

Non-Residential Self-Assessment Questions - Full

PART 1

The following questions relate to whether your setting might have the effect of isolating individuals receiving HCBS.

Federal Standard: Settings that are located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS will be presumed to be a setting that has the qualities of an institution.

Question #A

Is the setting located separate from a building that is a publicly or privately operated facility that provides inpatient treatment (i.e. the setting is *not* located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment)?

Questions to help you think through whether or not you are compliant:

- Is the setting physically connected in any way to a facility providing inpatient treatment?
- Is the setting located in a separate building from any facility providing inpatient treatment?
- Does the setting's physical plant have utilities and other systems that are entirely separate from any facility providing inpatient treatment?

Question #B

Is the setting located substantially apart from a public institution (i.e. the setting is *not* on the grounds of, or immediately adjacent to a public institution)?

Questions to help you think through whether or not you are compliant:

- Is the setting sufficiently apart from a public institution such that it would not be considered on the campus of that institution?
- Is the setting information contained on the same sign as the public institution? (A "yes" answer suggests non-compliance).
- Is the setting connected to the public institution by walkways, paths, directions, or other signage? (A "yes" answer suggests non-compliance).
- Is the physical structure of the setting consistent with that of the public institution such that a reasonable person might conclude that there is a business or operational relationship between the two? (A "yes" answer suggests non-compliance).
- Could members of the public likely conclude a business or operational relationship between the two based on other observable characteristics? (A "yes" answer suggests non-compliance).

Question #C

Is the setting free of the effects of isolating individuals receiving Medicaid HCBS from those individuals in the broader community who do not receive Medicaid HCBS?

Questions to help you think through whether or not you are compliant:

- Do the individuals residing or receiving services in the setting have the opportunity for regular and frequent interaction with the broader community of persons not receiving Medicaid HCBS?

- b. Is the setting free of gates, signs, or other means that prevent or discourage individuals from going into the community or from others coming to the setting to visit?
- c. Is the setting free of rules, prohibitions, restrictions, that have the appearance or effect of secluding individuals residing or receiving services in the setting?
- d. Is the setting designed so that individuals receive all of their services at the setting? (A "yes" answer suggests non-compliance).
- e. Do individuals at the setting have the opportunity for regular interaction with others who are not employed by or in service to the setting or its affiliates?
- f. Are individuals residing or receiving services at the setting encouraged and supported to access community events, activities, and neighbors?
- g. Is the culture of the setting such that community engagement is encouraged, even if the setting is located in a rural environment?

PART 2

The following questions relate to how integrated your setting is in the greater community and how much support for community access and integration is provided to individuals.

Federal Standard A: The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS.

Question #1

Does your setting support full access to the community for individuals receiving HCBS, including opportunities to seek employment and work in competitive, integrated settings to the same degree as persons not receiving HCBS?

Questions to help you think through whether or not you are compliant:

- a. Are there assessment and planning processes in place to determine an individual's desire to participate in community events, access community resources, or seek employment?
- b. Is information about community events, resources, and services, including competitive, integrated employment opportunities in the community, available to individuals?
- c. Are qualified, knowledgeable staff members designated to provide information about community events, resources, and services, including competitive, integrated employment opportunities, to participants?
- d. Are there staff and resources available to assist with regular travel to and from the community?
- e. Are there staff available to provide help with making transportation arrangements for individuals?
- f. Are the opportunities for employment at settings that are also designed for persons who do not receive HCBS services?
- g. Are the employment setting opportunities used similarly by both those who do receive HCBS and those who do not, i.e. do both types of individuals have similar job duties?
- h. In the employment settings available, are individuals who do receive HCBS able to interact freely, if they desire, with those individuals who do not receive HCBS?
- i. Are there processes in place for continued monitoring of employment opportunities for the extent to which they are competitive and integrated?

Question #2

Do individuals regularly engage in community life according to their choice?

Questions to help you think through whether or not you are compliant:

- a. Are individuals regularly asked about their desire to go out into the community?
- b. Are there processes in place, along with staff assignments, to determine an individual's desire to go out into the community?
- c. Do individuals have the freedom to come and go into the community whenever they desire?
- d. Is the setting free of barriers to an individual's expressing a desire to attend, and his/her actual attendance at community events?
- e. Do individuals regularly receive or have access to relevant and timely information about community events and activities?
- f. Are individuals able to make, and safely carry out, independent decisions about attending community events and activities?

Question #3

Do individuals control their personal resources?

Questions to help you think through whether or not you are compliant:

- a. Do individuals have ready access to their cash, bank accounts, credit cards, paychecks, or other consumer resources?
- b. Are individuals free to make independent decisions about purchases or other use of their personal funds or resources?
- c. Do individuals receive support or assistance for managing personal resources, if they need it?
- d. Is there a process for easily requesting help with managing personal resources, if and when needed?
- e. Do staff receive regular training in the right of individuals to have control over their personal resources?

Question #4

Do members receive services in the community?

Questions to help you think through whether or not you are compliant:

- a. Are individuals regularly provided a choice about receiving services in the community?
- b. Do individuals regularly leave the setting to attend appointments of any type in the community (e.g. health services, therapy, personal grooming, lessons, or similar services)?
- c. Do individuals receive support or assistance, if needed, to arrange for receiving services in the community?
- d. Can individuals easily make transportation arrangements to receive services in the community and/or are they supported in making those arrangements?
- e. Do individuals receive training in accessing transportation resources in order to receive services in the community?
- f. Do staff receive regular training in how to encourage and support individuals in their right to receive services in the community?

PART 3

The following questions relate to each individual's choice of settings and services and their rights and autonomy.

Federal Standard B: 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.

Question #5

Is the setting selected by the individual from among options identified, including non-disability specific settings, and are those options documented in a person-centered service plan?

Questions to help you think through whether or not you are compliant:

- a. Is there an updated and comprehensive list of service setting options available to discuss with individuals?
- b. Are service setting options discussed with individuals at planning meetings?
- c. Do individual service plans contain updated and accurate information about various service setting options available for the individual and the choices made by him or her and why?
- d. Are there processes in place that allow individuals to change settings if they wish and is there support and assistance available to them in the process?
- e. Are there qualified, knowledgeable staff available to discuss service setting options with individuals?

Question #6

Are the setting options based on the individual's needs, preferences, and resources available for room and board?

Questions to help you think through whether or not you are compliant:

- a. Are the individual's needs and preferences for services settings assessed and documented regularly?
- b. Are setting choices based on the individual's actual needs and preferences?
- c. Are individuals asked whether they would like to visit other settings so they can see available options?
- d. Is there a qualified, knowledgeable staff member tasked with maintaining an up-to-date list of services setting information resources?
- e. [need input]

PART 4

The following questions relate to each individual's rights of privacy, dignity, respect, and freedom from coercion.

Federal Standard C: The setting ensures each individual's rights of privacy, dignity, and respect, and freedom from coercion and restraint.

Question #7

Does your setting ensure each individual's right of privacy?

Questions to help you think through whether or not you are compliant:

- a. Are all staff regularly trained in resident rights, including the rights to privacy and confidentiality?
- b. Do all staff knock, announce themselves, and wait to be invited into any space where there is an expectation of privacy (e.g. bathrooms, rest areas, private spaces), before actually entering?
- c. Is all personal information (e.g. name, age, life circumstances, photos) for every individual shielded from view by others unless there is written permission of the individual?
- d. Are there policies in place providing that personal information revealed to others, including setting staff, shall be on a "need to know" basis and only with the permission of the individual?
- e. Are individuals regularly reminded about their right to privacy and what that means in daily life?
- f. Do staff receive regular training about each individual's right to privacy?

Question #8**Does your setting ensure each individual's dignity?****Questions to help you think through whether or not you are compliant:**

- a. Do staff receive regular training in topics relating to individual dignity and self-determination?
- b. Are there policies in place that prohibit undignified treatment and a mechanism for reporting infractions and enforcing those policies?
- c. Are there grievance procedures in place that provide due process to any individual claiming undignified treatment?
- d. Are individuals supported in voicing any grievances of unfair, undignified, or interactions that are in any way problematic for the individual?
- e. Can individuals obtain immediate assistance from staff in the report of any grievance?
- f. Are there policies in place to guard against retaliation in the event an individual files a grievance?
- g. Are individuals regularly reminded about their right to dignity and self-determination and what that means in daily life?

Question #9**Does your setting ensure respectful treatment of every individual?****Questions to help you think through whether or not you are compliant:**

- a. Do staff receive regular training in topics relating to respectful treatment of every individual?
- b. Are there policies in place that prohibit disrespectful treatment and a mechanism for reporting infractions and enforcing those policies?
- c. Are there grievance procedures in place that provide due process to any individual claiming disrespectful treatment by any person, including staff, other individuals, or visitors?
- d. Are individuals supported in voicing any grievances of disrespectful interactions that are in any way problematic for the individual?
- e. Can individuals obtain immediate assistance from staff in the report of any grievance?
- f. Are there policies in place to guard against retaliation in the event an individual files a grievance?
- g. Are individuals regularly reminded about their right to respectful treatment at all times and what that means in daily life?

Question #10**Does your setting ensure each individual's freedom from coercion and restraint?****Questions to help you think through whether or not you are compliant:**

- a. Do staff receive regular training in topics relating to each individual's right to be free of coercion and restraints?
- b. Are there policies in place that prohibit restraints and coercive practices and a mechanism for reporting infractions and enforcing those policies?
- c. Are there grievance procedures in place that provide due process to any individual?
- d. Are individuals supported in voicing any grievances of disrespectful interactions that are in any way problematic for the individual?
- e. Can individuals obtain assistance from staff in the report of any grievance?
- f. Are there policies in place to guard against retaliation in the event an individual files a grievance?
- g. Are individuals regularly reminded about their right to respectful treatment and what that means in daily life?
- h. Is the setting free of seatbelts, lap buddies, gates, or other similar personal or environmental barriers?
- i. Are wheelchairs kept unlocked for those individuals who are not able to unlock them without assistance according to their preference?

- j. Are the staff trained in a resident's right to be free from coercion and physical, emotional, or chemical restraint?
- k. Are there enforcement mechanisms in place to insure compliance with the policy that staff do not physically, emotionally, chemically, or otherwise restrain any individual at any time?

PART 5

The following questions relate to each individual's autonomy and independence in making life choices about daily activities, physical environment and about with whom to interact.

Federal Standard D: The setting optimizes, but does not regiment, each individual's initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.

Question #11

Are there regular opportunities for individuals to express and carry out their wishes for daily life, including daily activities, physical environment, and with whom to interact?

Questions to help you think through whether or not you are compliant:

- a. Are there routine conversations during the day between individuals and staff about how the individuals wish to spend each day?
- b. Are individuals free to spend their days as they wish, without direction or coercion from others?
- c. Are individuals supported and encouraged to make independent decisions about their daily lives, including daily activities, their physical environment, and with whom to interact?
- d. Can individuals freely object to or decline to participate in any activity or outing, including meals or other activities of daily living?
- e. Are individuals given a meaningful choice about whether to participate in any activity or outing, including meals or other activities of daily living?
- f. Is the setting free of policies requiring individuals to ask permission to engage in any particular activities or interact with others?
- g. Are individuals free to visit with guests, according to their preferences?
- h. Are there private spaces for individuals to interact with others in a private manner?

Question #12

Are individuals free to move about the setting and change their physical location at any time, both within or outside of the setting?

Questions to help you think through whether or not you are compliant:

- a. Are individuals permitted unrestricted, safe access to all common areas of the setting?
- b. Are individuals permitted unrestricted, safe access to the outdoors?
- c. Are individuals supported and encouraged to freely move about the setting according to their preferences?
- d. If an individual needs assistance accessing the outdoors or other parts of the community, are staff available to assist them without undue delay?
- e. Are there safe outdoor spaces for individuals to spend time as they wish?
- f. Are wheelchair brakes left in an "off" position so that individuals freely can move about the setting according to their preference?

- g. Are there routine conversations during the day between individuals and staff about where the individuals wish to be physically located at any given moment?
- h. Are all setting common spaces accessible to all individuals and free of environmental barriers (e.g. locks, gates, door codes)?

PART 6

The following questions relate to whether the setting facilitates individual choice about services and supports and who provides them.

Federal Standard E: The setting facilitates individual choice regarding services and supports, and who provides them.

Question #13

Is each individual provided with a choice of which services and supports s/he may have, as well as a choice of which person or agency will provide those services and supports?

Questions to help you think through whether you are compliant:

- a. Are individuals offered choices about the types of services and supports available to them in order to meet their needs and preferences for daily life?
- b. Are planning staff sufficiently informed about each individual's needs and preferences so that an inventory of services and supports can be created and offered to the individual?
- c. Are formal planning processes in place that provide regular opportunities for individuals to make meaningful choices about services and supports to assist them in daily life?
- d. Are individuals offered choices about the various providers, both individuals and agencies, who are available to provide the needed or desired services and supports?
- e. Are these choices made available even when the setting staff is also available to provide some or all of those services and supports?
- f. Are individuals supported and encouraged to consider all service and support options as well as all service and support provider options?

Questions to consider including:

Does the provider [periodically] measure the number of individuals served who obtain and/or sustain individualized, competitive, integrated employment?

Does the provider [periodically] set benchmark goals for increasing the number of individuals served who obtain/sustain individualized, competitive, integrated employment?