MDHHS

Michigan Department of Health & Human Services

PROVIDER POLICY & PROCEDURE GUIDANCE

BEHAVIORAL HEALTH & DEVELOPMENTAL DISABILITIES ADMINISTRATION

HOME AND COMMUNITY-BASED SERVICE (HCBS) SETTINGS

August 2020

PROCEDURE GUIDANCE FOR HCBS SETTINGS

The goal of this guidance document is to share additional information that may assist providers in understanding the compliance standards set by MDHHS and CMS as we get back under way in conducting remote HS reviews. Providers may want to consider whether the evidence they are prepared to submit includes policies and procedures that govern the workplace.

Policy & Procedure Guidance for ISPA (Former B/B3) SERVICES SETTINGS

MSS&S-ISPA General Questions - *ALL SERVICES*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#7 Are the individual's services (Skill Building, Supported Employment or Community Living Supports) delivered in a setting that is separate from a hospital, nursing home, intermediate care facility or institute for mental health treatment?	Evidence seeks to show that despite being on the same grounds of, or adjacent to, a facility the residence functions independently from the facility; and the setting does not isolate individuals from the larger community. - Policies that require HCBS specific training i.e. freedom to come and go, community inclusion etc. - Policies related to separate financial reporting - Policies related to separate board governance - Policies/procedures that show efforts to ensure waiver participants are encouraged and supported to interact with their larger community to the extent desired by the individual - Policies & procedures that focus on community inclusion and/or integration
Q#8 Are the individual's services (Skill Building, Supported Employment or Community Living Supports) delivered in a setting that is separate from a residential school or child-caring institution?	Evidence seeks to show that despite being on the same grounds of, or adjacent to, a facility the residence functions independently from the facility; and the setting does not isolate individuals from the larger community. - Policies that require HCBS specific training i.e. freedom to come and go, community inclusion etc. - Policies related to separate financial reporting - Policies related to separate board governance - Policies/procedures that show efforts to ensure waiver participants are encouraged and supported to interact with their larger community to the extent desired by the individual - Policies & procedures that focus on community inclusion and/or integration

MSS&S-ISPA Service Specific Questions - *COMMUNITY LIVING SERVICES*

QUESTION NUMBER	EVIDENCE PURPOSE
CLS Q#42 Does the individual live and/or receive CLS where there is regular (more than once per week) opportunity for contact with people not receiving services?	• Policies and procedures that support community inclusion. • Policies and procedures support activities in the greater community according to the individual's preferences and interests.
CLS Q#47 Is the individual's home the only home within their neighborhood that offers services to people with disabilities?	• Policies that identify how the setting encourages and supports an individual's access to the community to the extent the individual desires. For example, this may include reviewing calendars and community activities with the individual to identify and activities they wish to engage in. • Policies and procedures that support community inclusion.
CLS Q#55 Can the individual move inside and outside of the setting when they want (with or without support)?	• Policies that support freedom of access to all public areas of the home inside and outside. • Policies that ensure no barriers are in place to restrict movement in public areas of the home such as the kitchen, living room, or areas where people eat, etc. • Policies that ensure freedom of movement as desired by individuals.

FOR ADDITIONAL INFORMATION PLEASE VISIT OUR WEBSITE AT MICHIGAN.GOV/MDHHS/HCBS

MSS&S-ISPA Service Specific Questions - *COMMUNITY LIVING SERVICES*

QUESTION NUMBER	EVIDENCE PURPOSE
CLS Q#56 Can individuals choose to come and go as they please (with or without support)?	• Policies that support individuals' access to the greater community to the extent desired by the person. • Policies that support and encourage exploration of various means of transportation. • Policies that include the provision of transportation to activities of interest to the individual.
CLS Q#58 Is accessible transportation available to the individual to make trips within their larger community?	• Policies that include the provision of transportation to activities of interest to the individual. • Policies that require setting staff to support and encourage each individual's desire to utilize available public transportation such as Uber, Lyft, bus, taxi etc. to the extent desired by the individual and available and accessible to the greater community.
CLS Q#95 Does the individual receive all or most of their services and supports outside the home?	• Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible. • Policies that ensure accessible transportation is not a barrier to community access.
CLS Q#104 Where is this service provided?	• Policies and procedures that support community inclusion. • Policies and procedures support activities in the greater community according to the individual's preferences and interests. • Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible.

MSS&S-ISPA Service Specific Questions - *SKILL BUILDING*

QUESTION NUMBER	EVIDENCE PURPOSE
SB **Q#6** Did the individual receive Skill Building services and support where there is regular (more than once per week) opportunity for contact with people not receiving services (for example, visitors who are friends, family members, others from the larger neighborhood or community)?	• Policies that show participants can choose to combine more than one setting or type of service in any given day/week. • Policies that show the setting ensures individuals chose the setting from among others, including opportunities to participate in community based, versus facility/setting-based, work, activities, services and supports. • Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible.
SB **Q#9** Where is this service provided?	• Policies and procedures that support community inclusion. • Policies and procedures support activities in the greater community according to the individual's preferences and interests. • Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible.
SB **Q#17** Is accessible transportation available for individuals to make trips within their larger community?	• Policies that reflect the providers ability to provide transportation or to assist individuals in accessing public transportation as desired. • Policies that clarify an individual is not required to attend or remain at a setting due to transportation availability

MSS&S-ISPA Service Specific Questions - *SUPPORTED EMPLOYMENT*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
SE **Q#25** Did the individual receive employment support and services where there is regular (more than once per week) opportunity for contact with people not receiving services (for example, visitors who are friends, family members, others from the larger neighborhood or community)?	• Policies that show the setting provides opportunities for individuals to participate in community based, versus facility/setting-based, work, activities, services and supports. • Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible.
SE **Q#35** Does the individual have access to transportation to work?	• Policies that reflect the provider's ability to provide transportation or to assist individuals in accessing public transportation as desired. • Policies that clarify an individual is not required to attend or remain at a setting due to transportation availability. • Policies that include the provision of transportation to activities of interest to the individual. • Policies that require setting staff to support and encourage individuals desire to utilize available public transportation such as Uber, Lyft, bus, taxi etc. to the extent desired by the individual.
SE **Q#88** Where is this service provided?	• Policies and procedures that support community inclusion. • Policies and procedures support activities in the greater community according to the individual's preferences and interests • Policies that identify how the setting encourages and supports an individual's freedom to choose from whom and where they will receive their services and supports to the extent possible.

HSW - *RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#9 Is the residence separate from or outside of the building or off the ground of a hospital, nursing, ICF/IID, or IMD?	Evidence seeks to show that despite being on the same grounds of, or adjacent to, a facility the residence functions independently from the facility; and the setting does not isolate individuals from the larger community. • Policies that require HCBS specific training i.e. freedom to come and go, community inclusion etc. • Policies related to separate financial reporting • Policies related to separate board governance • Policies/procedures that show efforts to ensure waiver participants are encouraged and supported to interact with their larger community to the extent desired by the individual
Q#10 Is the residence located away from multiple home settings for people with disabilities?	Evidence seeks to show that despite a number of settings close to one another the setting encourages and supports access to the larger community. • Policies and procedures that encourage and support interaction with the broader community in settings and to the extent that individuals choose. • Transportation is available to assist individuals in accessing their communities.
Q#11 Can people with different types of disabilities and individuals without disabilities live in the home?	Evidence seeks to show that the setting is not isolating despite being disability specific and that policies and procedures encourage and support community interaction and inclusion. IPOS' will show choice. • Do policies & procedures PERMIT people without disabilities to live in the home? • Do policies & procedures PROHIBIT individuals without disabilities from living in the setting? • Are policies and procedures in place that require providers to encourage and support community-based activities? • Policy & procedures relative to who is served in the setting. • Policies & procedures that focus on community inclusion and/or integration.

HSW - *RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#12 Is the residence separate from or outside of the building or off the campus of an education program, school or child caring institution?	Evidence seeks to show that despite being on the same grounds of, or adjacent to, a facility the residence functions independently from the facility; and the setting does not isolate individuals from the larger community. • Policies that require HCBS specific training i.e. freedom to come and go, community inclusion etc. • Policies related to separate financial reporting • Policies related to separate board governance • Policies/procedures that show efforts to ensure waiver participants are encouraged and supported to interact with their larger community to the extent desired by the individual
Q#13 Do individuals live and/or receive services and supports in a setting where there is regular (more than once per week) opportunity for contact with people not receiving services?	Evidence Sources: Policies and procedures that support community inclusion. **Evidence seeks to show that individuals are supported and encouraged to interact with the community to the extent they desire.** • Policies and procedures support and encourage activities in the greater community according to the individual's preferences and interests. • Policies are in place to structure how the setting communicates choice to individuals living in the setting. • Staff training materials that speak of the need to support individuals' chosen activities. • Policies require that any restrictions on an individual's ability to choose an activity they wish is represented in the IPOS.

HSW - *RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#69 Can individuals choose to come and go from the home when they want?	Evidence Sources: Policy and procedures that support choice of coming and going. **Evidence seeks to show that the setting encourages individual's freedom of movement and supports this freedom as needed through assistance when needed.** • Policies and Procedures support and encourage activities in the greater community according to the individual's preferences and interests. • Policies are in place to structure how the setting communicate choice to individuals living in the setting. • Staff training materials that speak of the need to support individuals' chosen activities. • Policies require that any restrictions on an individual's ability to choose an activity they wish is represented in the IPOS.
Q#70 Can individuals move inside and outside the home when they want?	Evidence Sources: Keypad, key, or gate card to residence that residents have access to. Unlocked outside access doors. **Evidence seeks to show that the setting encourages and supports individual's freedom of movement and supports this freedom as needed through assistance.** • Policies require that any restrictions on an individual's ability to move inside and outside the home as they wish is represented in the IPOS. • Policies specifically require the ability of individuals to move freely inside and outside in public areas of the home without restriction. • Policies that require freedom of movement within the public areas of the home. • Policies that prohibit the use of barriers to contain individuals or restrict their access to public areas of the home.

HSW - *RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#75 Is accessible transportation available for individuals to make trips to the community?	Evidence Sources: Public transportation schedules posted. Resident's Care Agreement identifies participant's access to transportation. Evidence seeks to show that the setting supports an individual's desire to access the greater community - either though setting transportation or through support, encouragement, and teaching on how to use public transportation with or without support as desired by the individual. • Policies are in place that require providers to ensure access to public transportation options and assist in learning to utilize transportation as needed. • Policies that require that participants do not have to rely primarily on transportation provided by the setting, to the exclusion of other options.
Q#163 Does the residence provide a "continuum of care" (i.e. are all services provided in-house?)	Evidence Sources: • Policies that support choice among residents as to where and from whom they will receive services and supports. • Provider's statement as to whether residents have the choice to go into the community to access services & supports. • Policies that require staff to encourage and support community involvement.

FOR ADDITIONAL INFORMATION PLEASE VISIT OUR WEBSITE AT MICHIGAN.GOV/MDHHS/HCBS

HSW - *NON-RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#7 Where is the service provided?	Evidence Sources - Policies that: • State that the setting provides opportunities for individuals to participate in community-based, versus facility/setting-based, work, activities, services and supports based upon individual choice. • Policies that acknowledge that individual choices regarding how they spend their time may change over time and regular check-ins will occur for this reason • Policies that any restrictions will be related to health or safety concerns and are documented in the IPOS per the requirements of the HCBS rule.
Q#8 Are the services for this nonresidential provider located outside of the same building, off the grounds of, and disconnected from a hospital, nursing home, ICF/IID or IMD?	Evidence Sources: That despite being on the same grounds of, or adjacent to, an institution, the setting functions independently from the institution/facility and does not isolate individuals from their communities. • Policies and procedures that are separate from the institution and that support and encourage access to the community. • State the setting provides opportunities for individuals to participate in community-based, versus facility/setting-based, work, activities, services and supports based upon individual choice. • Policies that acknowledge individual choice regarding how they spend their time may change over time. • Policies that any restrictions will be related to health or safety concerns and are documented in the IPOS per the requirements of the HCBS rule. • Policies that require HCBS specific training i.e. freedom to come and go, community inclusion etc. • Policies related to separate financial reporting. • Policies related to separate board governance. • Policies/procedures that show efforts to ensure waiver participants are encouraged and supported to interact with their larger community to the extent desired by the individual.

HSW - *NON-RESIDENTIAL*	
QUESTION NUMBER	**EVIDENCE PURPOSE**
Q#16 When providing non-residential supports, do individuals interact with others who do not have disabilities?	• Participants can choose to combine more than one setting or type of service in any given day/week. • Policies & procedures related to choice of settings that are non-disability specific. • The setting does not regiment the participant's individual initiative, autonomy, and independence in making choices. • The setting provides opportunities for individuals to participate in community based, versus facility/setting-based, work, activities, services and supports.
Q#17 When providing non-residential supports, do individuals contact or connect with individuals from the community/public?	Evidence Sources: Policies & procedures related to contact or connection with individuals from the community/public. • The setting provides opportunities for individuals to participate in community based, versus facility/setting-based, work, activities, services and supports. • Policies that encourage interaction with the public (for example, as customers in a pre-vocational setting). • Policies that ensure the setting does not limit the participant to one restricted room or area within the setting or limit interaction solely to people with disabilities.