**RCH Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DPH License #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Contact #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Licensed capacity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Owner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Current occupancy: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

# Overview of CMS Final Rule: Home & Community Based Settings Rule

* The final rule supports enhanced quality in home & community-based services (HCBS) programs, adds protections for individuals receiving services and intends to ensure that individuals receiving services and supports through Medicaid HCBS programs have full access to community living and receive services in the most integrated setting. This includes 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 receive Medicaid HCBS.
* This rule means that Residential Care Homes need to focus on the nature and quality of individual experiences and not just the building where services are provided.
* Individuals have an active role in developing their plan, it is person-centered and reflective of the individual’s services and supports, as well as what is important to them.
* The HCBS Final Rule took effect March 17, 2014 for all 1915(c) waivers.
* The transition period to achieve full compliance with the HCBS Final Rule is March 17, 2023.
* Lack of compliance the settings final rule impacts Federal funding.
* The State of CT Final State-wide Transition plan was approved by CMS on July 19, 2019 and it can be found here: [Community Options--Documents (ct.gov)](https://portal.ct.gov/DSS/Health-And-Home-Care/Long-Term-Care/Community-Options/Documents)

# Condition #1: Self-Assessment of Compliance with CMS’ HCBS Final Rule: Please answer the questions below by indicating “yes” or “no” as to your residential care home’s compliance with each standard.

# *If you answer “no” to a question, thereby potentially demonstrating a lack of HCBS Rule compliance, please provide a brief explanation as to why the RCH is not compliant and the remediation efforts that are in progress.*

**Federal Standard 1: Access to the Community.** The setting is integrated in and supports full access to the greater community.

* 1. As part of their plan for services, do residents have the opportunity to participate in individual and group outings and activities in the community at the frequency and for the amount of time they desire? Yes  No

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* 1. Do opportunities for community outings and activities include meaningful interaction with individuals not residing in the RCH, including the following?

1. Shopping in the community Yes  No

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1. Attending religious services Yes  No

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1. Scheduling and attending appointments Yes  No

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1. Visiting with family and friends in the community Yes  No

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1-3. Do residents have access to competitive integrated employment opportunities if they desire

paid employment? Yes  No

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* 1. Does the RCH offer options for residents to receive services in the community rather at the RCH? Yes  No

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* 1. Do residents have access to transportation options, including public transportation, family, friends, volunteer organizations that promote ease of use and optimize their individual independence according to their person-centered plan? Yes  No

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* 1. Are residents offered training or assistance in the use of public transportation?

Yes  No

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* 1. Are residents dependent on RCH staff for transportation options?

Yes  No

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* 1. Are residents required to sign over any checks they might receive, including employment pay checks to the RCH? Yes  No

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* 1. Is there a central location at the RCH where resident’s personal resources are held?

Yes  No

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* 1. Does the RCH impose restrictions on when the residents’ can access their personal funds?

Yes  No

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* 1. Do residents have the option to control their personal resources? Yes  No

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* 1. Are there restrictions on the amounts of personal funds a resident can access?

Yes  No

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* 1. Are residents limited to accessing personal funds when RCH staff are present?

Yes  No

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**Federal Standard 2: Choice of Setting.** The setting is selected by the individual from among various options, including non-disability specific options and options for a private room in a residential setting.

* 1. As part of their plan for services, residents can participate in individual and group outings and activities in the community at the frequency and for the time they desire.

Yes  No

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* 1. Are the options identified and documented and based upon the individual’s needs, preferences and reflective of resources available for room and board?

Yes  No

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**Federal** **Standard 3:** **Right to be Treated Well.** The setting ensures an individual’s rights of privacy, dignity, respect and freedom from coercion and restraint.

3-1. Does each living unit have lockable entrance doors? Yes  No

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3-1.1 If yes, do only the resident and appropriate RCH staff have keys to the doors?

Yes  No

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3-1.2 Do residents have a place to store belongings in a secure manner?

Yes  No

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3-2. Does RCH staff always knock and receive permission prior to entering a resident’s living

space? Yes  No

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3-3. Does RCH staff only use a key to enter a living are or privacy space under circumstances

agreed upon by the resident? Yes  No

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3-4. Is a telephone available to residents for personal use? Yes  No

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3-4.1 If yes, is there space for the telephone to ensure privacy? Yes  No

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3-5. Do the following items have restrictions on their use? If yes, please explain.

private cell phones  computers  other personal communication devices

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3-6. Do residents sharing units have a choice of roommates? Yes  No

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3-7. Do residents have the freedom to furnish and decorate their sleeping or living spaces within the bounds of the lease or other written legal agreement? Yes  No

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3-8. Do residents have the freedom and support to control their schedule and activities?

Yes  No

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3-9. Do residents have full access to the following?

dining area  laundry  comfortable seating in shared areas  kitchen with cooking

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3-10. Do have residents have access to food anytime, as appropriate? Yes  No

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3-11. Do residents have their health information kept private, including daily therapeutic

schedules, medications and/or dietary restrictions? Yes  No

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3-12. Do residents have private, unsupervised space to meet visitors? Yes  No

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3-13. Can residents leave and return to the RCH at will? Yes  No

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3-14. Is there a curfew for residents to return to the RCH? If yes, what is it?

Yes  No

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3-15. Are there locked doors or other barriers preventing residents from entering and/or exiting certain areas of the RCH? Yes  No

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3-16. Does the RCH ensure the staff are knowledgeable about the capabilities, preferences , interests and needs of the residents? Yes  No

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3-17. Are there residents with mobility impairments in the RCH?

Yes  No

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3-18. Is the RCH physically accessible and free from obstructions including steps, narrow hallways or transition areas that could limit mobility of residents? Yes  No

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3-18.1 Are there environmental modifications such as star lifts or elevators?

Yes  No

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**Federal Standard 4: Independence.** The setting optimizes individual initiative, autonomy and independence in making life choices, including daily activities, physical environment and interactions.

4.1 Do residents have input into and choice among daily activities that are based on the individuals' needs and preferences?

Yes  No

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4-2. Do residents have the ability to control their own schedules?

Yes  No

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4-3. Does the RCH structure its support so that residents may interact with people they choose to interact with, both at home and in community settings including non-disabled peers other than paid staff and volunteers?

Yes  No

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4-4. Can residents choose to spend time, including dining, alone or in a private area?

Yes  No

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**Federal Standard 5: Choice of Services and Supports.** The setting facilitates individual choice regarding services and supports, and who provides them.

5-1. Does the RCH support individuals in choosing which staff provide their care, for example gender or language spoken?

Yes  No

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5-2. Does the RCH have a complaint/grievance policy for individuals and inform individuals how to file a grievance?

Yes  No

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5-3. Do individuals have opportunities to modify their services or schedules and/or voice

concerns in the manner and timing of their choosing and consistent with their communication abilities and preferences?

Yes  No

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**Federal Standard 6: Residential Agreement.**  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.

6-1. Does each resident have a lease, residency agreement, admission agreement, or other form of

written residency agreement?

Yes  No

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6-2. Are residents informed about how to relocate and request new housing?

Yes  No

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6-3. In the case of any possible eviction or involuntary relocation, are there policies and procedures in place to ensure residents have and are informed of eviction protections and the appeals process?

Yes  No

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# Condition # 2: RCHs will be required to participate in a 12-month Training Program provided under the guidance of the Department of Social Services

Settings Rule Update and Compliance Requirements

Department of Public Health: What you need to know about licensure and compliance. See checklist shared here: [Blast-Fax-2022-24-RCH-Licensure-Inspection-Documents.pdf](https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/Facility-Licensing--Investigations/Blast-Faxes/2022/Blast-Fax-2022-24-RCH-Licensure-Inspection-Documents.pdf)

Rights of Residents

Completing Cost Reports

Medicaid Billing

Person-Centered Planning

Abuse, Neglect & Exploitation

Mental Health 101

Descalation Techniques

Establishing Professional Boundaries

Bullying in Congregate Settings

Substance Use and Addiction

Working with People with Intellectual Challenges

Confidentiality and Protecting Health Information

Nutrition

Dementia 101

The Mind/Body Connection

# Condition # 3: RCHs will be required to participate in Annual Training under the guidance of the Department of Social Services. Training will be required for owner/operator and front-line team.

Topics may include:

Person-Centered Planning

Abuse, Neglect & Exploitation

Resident Rights