

Package of Evidence Summary

ORGANIZATION AND SETTING DETAILS

Organization Name: Pride Group

Setting Name: Pride 3 & Pride 4	
Street address of setting: Le Mars, Iowa	Date of site review: 9/9/2023 and 2/9/2023

FUNDING AND SERVICES IN THIS SETTING

Mark all funding sources and services provided in this setting.

HCBS Waiver/Habilitation	Service(s)
<input type="checkbox"/> AIDS/HIV Waiver <input type="checkbox"/> Brain Injury Waiver <input type="checkbox"/> Children’s Mental Health Waiver <input type="checkbox"/> Elderly Waiver <input type="checkbox"/> Health and Disability Waiver <input type="checkbox"/> Intellectual Disability Waiver <input type="checkbox"/> Physical Disability Waiver <input type="checkbox"/> Habilitation <input type="checkbox"/> Money Follows-the-Person (MFP) <input checked="" type="checkbox"/> Other: Region funded Home Based Habilitation pending site approval.	<input type="checkbox"/> Adult Day Care <input type="checkbox"/> Assisted Living Service <input type="checkbox"/> CDAC Agency in an RCF or ALF <input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Home Based Habilitation <input type="checkbox"/> Prevocational Services <input type="checkbox"/> Supported Community Living (SCL) <input type="checkbox"/> Residential-Based SCL for Children (RBSCL) <input type="checkbox"/> Supported Employment <input type="checkbox"/> Intensive Residential Service (IRS) <input type="checkbox"/> Other:

ADDITIONAL DETAILS

List the number of HCBS funded members and non-HCBS funded members served in this setting.	HCBS funded: 0 Non-HCBS funded: 8 members in each location (7 females and 1 male at 248 14th Ave. and 8 males at 246 14th Ave.) Building capacity is 10 per building.
Is this setting provider owned or controlled (including settings where “daily” HCBS SCL or HBH is provided.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<p>What category of heightened scrutiny applies to this setting?</p>	<p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> Category 1: Located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment.</p> <p><input type="checkbox"/> Category 2: In a building on the grounds of, or immediately adjacent to a public institution.</p> <p><input checked="" type="checkbox"/> Category 3: Any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS.</p>
<p>What subcategories apply to this setting (select all that apply).</p>	<p><input type="checkbox"/> HCBS in ALF that are physically attached to a NF.</p> <p><input checked="" type="checkbox"/> HCBS in larger than 3-5 bed RCF and has the effect of isolating.</p> <p><input type="checkbox"/> HCBS (such as ADC, DH, employment services) in an RCF, NF, hospital, or other facility.</p> <p><input type="checkbox"/> Setting limits individuals' opportunities for interaction in and with the broader community, including with individuals not receiving Medicaid-funded HCBS due to the design or model of service provision.</p> <p><input type="checkbox"/> Setting restricts members' choices to receive services or to engage in activities outside of the setting.</p> <p><input type="checkbox"/> Setting is physically located separate and apart from the broader community and does not facilitate beneficiary opportunity to access the broader community and participate in community services.</p> <p><input type="checkbox"/> Locations or members are clustered or grouped together for the purpose of receiving HCBS such as when residential sites are clustered together including several units with people receiving HCBS in a multi-plex of any kind, clusters within neighborhoods, streets, communities, etc., small group supported employment or other group-based employment or group-based day habilitation services.</p> <p><input checked="" type="checkbox"/> Newly constructed or newly licensed facility.</p> <p><input type="checkbox"/> Site is/was a facility converted to HCBS.</p> <p><input type="checkbox"/> Other:</p>

EXPLANATION

Home and Community-Based Services (HCBS), whether residential or nonresidential, must be provided in integrated, community-based settings that support members' full access 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 HCBS. HCBS services are required to be provided in such a way as to optimize individual initiative, autonomy, and independence in making life choices, including but not limited to daily activities, physical environment, and with whom to interact. If an individual requires a restriction or limitation in one or more of the areas listed below, due process of that restriction or limitation should be outlined in their person-centered plan. Policies and procedures related to restrictive interventions should be followed.

DESCRIPTION OF SETTING

Pride Group opened two newly constructed Department of Inspections and Appeals (DIA) Residential Care Facilities (RCF) licensed for 10-beds each. Units are located within the easterly boundary of the city limits of Le Mars, Iowa. There are minimal residential locations adjacent to the location with one DIA licensed Assisted Living Facility to the North and some single-family dwellings to the South. The Le Mars community has a land area of 8.5 square miles with 10,500 residents. Due to the relatively small size of the community most resources are in close proximity to any residential location. Le Mars has numerous recreational and shopping resources with 18 faith and worship locations. The Siouxland Regional Transit System (SRTS) is the only public transportation option and serves the community from 5:00 AM-7:00 PM, Monday-Saturday.

The two newly constructed RCFs are immediately adjacent to each other. The facilities are identical in design. Each facility has a capacity of 10 individuals in private bedrooms with semi-private bathrooms, with 2 members per bathroom. Each facility has two separate kitchen areas, common bathrooms, common lounges, and common eating areas. Facilities also have offices where Interdisciplinary Team Meetings can be conducted, staff office/medication rooms, laundry rooms, and locked janitor's closets. However, at the time of the tour, agency administrators were considering removing agency-owned chemicals from the laundry area so these areas would not require a locked entrance. All areas of the facilities were constructed pursuant to ADA standards however, none of the individuals currently residing there require any special modifications to ensure accessibility. The facades and certain components of the residences are industrial in nature. Large commercial doors are utilized by all individuals entering the building. There are other exit doors throughout the facilities which serve as fire escapes but can also be used by members wishing to exit the building. Furniture in the common areas was chosen for its durability and ability to be sanitized. Residences are clad with steel siding and roofs contributing to the industrial atmosphere. There is a large concrete parking lot separating the residences with numerous parking spaces. The agency has installed several cameras outside the facilities and in the common areas, including the residential hallways.

SETTING ASSESSMENT SUMMARY

<p>Did the organization attest to being compliant with HCBS settings requirements in the same or similar settings on their most recent Provider Quality Self-Assessment?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No: EXPLAIN</p>
<p>Does the organization operate other HCBS sites that have been determined through their most recent Quality Oversight Review to be compliant with HCBS settings requirements?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No: The agency underwent a Certification review in September, 2022 in which two of two RCF locations were toured and found to be out of compliance with CFR and IAC settings standards. The agency was able to demonstrate compliance with the standards in both facilities on May 23, 2023.</p>

These HCBS settings are presumptively institutional, newly constructed licensed facilities. The Pride Group built the two facilities with the intention of moving members from another, older and larger facility. The members moved in when the facilities opened and are receiving other funding for a period of time to allow for sufficient evidence of compliance.

Initially, The QIO HCBS Unit provided technical assistance to The Pride Group to ensure full understanding of the HCBS Settings standards and to offer guidance on any setting-specific concerns. The HCBS Specialist toured the locations before and after opening, spoke with agency leadership and individuals residing in the location, reviewed policies and procedures, and other evidence as necessary to determine whether the settings could overcome the institutional presumption.

Specifically, policies and procedures were evaluated to ensure they aligned with HCBS settings standards and to ensure the agency is following them in the setting. Staffing was evaluated to ensure they understand and effectively implement HCBS settings requirements. The physical location and characteristics of the setting were evaluated as well as the members' experience receiving non-HCBS funded services in the setting.

Also noted, the agency had a concurrent Certification Review that started in September 2022. During the onsite portion of the Certification Review, the newly constructed RCF were discovered, precipitating the need for assessment of those settings. Also related to the concurrent Certification Review, the agency was required to take corrective action related to HCBS settings standards which were simultaneously implemented to remediate any areas of concern with the settings assessment. A follow-up, compliance review was completed in May 2023, where it was determined that remediation was successful.

The Pride Group already operates several other HCBS settings that are not presumptively institutional in nature and has policies and procedures that effectively support HCBS settings requirements. In practice, it was found that they implemented policies and procedures differently in their existing HCBS RCF and planned to operate much the same in the newly constructed RCF. As part of their corrective actions with the concurrent Certification Review, the agency eliminated any differences in policy and practice between other HCBS settings and HCBS RCF settings. The issues and remediation efforts are described in more detail throughout this summary.

The majority of employees providing services in the new locations transitioned from the previous RCF location. For that reason and related to the simultaneous Certification Review, the organization developed a HCBS settings-specific training for all employees to ensure employees coming from the various environments understood and put into practice HCBS program standards. Employees also train on several other relevant topics such as member rights, restrictive interventions, rights restrictions and limitations, and confidentiality. This was evidenced through training documentation reviewed as part of the Certification Review and the settings assessment process. Also, when touring the locations after the provider began serving people in the setting, members expressed that they were accessing the community as desired, making choices, and having an altogether different experience in the new settings than in the previous setting.

During the initial tours and conversations with the agency, it was noted that remediation of the agency's initial implementation plan was necessary to comply with the HCBS settings standards and to overcome the institutional qualities of the settings. Specifically, it was found that some modifications, limitations, or restrictions to the HCBS settings requirements or other member rights were not supported by an individual member's assessed need and were not properly justified in the member's person-centered plan. HCBS settings rules require the protection of the member's essential rights to privacy and members living in provider owned or controlled residential settings must be afforded

privacy in their sleeping and living areas. Both RCFs had cameras in common areas as a general standard of the agency. HCBS settings rule require that individual initiative, autonomy, and independence in making major life choices, including but not limited to, daily activities, physical environment, and with whom to interact must be optimized and not regimented. Members living in provider owned or controlled residential settings should have the freedom and support to control their own schedules and activities and access to visitors of their choosing at any time. However, the Le Mars community only has one public transportation option with limited hours of operation. The Pride Group did not offer adaptations or other options. None of the members had their own cars or bicycles but some did have family and friends that would transport them as they were able. Members have the right to control their personal resources. Members did not control their personal resources because the agency, as Representative Payee for some of the members, historically managed the funds through a communal, resident trust account rather than on an individual basis.

These limitations were implemented agency-wide rather than being tied to an individual member's assessed need. Some of the limitations were addressed through an agency-created consent form rather than justifying the limitation in the member's person-centered plan. The agency was required to remediate these issues.

The agency consulted each member's Interdisciplinary Team (IDT) regarding the cameras. There are several members served in the location that do have an assessed need for limited privacy when around other people or certain other people. For those members, the limitation of cameras is directly tied to their assessed need and is now justified in their person-centered plans. Other members consent to the presence of the cameras in common areas where they may interact with the members who pose a safety risk to meet their own need for safety and this is now justified in their person-centered plans. All members have privacy in their sleeping units and bathrooms. Access to the camera footage is limited to site directors.

Recognizing the need to facilitate full access to the community, especially because public transportation options are severely limited, The Pride Group began offering transportation to access community resources in Le Mars and surrounding communities on a schedule and as desired by the individual member. Observations onsite and conversations with members demonstrated that members traverse the community as desired on their own insofar as there are no restrictions preventing the individual.

Regarding limiting member's access to their own money, the agency privatized all member accounts and money handling so individual members can be informed and access information about their own money. The restriction for the member to have a Representative Payee to manage their money is tied to individual assessed needs and is now justified in the member's person-centered plans.

As a result of the concurrent Certification review the organization updated their service provision agreement to identify the setting is integrated in and facilitates the individuals' full access to the community, including opportunities to seek employment, and work in a competitive integrated setting, engage in community life, control personal resources, and receive services in the community, like individuals without disabilities. The service provision agreement clarifies that members will have bedroom doors that lock, freedom and support to control their own schedules and activities and access to food at all times. The onsite tours of the new RCF and discussions with residents confirmed that bedroom and bathroom doors were lockable, and individuals were aware of their rights of privacy within those areas. Members present during the tour enthusiastically provided access to their rooms which were decorated based on personal preference. Members were observed as having unrestricted access to food during the tour and were seen eating at unscheduled times and not from

an established menu. A variety of methods were utilized to determine which individuals would reside in the new locations including assessments and member choice. Agency administrators reported there is flexibility provided as there have been some adjustments to roommates made since individuals moved into the new facilities based on individual relationships and choices. There are no specific visiting hours and individuals are only restricted from specific visitors if outlined in their person-centered plan. Individuals are involved in a variety of activities during the day such as other support services like Day Habilitation or Supported Employment as well as non-funded personal interest groups and independent community jobs. Some individuals have relationships with family members and friends with whom they interact both in and outside of the setting. The agency does not utilize any physical or chemical restraints and employees receive training on de-escalation techniques. Through the setting assessment process and concurrent Certification Review, it was found that aside from the industrial appearance of the two settings, the settings effectively overcome the institutional presumption and have the qualities of home and community-based settings. Through the processes, the organization now demonstrates substantial understanding of the standards and has implemented them in a way that overcomes the inherent institutional characteristics of the service setting. The Pride Group leadership has demonstrated a commitment towards providing services in integrated settings with methods to alleviate the inherent barriers of providing services in a large RCF environment.

COMPLIANCE DECISION

Name and title of person who completed this package of evidence summary:	Julene Shelton-Beedle
<p>Compliance Status and Recommendations</p> <p><input checked="" type="checkbox"/> Evidence supports that the setting is compliant with HCBS settings requirements. Organization is required to maintain ongoing compliance with all HCBS requirements.</p> <p><input type="checkbox"/> Evidence supports that the setting is NOT compliant with HCBS settings requirements.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Setting could/did meet requirements for HCBS Settings with remediation.</p> <p style="margin-left: 40px;"><input type="checkbox"/> Date remediation plan (CAP) accepted: NA</p> <p style="margin-left: 40px;"><input type="checkbox"/> Date remediation (CAP and compliance) achieved: 5/23/2023</p> <p style="margin-left: 20px;"><input type="checkbox"/> Setting is unable or unwilling to meet requirements by compliance deadline.</p> <p><input type="checkbox"/> Other:</p> <p>Next Steps</p> <p><input checked="" type="checkbox"/> Post for public feedback (<i>HCBS Specialist to complete a package of evidence summary.</i>)</p> <p><input checked="" type="checkbox"/> Refer to CMS further heightened scrutiny review.</p>	