for existing providers.
 - *Please see DD/ABD General Implementation Strategy # 6 on pages 32 and 33, as well as CFI General Implementation Strategy #3 on pages 75 and 76 for a detailed process on the training for providers.*
 - *Additionally, it is the state's expectation that each provider incorporate training into staff's orientation and annually, as appropriate, as outlined in the processes in the remediation plan.*
 - *The state will also have a Toolkit which will offer resources and training strategies as per DD/ABD General Implementation Strategy #7 on page 33 and CFI General Implementation Strategy #6 on page 78.*
- Please provide information on the Advisory Taskforce monitoring process and the Taskforce's role and meeting frequency.
 - *The Advisory Task Force has been meeting monthly. The plan is for the Advisory Task Force (ATF) to meet on a quarterly basis upon submission of the plan. The ATF will monitor the progress on the strategies and goals outlined in the STP. ATF members will participate in various work groups identified in the STP. It is the expectation of the state that the Advisory Task Force continue its oversight and participation in the state's efforts toward full compliance. The expectations are outlined in the DD/ABD Ongoing Monitoring Goal #4 on page 117 and the CFI Ongoing Monitoring Goal #6 on page 125.*
- Please explain how the state will ensure that any consumer satisfaction surveys used for monitoring are linked to individual provider settings/sites.
 - *He-M 503, Eligibility and the Process of Providing Services for those receiving services under the DD waiver, and He-M 522, Eligibility Determination and Service Planning for Individuals with an Acquired Brain Disorder both have a requirement of quarterly satisfaction surveys. The process outlined in the DD/ABD Ongoing Monitoring Goal #8 on page 119 identifies the process that will be developed. The surveys are specific to the participant and the site(s) that provide services. This information will be included on the form and used during the analysis of the information.*

- *The development of a quarterly satisfaction form will be implemented for those on the CFI waiver and is the process outlined in CFI Ongoing Monitoring Goal #12 on pages 129 and 130. Those surveys will be specific to the participant and the site that provides services. This information will be included on the form and used during the analysis of the information.*

Remedial Actions:

- Please include a specific remediation strategy for the state's rules and regulations found to be out of compliance with the federal settings requirements.
 - *The plan outlines two goals related to regulatory compliance/remediation for both the DD/ABD and CFI waivers. The goals can be found on pages 19 through 22.*
- Please clarify whether licensing, credentialing, and policy revisions will be completed by the time the state submits the revised STP in March 2016. If the systemic remediation will not be complete, please include the timeframe when it will be complete.
 - *The policy/regulatory review has been completed, but revisions to the regulations must follow the state's Administrative Procedures Act as identified in the DD/ABD Regulatory Goal #1, step #5 found on page 20, and the CFI Regulatory Goal #1, step #3, found on page 21.*
- Please include a specific remediation strategy for those settings and sites found to be out of compliance. In the absence of an estimate of the possible number of non-compliant settings, it cannot be determined whether the state will have adequate time to complete its remedial actions. Therefore, please clarify the site-specific remedial actions, including interim milestones for the three year period from April 2016 – March 2019 for the settings to transition into compliance.
 - *At this time the state has no sites that are in full compliance with all of the HCBS expectations. The state's plan is to implement systemic processes, monitoring efforts and training for both the DD/ABD and CFI providers and participants as outlined in detail in the transition plan. The state will focus its efforts in these areas and will complete another assessment in January 2018. The purpose of the assessment will be identify the status of sites based on the implementation of all of the remediation steps, analysis of data and additional site visits. The process is outlined in detail in the DD/ABD Short-Term Monitoring Goal #1 found on pages 115 and 116, and CFI Short-Term Monitoring Goal #2, found on pages 123 and 124. Attachment D in the Appendix is a copy of New Hampshire's STP Implementation Flow Chart which outlines our transition process.*

Relocation of Beneficiaries:

There is no reference to relocation of beneficiaries as a possible outcome of New Hampshire's assessment and transition plan. In the absence of an estimate of possible non-compliant settings, it cannot be determined whether the state will have adequate time to relocate beneficiaries if necessary. Therefore, CMS is requesting additional information on the timeline for the relocation of beneficiaries.

Please provide additional detail on the following aspects of the relocation process:

- How will the state provide reasonable notice and due process;
- The estimated number of beneficiaries impacted;
- A description of the process to ensure beneficiaries can make an informed choice among alternate settings; and
- How all needed services and supports will be available to beneficiaries at the time of relocation.
 - *The state's detailed Relocation Process can be found on pages 134 and 135 for the DD/ABD participants and on page 135 and 136 for the CFI participants.*

Heightened Scrutiny:

The state should clearly lay out its process and timeframes for identifying settings that are presumed to be institutional in nature. These are settings for which the state must submit information for the heightened scrutiny process if the state determines, through its assessments, that these settings do have qualities that are home and community-based and do not have the qualities of an institution. If the state determines it will not submit information on settings meeting the scenarios described in the regulation, the presumption will stand and the state must describe the process for informing and transitioning the individuals involved either to compliant settings or settings not funded by Medicaid HCBS.

Settings presumed to be institutional include the following:

- Settings located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;
- Settings in a building on the grounds of, or immediately adjacent to, a public institution;
 - *The state has identified those sites that would be considered institutional based on their location under both the DD/ABD and CFI waivers. The list of these sites can be found under Section V. Settings Not in Compliance, on pages 130 and 131 of the transition plan.*
 - *The state will be requesting Heightened Scrutiny for those sites under the DD/ABD waiver. The information being submitted for heightened scrutiny determination can be found in Attachment H in the Appendix.*

- *The state is reviewing its options regarding those sites presumed institutional under the CFI waiver.*
- *The state's Heightened Scrutiny Process can be found in Request for Heightened Scrutiny on pages 131-134.*
- Any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS.
 - *The state has developed an Isolation Monitoring Process for both DD/ABD participants and CFI participants. The process outlines what steps the state will be implementing to educate providers, monitor the efforts that are being made and how the state will handle sites that are identified as being isolating. The Isolation Monitoring Process for DD/ABD is Attachment I in the Appendix and the CFI Isolation Monitoring Process is Attachment J in the Appendix,*
 - *The state will be completing an assessment in January of 2018 using surveys, data analysis, certification/licensing data and participant feedback to identify if there are issues of isolation that might initiate the need for either Heightened Scrutiny or Relocation.*

If you have additional questions about our statewide transition plan, please direct your questions to Deb Fournier. She can be reached at deborah.fournier@dhhs.state.nh.us or 603.271.9434. Thank you for your consideration.

Attachment M – Public Comment and Response

This will be completed after the close of the Public Comment Period