

Community Pathways – Revised Draft Proposal

Service Type: Statutory Service

Service (Name): Residential Habilitation

Alternative Service Title: **COMMUNITY LIVING - ENHANCED SUPPORTSERVISION**

HCBS Taxonomy:

Check as applicable

Service is included in approved waiver. There is no change in service specifications.

Service is included in approved waiver. The service specifications have been modified.

Service is not included in the approved waiver.

Service Definition:

A. ~~Community Living-Enhanced Support services~~ ~~provide the participant, who exhibits challenging behaviors or have court ordered restrictions, with development and maintenance of skills related to activities of daily living, instrumental activities of daily living, socialization, and safety of self and others, by providing additional observation and direction in a community residential settings~~ ~~services assist individuals who require court ordered enhanced supervision and have challenging behaviors to ensure their safety and the safety of others in acquiring the skills necessary to maximize their independence in activities of daily living and to fully participate in community life.~~

1. ~~Skills to be developed or maintained under this service will be determined based on the participant's individualized goals and outcomes as documented in his or her Person-Centered Plan.~~
2. ~~Formal teaching methods are used such as systematic instruction.~~
3. ~~This service provides additional observation and direction to address the participant's documented challenging behaviors or court order.~~
4. ~~This service will provide the participant with opportunities to develop skills related to activities of daily living, instrumental activities of daily living, socialization, and safety of self and others, including, but not limited to:~~
 - i. ~~Learning socially acceptable behavior;~~
 - ii. ~~Learning effective communication;~~
 - iii. ~~Learning self-direction and problem solving;~~
 - iv. ~~Engaging in safety practices;~~
 - v. ~~Performing household chores in a safe and effective manner;~~
 - vi. ~~Performing self-care; and~~
 - vii. ~~Learning skills for employment.~~

B. ~~Community Living-Enhanced Support services~~ include coordination, training, mentoring, supports, ~~and or~~ supervision (as indicated in the ~~P~~erson ~~C~~entered ~~P~~lan) related to ~~development or maintenance of the participant's skills, particularly pertaining to remediating the participant's challenging behaviors.~~

- ~~1. Self-advocacy;~~
- ~~2. Adaptive skills;~~
- ~~3. Community engagement;~~
- ~~4. Daily living;~~
- ~~5. Health-related matters;~~
- ~~6. Personal Care;~~
- ~~7. Protection and Oversight;~~
- ~~8. Social and Leisure Skills; and
Transportation and travel training.~~

C. Transportation to and from and within this service is included within the services.

Transportation will be provided or arranged by the licensed provider and funded through the rate system. The licensee shall use the mode of transportation which achieves the least costly, and most appropriate, means of transportation for the individual with priority given to the use of public transportation when appropriate.

B.D. Services are provided in a provider owned or operated group home setting, ~~and shall:~~

- ~~1. Increase individual independence and reduce the level of service need;~~
- ~~2. Be integrate in and support full access to the greater community including but not limited to:
 - ~~a) Coordination between life skills and employment services;~~
 - ~~b) Opportunities to control personal resources;~~
 - ~~c) Opportunities to develop relationships; and~~
 - ~~d) Opportunities to participate in communities of the individual's choice;~~~~
- ~~3. Ensure that the individual's rights of privacy, dignity and respect, and freedom from coercion and restraint;~~
- ~~4. Optimize individual initiative, autonomy, and independence in making life choices including but not limited to daily activities and decorating bedroom;~~
- ~~5. Facilitate individual choice regarding services and supports and who provides them;~~
- ~~6. Support the health and safety of the individual; and~~
- ~~7. Support individual's rights as tenants.~~

SERVICE REQUIREMENTS:

A. Individual Participants must be preauthorized by the DDA based on documented level of supports needed.

B. The provider must ensure that the home and community-based setting in which the services are provided comply with all applicable federal, State, and local law and regulation, including, but not limited to, 42 C.F.R. § 441.301(c)(4), as amended

~~B. Services are provided in a provider owned group home setting that shall:~~

- ~~1. Be integrated in and support full access to the community; and~~
- ~~2. Be selected by the individual from among setting options.~~

~~C. Services must~~

- ~~1. Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint;~~
- ~~2. Optimize autonomy and independence in making life choices; and~~

- ~~3. Facilitate choice regarding services and who provides them.~~
- ~~D. Services must ensure that the following requirements are met or that any modification to these requirements are supported by a specific assessed need and justified in the person-centered plan:~~
- ~~1. The individual has privacy in their unit including lockable doors, choice of roommates and freedom to furnish or decorate the unit;~~
 - ~~2. The individual controls his/her own schedule including access to food at any time;~~
 - ~~3. The individual can have visitors at any time; and~~
 - ~~4. The setting is physically assessable.~~
- ~~E.C. Each resident participant receiving this service must have his or her their own bedroom.~~
- ~~F. Community Living-Enhanced Supervision services will be provided in agency owned or leased home. The agency must provide the individual a legally enforceable lease or service agreement approved by DDA that offers the same tenancy rights that they would have in any housing program.~~
- D. Community Living - Enhanced Support trial experience for people transitioning from an institutional or non-residential site on a temporary, trial basis.
1. Service must be preauthorized by the DDA.
 2. Services may be provided for a maximum of seven (7) days or overnight stays within the 180 day period in advance of their move.
 3. When services are furnished to individuals returning to the community from a Medicaid institutional setting through entrance to the waiver, the costs of such services are considered to be incurred and billable when the individual leaves the institutional setting and enters the waiver.
 4. The individual must be reasonably expected to be eligible for and to enroll in the waiver. If for any unseen reason, the individual does not enroll in the waiver (e.g., due to death or a significant change in condition); services may be billed to Medicaid as an administrative cost.
- ~~G. Community Living—Enhanced Supports trial experience for people transitioning from an institutional or non-residential site must be preauthorized by the DDA and may be provided for a maximum of seven (7) days and/or overnight stays within the 180 day period in advance of their move. When services are furnished to individuals returning to the community from a Medicaid institutional setting through entrance to the waiver, the costs of such services are considered to be incurred and billable when the individual leaves the institutional setting and enters the waiver. The individual must be reasonably expected to be eligible for and to enroll in the waiver. If for any unseen reason, the individual does not enroll in the waiver (e.g., due to death or a significant change in condition); services may be billed to Medicaid as an administrative cost.~~
- ~~Individuals must be preauthorized by the DDA based on documented level of supports needed.~~
- ~~I.E. The Medicaid payment for Community Living-Enhanced supervision Supports may not include either of the following items which the provider is expected to collect from the individual participant:~~
- ~~1. Room and board; or~~
 - ~~2. Any assessed amount of contribution by the individual participant for the cost of care~~

~~J. Staffing, home locations, set up, structure is based on individual needs and may include fenced backyards with gates; shatterproof windows, doors, and mirrors; home security system; and cameras or electronic monitoring systems. Any strategy that restricts the individual's right must be documented in the person centered plan as per federal requirements.~~

~~K. Inherent in the nature of this service is the need for enhanced supervision. Unless assessed need indicates reduced staffing need, expectations for minimum staffing include:~~

~~1. Three (3) staff during evening shift~~

~~Two (2) staff overnight unless an individual has the need for additional staff~~

~~L.F. Services may be provided to no more than four (4) individuals (including the participant) in one home unless approved by DDA.~~

~~M.G. A Residential Retainer Fees is available for up to 30 days per year per recipient when the recipient is unable to receive services due to hospitalization, behavioral respite, or family visits, etc.~~

~~N. Community Living-Enhanced Support supervision service may include professional services not otherwise available under the individual's private health insurance (if applicable), the Medicaid State Plan, or through other resources.~~

~~H. Community Living-Enhanced Support supervision services shall be provided for at least 6 hours a day to an individual a participant or when the individual participant spends the night in the residential home.~~

~~I. As defined in Appendix C-2, the following individuals may not be paid either directly or indirectly (via a licensed provider) to provide this service: legally responsible person, spouse, legal guardian, or relatives.~~

~~J. Prior to accessing DDA funding for this service, all other available and appropriate funding sources, including but not limited to those offered by Maryland's State Plan, Division of Rehabilitation Services ("DORS"), State Department of Education, and Department of Human Services, must be explored and exhausted. These efforts must be documented in the participant's file.~~

~~K. To the extent any listed services are covered under the Medicaid State Plan, the services under the waiver will be limited to additional services not otherwise covered under the Medicaid State Plan, but consistent with waiver objectives of avoiding institutionalization.~~

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Community Living – Enhanced Supervision Residential Retainer Fees is limited to up to 30 days per year per ~~recipient~~ participant.

Service Delivery Method (check each that applies)

Participant Directed as specified in Appendix E

Provider Managed

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Specify whether the service may be provided by (check all that applies):

- Legally Responsible Person
- Relative
- Legal Guardian

Provider Specifications: (Instructions list the following for each type of provider that can deliver the services):

Provider Category	Provider Type Title
Agency	Community Living-Enhanced Support service

Provider Category: Agency

Provider Type: Community Living-Enhanced Support ~~service~~

Provider Qualifications License (specify):

~~DDA-licensed Licensed DDA residential Residential Enhanced Supports provider and behavioral supports as per COMAR 10.22.08 and 10.22.10~~

Certificate (specify):

Other Standard (specify):

Staff must:

1. Be trained on person-specific information (including preferences, positive behavior supports, when needed, and disability-specific information);
2. Possess current appropriate licenses/certifications as required by regulations based on service provided and needs of the person at time of service; and
3. Successfully pass a criminal background investigation and any other required background checks and credential verifications as provided in Appendix C-2-1a.

In addition to the DDA mandated training, staff must be trained in:

1. Person-Centered ~~planning~~ Planning;
2. ~~Working with Sex Offenders~~);
3. Working with people with behavioral challenges;
4. ~~Working with people in the criminal justice system;~~
5. Trauma informed care;
6. De-escalation; and
7. Physical management; ~~and~~.

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8. ~~Working with the Community Forensics Aftercare program.~~

Based on the needs of the participants, the following additional training will be required for staff:

1. Working with Sex Offenders;

2. Working with people in the criminal justice system; and/or

3. Working with the Community Forensics Aftercare program.

Agency Provider must have Licensed Behavioral Analysis (LBA), Board Certified Behavioral Analysis (BCBA), and Psychologist on staff that has experience in the following areas:

1. Working with deinstitutionalized individuals;
2. Working with the court and legal system;
3. Trauma informed care;
4. Behavior Management;
5. Crisis management models; and
6. Counseling.

Verification of Provider Qualifications

Entity Responsible for Verification:

- DDA for verification of ~~provider~~ Provider's license to provide this service, including the individual and licensed site
- Provider for verification of individual staff members, licenses, certifications, training and experience

Frequency of Verification:

- DDA - prior to initial service delivery and annually thereafter
- Provider – prior to service delivery and annually thereafter