

General Information About the HCBS On-Site Compliance Assessment for Residential Programs

- **What is the HCBS On-Site Compliance Assessment for Residential Programs?**

The Compliance Assessment is being conducted as part of Oregon's Global Transition Plan to compliance with the new Medicaid Home and Community-Based Services (HCBS) regulations. Oregon is required to conduct an on-site visit to every residential program site that is funded through Medicaid HCBS to determine the status of each program's compliance with the new HCBS regulations.

- **Wasn't an assessment already done with the surveys that went out to providers and individuals?**

Surveys did go out to individuals and providers as a look at how individuals and providers view current services in regards to the new regulations. This survey provided valuable information about the experience of individuals in the current system and sheds light on areas where ODDS and programs may support providers and individuals with education and guidance as the new requirements are implemented.

The On-Site Compliance Assessment for Residential Programs will be used to validate the surveys that were completed by individuals and providers, as well as inform providers of areas where changes will need to be made in their operations and service delivery in order to come fully into compliance with the new HCBS regulations by September 1, 2018.

- **Which programs/services will be reviewed?**

The Compliance Assessment will be conducted on all residential service settings. This initially includes all 24-hour Residential Service Settings and Foster Care Homes for children and adults. Supported Living settings that are determined to be provider-owned, controlled, or operated will be evaluated through a process to be determined at a future date.

- **Who will be doing the assessments?**

The assessments may be completed by CDDP, Regional, ODDS, or OLRO staff. The Compliance Assessment is not intended to be distributed to the providers to complete and turn in (providers were given the opportunity to complete a self-assessment as part of the survey process).

The entities that typically complete the licensing or certification renewal for the provider types will be the party responsible to complete the Compliance Assessment. For 24-Hour Residential Settings, OLRO will complete the assessment. For Foster Care Homes, in most cases, the CDDPs will complete the assessment.

Entities conducting the assessments may use their discretion in determining which staff complete the assessments. Typically, OLRO will be conducting the assessments during

licensing renewal visits for 24-Hour Residential Service Settings. CDDPs may utilize their licensors or certifiers to complete the assessment during a license or certificate renewal for a foster care home. However, a CDDP may instead elect to have Services Coordinators conduct the on-site visit and complete the assessment for foster home settings.

- **When are the Compliance Assessments being conducted?**

The on-site visits and assessments should be completed during the 2016 calendar year. Entities conducting the assessments may elect to complete the checklists as part of a license or certificate renewal for a provider, however, the assessment may also be done independent of the license or certificate renewal process.

- **How is the assessment supposed to be conducted?**

The Compliance Assessment checklist document should be used with the accompanying instructions (separate document). Completion of the assessment must include an on-site visit to the Foster Care or 24-Hour Residential Service Setting home site.

- **What happens once the assessment is complete?**

The staff completing the assessment will need to submit the assessment electronically via secure email to ODDS at: ODDSHCBS.ResidentialReview@state.or.us. OLRO will enter the findings for the assessments they complete for 24-Hour Residential Service Settings into ASPEN. Initially, the Foster Care assessments will be entered in to ASPEN by ODDS staff.

The assessments need to be given to the service providers as well so they may be informed of their current status of compliance with the new regulations as well as begin identifying their plans for correction to come into compliance with the new rules during the transition period.

- **Will providers receive a “citation” if they are found to be out of compliance with any of the new rules?**

Providers will not be issued a citation in the traditional sense which usually includes fines or impacts license or certification status. The assessment will be used for determining in which areas the provider is non-compliant and will serve as an educational tool to inform the provider. If a provider is determined to be non-compliant, they are expected to present a plan for correction which moves them towards compliance with the new rules by September 1, 2018.

- **When do providers need to submit a plan for correction following the assessment when they are determined to be out of compliance?**

Providers who are assessed from January through June 2016, will be expected to submit a plan of correction by August 31, 2016. Those providers who are reviewed on July 1, 2016

or later will have 60 days from the date they receive their compliance assessment from the reviewing entity to create and submit their plan for correction.

The delayed implementation for providers assessed between January and June 2016 is to allow for the development of training and guidance for providers to have the tools and information necessary to be able to create a plan for correction.

The actions identified on the plan for correction created by the provider are not required to be completed by the dates listed above. The August 31, 2016 or 60 days following a compliance assessment deadline is the timeframe during which the provider must map out and articulate their plan of action to become fully compliant with HCBS regulations by September 2018.

- **Where can more information be found?**

The forms and instructions will be posted to the ODDS website and are available for anyone to view. Also accompanying the assessment and instruction forms is a PowerPoint with information about the process. The ODDS page can be found at:

<http://www.oregon.gov/dhs/DD/Pages/index.aspx>

Please also note that additional HCBS information can be found at the HCBS webpage:

<http://www.oregon.gov/dhs/seniors-disabilities/HCBS/Pages/Index.aspx>

- **Will there be training and support around this process?**

Absolutely. There are two call-in sessions scheduled for January 2015. The call-in is intended for entities who are completing the assessments. These schedule for these are:

- Thursday, January 7, 2016 from 12- 1 pm
- Thursday, January 21, 2016 from 12-1 pm

Additional training for counties or regions may also be requested.

Training for providers on the new rules and how to create a plan for correction is currently being developed and will be available soon.