

## **Oklahoma Transition Plan for HCBS Setting Compliance for the In-Home Supports for Adults (343)**

### **Purpose:**

The purpose of this Transition Plan is to ensure the individuals receiving Home and Community-Based Services (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 assurance that the individuals receiving HCBS have the same degree of access as individuals not receiving Medicaid HCBS. This Transition Plan outlines the proposed process that Oklahoma will be utilizing to ensure implementation of the new HCBS requirements. Stakeholders are being asked to provide public input and comment in order to allow Oklahoma to develop a comprehensive assessment plan.

The transition plan will include:

- A 30-day public comment period of the draft transition plan;
- A response summary of public comments received;
- A plan to review applicable state standards, rules, regulations and policies;
- A plan for assessing HCBS settings;
- A time frame for a summary of how each setting meets or does not meet the federal HCBS setting requirements;
- A plan for ensuring the health and safety of members who reside in locations that need to meet corrective action requirements for the setting to come into compliance during the states specified transition time.

### **Oklahoma's Assessment Plan for HCBS Requirements**

#### **Phase 1-**

Start Date: July 2013

End Date: June 2014

Analysis Completion Date: March 2015

The Oklahoma Health Care Authority (OHCA) in collaboration with the Department of Human Services Developmental Disabilities Services (DDS) and Aging Division will work with various providers, members, family, guardians, and other stakeholders involved in the waiver programs to gather the information needed to evaluate Oklahoma's current compliance with the HCBS regulations. This process will be conducted utilizing currently available data, through surveys, site visits, interviews and stakeholders.

Oklahoma has chosen to utilize the National Core Indicators (NCI) data to begin the process by which to evaluate compliance. The core indicators are standard measures used across the states to assess the outcomes of services provided to individuals and families. Indicators address key areas of concern including employment, rights, service planning, community inclusion, choice and health and safety. This information will be used as a starting point to allow Oklahoma and its stakeholders to highlight the areas of concern. As available, the NCI data will be analyzed by the type of residence in order to identify

noncompliance within HCBS settings. The data obtained from the NCI was derived from a random sample from members across Oklahoma. *The States most recent NCI data was administered July 1, 2013-June 30, 2014. National Core Indicator data outcomes will be available in January 2015.* The State will compile and analyze the data by March 2015.

#### **Phase 2-**

Start Date: March 2015

End Date: June 2015

Analysis Date: July 2015

Information obtained from the analysis of the NCI data will delineate the areas that Oklahoma may show noncompliance with HCBS requirements. Those areas of noncompliance will be targeted utilizing an Assessment Tool for Community Settings. Upon completion of the assessment tool, responses will be validated. The assessment tool will be created for utilization across all HCBS settings where applicable. In addition, targeted provider surveys will be utilized to provide a more detailed account of compliance/noncompliance in terms of HCBS settings.

In conjunction with the assessment tool and provider surveys, an assessment of Oklahoma policies and procedures will be completed to identify compliance/noncompliance with the new federal HCBS rules. More specifically, a systematic review of:

- Provider Enrollment and Re-Approval Requirements
- Current trainings to integrate the new HCBS requirement

#### **Phase 3-**

Start Date: July 2015

End Date: October 2015

Information obtained from the analysis of the NCI data, the provider survey, and internal programmatic data will be utilized to identify areas of compliance and noncompliance. The data and the identified areas of noncompliance will be used to gather further qualitative feedback from providers, members, and their families. Input will be gathered through a variety of means that include but are not limited to:

- Member focused groups/and or surveys
- Focus groups with service provider and DHS and/or OHCA staff
- Advocacy groups

#### **Phase 4-**

Start Date: March 2015

End Date: September 2015

OHCA will develop an inventory and description of HCBS settings types and summarize how each setting meets or does not meet the federal HCBS requirements. Review and analysis will be conducted from the following sources:

- NCI Data
- Provider Surveys
- Family/ Participant interviews, site visits, etc.
- Stakeholder input
- Internal programmatic data

**Phase 5-**

Start Date: July 2015

End Date: December 2015

OHCA in collaboration with Department of Human Services will:

- Compile a summary of areas of compliance and noncompliance
- Provide periodic monitoring of HCBS settings (on-going)
- Complete additional review, if warranted
- Develop corrective action strategy and a formal transition plan to ensure Oklahoma meets the new HCBS requirements
- Identify current policies, trainings, and procedures that need to be modified to meet the HCBS standards

Below is a summary of the assessment plan activities that Oklahoma will utilize to develop a comprehensive transition plan upon approval of CMS:

HCBS Rule	Assessment Activity	Start Date	End Date
REQUIREMENT: Is integrated in and supports access to the greater community	Analyze data from responses gathered in the National Core Indicators and the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question areas: <ul style="list-style-type: none"> <li>• Individual interacts with neighbors</li> <li>• Extent to which people do certain activities in the community</li> <li>• Individual has a paid job in the community</li> </ul>	1/2015	3/2015
REQUIREMENT: Control personal resources	Analyze data from responses gathered in the National Core Indicators and Performance Survey in the following question areas: <ul style="list-style-type: none"> <li>• Individual can decide how to spend his/her own money</li> <li>• Individual can access personal funds</li> </ul>	1/2015	3/2015

REQUIREMENT: Allows full access to the greater community/ Engaged in community life	Analyze data from responses gathered in the National Core Indicators and the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question areas: <ul style="list-style-type: none"> <li>• Individuals have a variety of recreation/leisure opportunities</li> <li>• Individual interacts with neighbors</li> </ul>	1/2015	3/2015
REQUIREMENT: Setting is chosen among setting options including non-disability specific settings and options for a private unit in a residential settings.	Analyze data from responses gathered in the National Core Indicators in the following question areas: <ul style="list-style-type: none"> <li>• Setting was selected by the individual</li> <li>• Choose or had input in where they go during the day</li> <li>• Choose Free Time</li> </ul>	1/2015	3/2015
REQUIREMENT: Ensures right to privacy, dignity and respect and freedom from coercion and restraint	Analyze data from responses gathered in the National Core Indicators and the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question areas: <ul style="list-style-type: none"> <li>• Staff interacts positively and with respect towards everyone</li> <li>• Individual has privacy; mail/email is not read without permission, etc.</li> </ul>	1/2015	3/2015
REQUIREMENT: Setting is physically accessible to the individual	Analyze data from responses gathered in the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question area: <ul style="list-style-type: none"> <li>• Home has adaptations and is accessible</li> </ul>	1/2015	3/2015
REQUIREMENT: Privacy in their unit including entrances lockable by the individual	Analyze data from responses gathered in the National Core Indicators in the following question areas: <ul style="list-style-type: none"> <li>• If others announce themselves before entering home</li> <li>• If others announce themselves before entering bedroom</li> <li>• If individual has enough privacy</li> </ul>	1/2015	3/2015
REQUIREMENT: Access to food at any time	Analyze data from responses gathered in the provider surveys and community assessment tool in the following question areas: <ul style="list-style-type: none"> <li>• Individuals have a meal at the time and place of his/her choosing</li> </ul>	8/2014	7/2015
REQUIREMENT: Visitors at any time	Analyze data from responses gathered in the National Core Indicators and the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question	1/2015	3/2015

	<p>areas:</p> <ul style="list-style-type: none"> <li>• Individuals have control over their own lives</li> <li>• Whether individual can be alone with visitors or if there are some rules/restrictions</li> <li>• Relationships are encouraged and supported</li> </ul>		
<p>REQUIREMENT: Individuals sharing units have a choice of roommates in that setting</p>	<p>Analyze data from responses gathered in the National Core Indicators in the following question areas:</p> <ul style="list-style-type: none"> <li>• Choose or had some input in choosing their roommates</li> <li>• If individuals choose to live alone, or choose people they live with</li> </ul>	1/2015	3/2015
<p>REQUIREMENT: Freedom to furnish and decorate the individuals unit</p>	<p>Analyze data from responses gathered in the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question area:</p> <ul style="list-style-type: none"> <li>• The house reflects the personalities of the individual</li> </ul>	1/2015	3/2015
<p>REQUIREMENT: Optimizes autonomy and independence in making life choices</p>	<p>Analyze data from responses gathered in the National Core Indicators and the Oklahoma Advocates Involved in Monitoring (OK AIM) survey in the following question areas:</p> <ul style="list-style-type: none"> <li>• Individuals feel empowered by the decisions they make</li> <li>• Individuals make as many daily choices as they can</li> <li>• Individuals have control over their lives</li> <li>• Individuals are included in running the household</li> </ul>	1/2015	3/2015
<p>REQUIREMENT: Facilitates individual choice of services and supports and who provides them</p>	<p>Analyze data from responses gathered in the National Core Indicators and Area Survey in the following question areas:</p> <ul style="list-style-type: none"> <li>• Individuals are given a choice among qualified providers and the choice has been documented properly</li> <li>• Individual chose their home, job, day program or activity staff</li> <li>• Individual receives services they need</li> <li>• Individual assisted in the development of the service plan</li> </ul>	1/2015	3/2015
<p>REQUIREMENT: A lease of legally enforceable agreement to protect from eviction</p>	<p>Analyze data from responses gathered in the Performance Surveys in the following question areas:</p> <ul style="list-style-type: none"> <li>• Individuals or their informal/natural supporters hold a lease or written residency agreement for the setting</li> <li>• Written agreement includes language that provides protection against protection and allows appeals of eviction notices</li> </ul>	7/2015	6/2016
<p>REQUIREMENT: Ensures the individual</p>	<p>Analyze data from responses gathered in the Performance Survey in the following question areas:</p>	7/2015	7/2016

receives services in the community with the same degree of access as individuals not receiving Medicaid HCBS	<ul style="list-style-type: none"> <li>• Individual lives in or receives HCBS services in an area of the setting which is not separate from individuals not receiving Medicaid services</li> </ul> <p><i>New measure to be captured in July 2015</i></p>		