

Oregon Milestones Template

Background

In order to collect consistent information on the implementation of the HCB Settings regulations and Statewide Transition Plan (STP), CMS has identified a standard set of milestones to track across states. Since each state is different, the milestone must align with the Statewide Transition Plan (STP) evidence. States may need to provide more than one date for a particular milestone because the states will report completion in percentages, such as 25% or 50% complete. This approach will provide CMS insight in regards to the status of completion pertaining to particular milestones.

Instructions and Reminders

The following milestone list provides CMS the opportunity to track progress in implementation of each state's STP. Please provide dates for each milestone and where possible, the corresponding page number in the STP. Per the SOTA call on February 4, 2016, the state will receive email reminders 30 days prior to the due date of each milestone input into the system and when milestones are past due. States will also have the opportunity to update CMS on the milestones below through the HCB Settings website.

- All dates included in the template below should also align with the STP.
- The red italic text provides additional details related to each milestone. Please reach out to CMS with specific questions.
- Some milestones may have the same proposed due dates-as these steps may be undertaken simultaneously.
- States are encouraged to provide additional details on each milestone in the description column below. The description field will be transferred and available for viewing on the HCB Settings Website.

Milestone	Description	Proposed End Date	STP Page No.
Systemic Assessment and Remediation			
Completion of systemic assessment <i>[The date when overall completion of the systemic assessment, including review of all rules, regulations, and statutes]</i>	Complete an initial assessment of Oregon's residential and non-residential settings' regulatory compliance with the CFRs	Jan. 2015	102
	Assess OARs, waivers, and SPAs for needed changes	Apr. 2015	102

Complete modifying rules and regulations, including provider manuals, inspection manuals, procedures, laws, qualification criteria, etc.	Finalization of over-arching HCBS OAR	Jan. 2016	104
	Finalization of program-specific OARs	Sept. 2016	104
	Amendment of over-arching HCBS OAR as described in Appendix E	Jan. 2017	104
Implementation of new rules and regulations: 100% complete <i>[The date when at least 50% of all rules, regulations, and statutes identified through the assessment will be implemented. Please specify which rules, regulations, and statutes in the description]</i>	Each service delivery system has amended specific program rules for full alignment/compliance with the over-arching OARs for all HCBS settings and federal HCBS settings regulations.	Sept. 2016	102
Implementation of new rules and regulations: 100% complete <i>[The date when all rules, regulations, and statutes (100%) identified through the assessment will be implemented. Please specify which rules, regulations, and statutes in the description]</i>	Oregon has finalized an over-arching Oregon Administrative Rule that will govern HCBS setting requirements across the three delivery systems. That rule was effective January 1, 2016 as identified in the Global Transition Plan timeline.	Jan. 1, 2016	102
Site-specific Assessments			

<p>Completion of site-specific assessment <i>[The date when the overall completion of the site-specific assessment, including review of all settings and the validation of assessment results.]</i></p>	<p>The initial systemic regulatory assessment of non-residential settings was completed on January 22, 2015. <i>–Use of terms “setting assessment” within “regulatory assessment” section. This milestone may apply to systemic only.</i></p> <p>State to sort settings into compliance categories</p> <p>State to provide initial feedback and recommendations on areas of improvement to residential and non-residential providers</p>	<p>Jan. 22, 2015</p> <p>April 2016</p> <p>May 2016</p>	<p>15</p> <p>54 - 56</p> <p>103</p>
<p>Incorporate results of settings analysis into final version of the STP and release for public comment</p>	<p>Prior to submission to CMS of the amended Transition Plan and sites identified for heightened scrutiny, DHS and OHA will commence a 30 calendar day public notice and comment period. The public notice will include information about how individuals can request a printed copy of the amended transition plan and provide input on those sites identified as requiring heightened scrutiny.</p> <p>Commencing public notice and comment period including posting information on each service site that has been determined to require CMS’ Heightened Scrutiny. Information will be posted both on Oregon’s HCBS website and will be made available in non-electronic format to those requesting.</p> <p>State amends Statewide Transition Plan</p>	<p>June 2017</p> <p>June 2017</p> <p>July 2017</p>	<p>104</p> <p>104</p> <p>104</p>
<p>Submit final STP to CMS</p>	<p>Revisions to Statewide Transition Plan based on public input</p> <p>Amended Statewide Transition Plan Submitted to CMS</p>	<p>July 2017</p> <p>Aug. 2017</p>	<p>104</p>
<p>Site-specific Remediation¹</p>			
<p>Completion of residential provider remediation: 25% <i>[The date when approximately 25% of</i></p>	<p>Service Delivery Systems and regulatory agencies conduct onsite reviews: On-site reviews include inspection of the site, observations, documentation review, interviews with site staff and management, as well as interviews with individuals served at the location who are present at the time of the on-</p>	<p>June 16</p>	<p>103</p>

<p><i>residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>site review. Sites are required to demonstrate measurable progress at each on-site review throughout the transition period.</p>		
<p>Completion of residential provider remediation: 50% <i>[The date when approximately 50% of residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>Service Delivery Systems and regulatory agencies conduct onsite reviews: On-site reviews include inspection of the site, observations, documentation review, interviews with site staff and management, as well as interviews with individuals served at the location who are present at the time of the on-site review. Sites are required to demonstrate measurable progress at each on-site review throughout the transition period.</p>	<p>June 17</p>	<p>103</p>
<p>Completion of residential provider remediation: 75% <i>[The date when approximately 75% of residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>Service Delivery Systems and regulatory agencies conduct onsite reviews: On-site reviews include inspection of the site, observations, documentation review, interviews with site staff and management, as well as interviews with individuals served at the location who are present at the time of the on-site review. Sites are required to demonstrate measurable progress at each on-site review throughout the transition period.</p>	<p>June 2018</p>	<p>103</p>
<p>Completion of residential provider remediation: 100% <i>[The date when all residential providers have completed the necessary remediation (of those providers that require</i></p>	<p>Service Delivery Systems and regulatory agencies conduct onsite reviews: On-site reviews include inspection of the site, observations, documentation review, interviews with site staff and management, as well as interviews with individuals served at the location who are present at the time of the on-site review. Sites are required to demonstrate measurable progress at each on-site review throughout the transition period.</p>	<p>Jun 2019</p>	<p>105</p>

<p><i>remediation). Please provide additional details on settings in the description.]</i></p>			
<p>Completion of nonresidential provider remediation: 25% <i>[The date when approximately 25% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>ODDS: ODDS employment service providers that do not complete implementation of their transformation plans, but make substantial progress towards transformation prior to September 1, 2018, consistent with a provider HCBS transformation plan, may apply for a rule variance if it can be shown how full compliance will be reached within a reasonable period of time. All providers must achieve full compliance by July 1, 2020, and any variances granted may not extend past that date.</p> <p>Ongoing compliance or non-compliance with HCBS regulations will be determined through the regular licensure and certification process that includes onsite review at provider sites, and paper reviews when services occur at general community businesses. HCBS compliance will continue to be validated through provider self-assessments, Oregon’s Employment Outcome System (EOS), and the NCI adult consumer survey.</p>	<p>2016</p>	<p>88-90</p>
<p>Completion of nonresidential provider remediation: 50% <i>[The date when approximately 50% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>ODDS: ODDS employment service providers and of facility-based non-residential community living supports providers that do not complete implementation of their transformation or improvement plans, but make substantial progress towards transformation/remediation prior to September 1, 2018, consistent with a provider HCBS transformation plan, may apply for a rule variance if it can be shown how full compliance will be reached within a reasonable period of time. All providers must achieve full compliance by July 1, 2020, and any variances granted may not extend past that date.</p> <p>Ongoing compliance or non-compliance with HCBS regulations will be determined through the regular licensure and certification process that includes onsite review at provider sites, and paper reviews when services occur at general community businesses. HCBS compliance will continue to be validated through provider self-assessments, Oregon’s Employment Outcome System (EOS), and the NCI adult consumer survey.</p>	<p>Sept. 1, 2018 or July 1, 2021 with variance</p>	<p>88-90</p>

<p>Completion of nonresidential provider remediation: 75% <i>[The date when approximately 75% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>ODDS: ODDS employment service providers and of facility-based non-residential community living supports providers that do not complete implementation of their transformation or improvement plans, but make substantial progress towards transformation/remediation prior to September 1, 2018, consistent with a provider HCBS transformation plan, may apply for a rule variance if it can be shown how full compliance will be reached within a reasonable period of time. All providers must achieve full compliance by July 1, 2020, and any variances granted may not extend past that date.</p> <p>Ongoing compliance or non-compliance with HCBS regulations will be determined through the regular licensure and certification process that includes onsite review at provider sites, and paper reviews when services occur at general community businesses. HCBS compliance will continue to be validated through provider self-assessments, Oregon’s Employment Outcome System (EOS), and the NCI adult consumer survey.</p>	<p>Sept. 1, 2018 or July 1, 2021 with variance</p>	<p>86-90</p>
<p>Completion of nonresidential provider remediation: 100% <i>[The date when all nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i></p>	<p>ODDS: ODDS employment service providers and of facility-based non-residential community living supports providers that do not complete implementation of their transformation or improvement plans, but make substantial progress towards transformation/remediation prior to September 1, 2018, consistent with a provider HCBS transformation plan, may apply for a rule variance if it can be shown how full compliance will be reached within a reasonable period of time. All providers must achieve full compliance by July 1, 2020, and any variances granted may not extend past that date.</p> <p>Ongoing compliance or non-compliance with HCBS regulations will be determined through the regular licensure and certification process that includes onsite review at provider sites, and paper reviews when services occur at general community businesses. HCBS compliance will continue to be validated through provider self-assessments, Oregon’s Employment Outcome System (EOS), and the NCI adult consumer survey.</p> <p>Providers of facility-based non-residential community living supports are expected to be in compliance. However, some changes may be necessary to reach full compliance or assure continued compliance. Providers are also encouraged to</p>	<p>Sept. 1, 2018 or July 1, 2021 with variance</p>	<p>86-90</p>

	<p>further their HCBS-related goals. Providers of facility-based community living supports are expected to implement improvement plans in order to ensure full compliance by September 1, 2018. ODDS non-residential community living supports providers that do not complete implementation of their improvement plans prior to September 1, 2018, but that have made substantial progress towards full compliance, may apply for a rule variance if it can be shown how full compliance will be reached within a reasonable period of time after September 1, 2018, and additional time is needed. All providers must achieve full compliance by July 1, 2021, and any variances granted may not extend past that date. Specific sites or service provider programs that cannot or will not reach full compliance will be removed from the HCBS program.</p> <p>APD: APD has validated non-residential settings (Adult Day Services) HCBS settings compliance via onsite reviews. APD has a dedicated Central Office Policy Analyst who oversees contracts, certifications and facility standards of non-residential settings. This Policy Analyst, as part of the licensing/certification process, will continue to monitor each setting and address on an annual basis, any issues found, as appropriate.</p>	2016	84
<p>Identification of settings that will not remain in the HCBS System <i>[The date those settings that are considered institutional or are not willing to remediate will be identified for removal from the HCBS System]</i></p>	<p>If, by July 1, 2021, the provider is not in full compliance, DHS and OHA will begin notify individuals in writing beginning July 1, 2021 with final notice for remaining individuals occurring by January 1, 2022 that their current provider is not in compliance with the HCBS regulations.</p>	July -2021	104
Heightened Scrutiny²			
<p>Identification of settings that overcome the presumption and will be submitted for</p>	<p>State uses the provider assessment, IEA responses, and additional criteria to determine and propose if a site meets the definition of an HCBS site</p>	June 2016	104

heightened scrutiny and notification to provider	State identifies settings that require heightened scrutiny	Oct 2016	104
Complete gathering information and evidence on settings requiring heightened scrutiny that it will present to CMS	State conducts on-site reviews of settings identified to require heightened scrutiny per CMS's regulations	May 2017	104
	Providers requiring Heightened Scrutiny submit evidence to the State rebutting presumption of non-HCBS	Oct. 2016	104
	State determines, based on evidence provided and results of onsite review, if sufficient evidence was provided to seek heightened scrutiny from CMS or if the site does not meet HCBS requirements	May 2017	104
Incorporate list of settings requiring heightened scrutiny and information and evidence referenced above into the final version of STP and release for public comment	State commences public notice and comment period for amended Transition Plan and sites determined to require CMS' heightened scrutiny	June 2017	104
Submit STP with Heightened Scrutiny information to CMS for review	State submits amended Transition Plan and evidence to CMS for each setting that is presumed to be non-HCB but State is requesting CMS' heightened scrutiny	Aug. 2017	105
Relocation			
Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 25%	Notify individuals of their need to transition to alternative settings	July 2020 through Dec 2021	106

<p><i>[The date when members, guardians, case managers, etc. in approximately 25% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>			
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 50%</p> <p><i>[The date when members, guardians, case managers, etc. in approximately 50% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>		<p>July 2020 through Dec 2021</p>	<p>106</p>
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 75%</p> <p><i>[The date when members, guardians, case managers,</i></p>		<p>July 2020 through Dec 2021</p>	<p>106</p>

<p><i>etc. in approximately 75% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>			
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 100%</p> <p><i>[The date when members, guardians, case managers, etc. in all providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>	<p>If, by July 1, 2021, the provider is not in full compliance, DHS and OHA will notify individuals in writing from July 1, 2021 through January 1, 2022 that their current provider is not in compliance with the HCBS regulations.</p>	<p>July 2021 through Dec 2021</p>	<p>106</p>
<p>Complete beneficiary relocation across all providers: 25%</p> <p><i>[The date when beneficiaries in approximately 25% of providers have been relocated. Please provide additional details on settings in the description.]</i></p>	<p>Assist individuals in finding, selecting and transitioning to alternative settings</p>	<p>July 2021 through Dec 2021</p>	<p>106</p>
<p>Complete beneficiary relocation across all providers: 50%</p> <p><i>[The date when beneficiaries in approximately 50% of</i></p>		<p>July 2021 through Dec 2021</p>	<p>106</p>

<i>providers have been relocated. Please provide additional details on settings in the description.]</i>			
Complete beneficiary relocation across all providers: 75% <i>[The date when beneficiaries in approximately 75% of providers have been relocated. Please provide additional details on settings in the description.]</i>		July 2021 through Dec 2021	106
Complete beneficiary relocation across all providers: 100% <i>[The date when beneficiaries in all providers have been relocated. Please provide additional details on settings in the description.]</i>	Individuals must be transitioned to compliant sites, with all critical services and supports in place, by December 31, 2021.	Dec 2021	106

¹This section includes only those providers where remediation was required.

²The first 3 Heightened Scrutiny milestones should be completed prior to resubmitting the STP to CMS (the fourth HS milestone).

Quarterly reporting: Per the initial and final approval STP letter, CMS requests quarterly updates on the HS progress. The following milestones will provide a system to monitor the submission of these reports.

Milestone	Description	Proposed End Date	STP Page No.
Quarterly progress reporting updates			
Quarterly progress update <i>[First quarter after initial and/or final approval.]</i>			
Quarterly progress update			

<i>[Second quarter after initial and/or final approval.]</i>			
Quarterly progress update <i>[Third quarter after initial and/or final approval.]</i>			
Quarterly progress update <i>[Fourth quarter after initial and/or final approval.]</i>			
Quarterly progress update <i>[Fifth quarter after initial and/or final approval.]</i>			
Quarterly progress update <i>[Sixth quarter after initial and/or final approval.]</i>			
Quarterly progress update <i>[Seventh quarter after initial and/or final approval.]</i>			

Please use the following section to provide any additional milestones for which the state would like to provide information to CMS. These milestones are optional; any listed milestones will be tracked in the CMS website and should reflect any major progress. More incremental progress does not have to be noted.

Milestone	Description	Proposed End Date	STP Page No.
Additional			
<i>Ongoing strategies to ensure compliance to rule, policy, procedure, and regulation changes.</i>	Service Delivery Systems and OLRO conduct onsite reviews to assure ongoing compliance	Ongoing	107
<i>Provide assistance to providers to meet HCB setting requirements (e.g., technical assistance, focus groups, surveys, etc.).</i>	Ongoing education and technical assistance efforts, and public input	Ongoing	102