

Using the College of Direct Support to Meet and Exceed CMS Regulatory Requirements for Home and Community Based Settings

The Centers for Medicare and Medicaid Services (CMS) is engaged in an ongoing effort to improve quality management expectations for providers of Home and Community Based Services (HCBS). As part of this effort they have released new service requirements effective March, 2015. The Research and Training Center on Community Living (RTC/CL) at the University of Minnesota has created this tool to show how DirectCourse: College of Direct Support (CDS) aligns with these new CMS HCBS requirements. This easy to follow crosswalk can help agencies implement competency-based training to direct support professionals in order to meet and comply with these new HCBS regulatory requirements.

The College of Direct Support online training will equip direct support professionals with the skills and competency necessary to provide quality supports to individuals with intellectual and developmental disabilities. This curriculum not only supports efforts to meet the regulatory requirements it is designed to exceed those requirements and further builds upon the goals of individuals to live self-determined lives in the community.

College of Direct Support Crosswalk to HCBS Regulatory Requirements *(effective March 2015)*

Regulatory Requirements for Home and Community-Based Settings¹

College of Direct Support (CDS)

A. New HCBS Setting Requirements	
Is integrated in and supports access to the greater community	<ul style="list-style-type: none"> • Working with Families and Other Support Networks – L1 • Community Inclusion – L1, 3, 4 • You’ve Got a Friend – L1, 2, 3
Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources	<ul style="list-style-type: none"> • Employment Supports – All Lessons • Supporting Jobs and Careers in the Community – All Lessons
Ensures the individual receives services in the community with the same degree of access as individuals not receiving Medicaid HCBS	<ul style="list-style-type: none"> • Community Inclusion – L1, 2, 3 • You’ve Got a Friend – L2, 3
Allows full access to the greater community	<ul style="list-style-type: none"> • Community Inclusion - L1, 3, 4 • You’ve Got a Friend - L2, 3
Is chosen by the individual from among residential and day options that include generic settings (Choice of provider in provider owned and operated settings guidance– CMS clarified that choice of provider is intrinsic to the setting.)	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L4 • Intro to Individual Rights and Choice – L1, 4 • Civil Rights and Advocacy – L4
Respects the participant’s option to choose a private unit in a residential setting (Private rooms/roommate choice guidance – Needs, preferences, and resources are relevant to option of private versus shared residential unit. Providers must offer roommate choice for shared rooms.)	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L4 • Intro to Individual Rights and Choice – L1, 4
Ensures right to privacy, dignity and respect and freedom from coercion and restraint	<ul style="list-style-type: none"> • Intro to Individual Rights and Choice – All lessons • Civil Rights and Advocacy – L1, 4 • Positive Behavioral Supports – L1, 3, 4, 5 • Direct Support Professionalism – L4, 6 • Professional Documentation Practices – L5, 6
Optimizes autonomy and independence in making life choices	<ul style="list-style-type: none"> • Intro to Individual Rights and Choice – All lessons • Civil Rights and Advocacy – L1 • Safety – L1, 2, 3
Facilitates choice of services and who provides them	<ul style="list-style-type: none"> • Intro to Individual Rights and Choice - L1, 4

Regulatory Requirements for Home and Community-Based Settings¹

College of Direct Support (CDS)

B. HCBS Setting Requirements for Provider Owned/Operated Residential Settings

A lease or other legally enforceable agreement to protect from eviction	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L4
Privacy in their unit including entrances lockable by the individual (staff have keys as needed)	<ul style="list-style-type: none"> • Home and Community Living – L1, 2
Choice of roommates	<ul style="list-style-type: none"> • Individual Rights and Choice – L1, 4 • Person Centered Planning and Supports – L1, 2, 4
Freedom to furnish and decorate their unit	<ul style="list-style-type: none"> • Home and Community Living – L1, 2
Control of their schedule and activities	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 2, 4 • Personal and Self-care – L1, 2 • Individual Rights and Choice – L1, 4
Access to food at any time	<ul style="list-style-type: none"> • Individual Rights and Choice – L1, 4
Visitors at any time	<ul style="list-style-type: none"> • You've Got a Friend – L1, 3 • Person Centered Planning and Supports – L1, 2, 4
Setting is physically accessible to individual	<ul style="list-style-type: none"> • Home and Community Living – L1, 2

C. New HCBS Person-centered Service Plan Process Requirements

Service planning process is driven by the individual	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3
Includes people chosen by the individual	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 2, 3 • Working with Families and Other Support Networks – L1, 2, 3
Provides necessary information and support to ensure that the individual directs the process to the maximum extent possible	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3
Is timely; occurs at times and locations convenient to the individual	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3, 4 • Working with Families and Other Support Networks – L1, 2, 3
Reflects cultural considerations	<ul style="list-style-type: none"> • Cultural Competence - All Lessons
Plan discussions are in plain language. Information is available in a manner that is accessible to individuals.	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3, 4 • Teaching People with Developmental Disabilities – L1, 2, 3
Includes strategies for solving disagreement within the process, including clear conflict of interest guidelines for all planning participants	<ul style="list-style-type: none"> • Working with Families and Other Support Networks – L4

Regulatory Requirements for Home and Community-Based Settings¹

College of Direct Support (CDS)

Offers choices to the individual regarding the services and supports the individual receives and from whom	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3, 4 • Individual Rights and Choice – L1, 4
Provides a method for individual to request updates	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3, 4
May include whether and what services are self-directed	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L2
Signed by all individuals and providers responsible for its implementation. A copy of plan must be provided to individual and his/her representative.	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3
Includes individually identified goals and preferences related to relationships, community participation, employment, income and savings, healthcare and wellness, education and others	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3 • You've Got a Friend - L1 • Employment Supports – L1 • Supporting Jobs and Careers – L1, 2 • Supporting Healthy Lives – L1
Identifies the strengths, preferences, needs (clinical and support), and desired outcomes of individual	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3
Includes risk factors and plans to minimize them	<ul style="list-style-type: none"> • Safety – L1, 2, 3, 4
Conducted to reflect what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3 • Safety – L1, 2, 3, 4

D. New HCBS Person-centered Service Plan Documentation Requirements

Person-centered Service Plan Documentation Requirements	<ul style="list-style-type: none"> • Professional Documentation Practices – All Lessons
Setting is chosen by the individual and supports full access to the community	<ul style="list-style-type: none"> • Community Inclusion – L1, 3, 4 • You've Got a Friend – L1, 2, 3
There are opportunities to seek employment and work in competitive integrated settings	<ul style="list-style-type: none"> • Employment Supports – All Lessons • Supporting Jobs and Careers in the Community – All Lessons
Supports are in place to assist the individual to engage in community life, control personal resources, and receive services in the community	<ul style="list-style-type: none"> • Community Inclusion – L1, 3, 4 • You've Got a Friend – L1, 2, 3
Supports and services are linked to individual's strengths and preferences	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L1, 3, 4 • Individual Rights and Choice – L1, 4
Supports and services align with assessed clinical and support needs	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3, 4

Regulatory Requirements for Home and Community-Based Settings¹

College of Direct Support (CDS)

Individual's goals and desired outcomes are included	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3, 4 • Implementing Participant Directed Supports – L1, 2, 3, 4
Any risk factors are identified and measures are in place to minimize risk	<ul style="list-style-type: none"> • Safety: L4 Personal Safety Plans
Individualized backup plans and strategies are present when needed	<ul style="list-style-type: none"> • Safety – L1, 2, 3, 4 • Positive Behavioral Supports – L1, 3, 4, 5
Providers of services and supports, including unpaid supports provided voluntarily in lieu of waiver or state plan HCBS	<ul style="list-style-type: none"> • Working with Family and Other Support Networks – L1
The individuals responsible for monitoring plan	<ul style="list-style-type: none"> • Person Centered Planning and Supports – L3
Informed consent of the individual in writing	<ul style="list-style-type: none"> • Professional Documentation Practices – L7, 8
Service plan has been given to the individual and others involved in plan	<ul style="list-style-type: none"> • Professional Documentation Practices – L4, 5, 6, 7, 8
Any self-directed services and supports	<ul style="list-style-type: none"> • Implementing Participant Directed Supports – All Lessons
Justification for any restrictions or modifications that are not consistent with the HCBS guidelines (e.g., with respect to specific choices, roommates, access to food, etc.)	<ul style="list-style-type: none"> • Safety – L1, 2, 3, 4
Plan has been reviewed and revised upon reassessment of functional need as required every 12 months, when the individual's circumstances or needs change significantly, and/or at the request of the individual.	<ul style="list-style-type: none"> • Professional Documentation Practices – L8 • Person Centered Planning and Supports – L3

DirectCourse: College of Direct Support Curriculum Module Regulatory Requirements for Home and Community-Based Settings

- Working with Families and Other Support Networks
- Community Inclusion
- You've Got a Friend
- Employment Supports
- Supporting Jobs and Careers in the Community
- Person Centered Planning and Support
- Individual Rights and Choice
- Civil Rights
- Positive Behavior Supports
- Direct Support Professionalism
- Professional Documentation Practices
- Cultural Competency
- Home and Community Living
- Personal and Self Care
- Implementing Participant Directed Supports
- Safety

¹Pell, E. (2014). NCI Performance Indicators: Evidence for New HCBS Requirements and Revised HCBS Assurances Practical Tools for States. Human Services Research Institute. Boston, MA.