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STEPHANIE MCGEE AZAR
Commissioner

Date: March 25, 2025

Public Comment Notice

Pursuant to the requirements of the Home and Community-Based Services (HCBS) Settings Rule regulations (CMS 2249-F/2296-F) issued by the Centers for Medicare and Medicaid Services (CMS) on March 17, 2014, the Alabama Medicaid Agency (Medicaid) is issuing this request for public review and comment on settings identified as requiring heightened scrutiny for Settings Rule compliance. HCBS waiver programs are offered as alternatives to nursing homes and intermediate care facilities; therefore, the Settings Rule requires HCBS to be provided in non-institutional settings. In brief, this public comment opportunity focuses on the Settings Rule requirements that HCBS services be delivered in non-institutional settings and addresses Medicaid's examination process of settings with characteristics presumed to be institutional in nature but, after additional review, have overcome this presumption.

The Alabama Department of Mental Health/Developmental Disabilities Division (ADMH/DDD), in collaboration with Medicaid, has worked to identify settings potentially at risk of not complying with the Home and Community-Based Services (HCBS) Settings Rule. They reviewed and updated certification procedures and conducted assessments to ensure compliance with federal regulations. ADMH/DDD and Medicaid implemented a plan to ensure that settings adhere to the following requirements:

- Settings must support full access to the community, including opportunities for employment, community life, and personal resource control.
- Individuals must be able to choose their settings, including options for private units in residential settings.
- Settings must ensure privacy, dignity, respect, and freedom from coercion and restraint.
- Settings should optimize individual initiative, autonomy, and independence in making life choices.
- Individuals must have the freedom to choose their services and providers.

In provider-owned or controlled residential settings, additional conditions must be met, such as having legally enforceable agreements, privacy in living units, freedom to furnish and decorate, control over schedules and activities, access to food, and the ability to have visitors at any time. Settings must also be physically accessible.

Medicaid welcomes public comments on the State's efforts to comply with the heightened scrutiny requirements of the HCBS Settings Rule. The public is invited to review the posted Heightened Scrutiny summaries and submit written comments beginning March 26, 2025. This comment period will conclude at 11:59 p.m. CST on April 26, 2025. Comments can be emailed to PublicComment@medicaid.alabama.gov or mailed to the provided address. Comments should include the Setting Name and Provider Name.

Alabama Medicaid Agency
ATTN: LTC Healthcare Reform Division, Specialized Waiver Unit
P.O. Box 5624
Montgomery, Alabama 36103-5624

Upon request, a hard copy of this public comment notice and evidentiary package can be made available for public review at Medicaid's Central Office and each District Office location. Please note that public comments submitted in response to this notice are considered public documents. Submitted public comments and Alabama's Statewide Transition Plan (STP) materials will be available for public review on the Alabama Medicaid website: [Alabama Statewide Transition Plan](#).

Overview of this request for public comment

This Report serves as an update to the original Alabama Statewide Transition Plan (STP), approved on February 21, 2017. Medicaid, in collaboration with ADMH/DDD, is seeking public comment as part of its approved STP for coming into compliance with the HCBS Settings Rule. The Settings Rule describes institutional settings that cannot be considered home and community-based, as well as settings that are presumed to have institutional qualities and therefore do not meet the requirements for Medicaid home and community-based settings. These include:

- Settings in a publicly or privately operated facility that provides inpatient institutional treatment (Prong I)
- Settings in a building on the grounds of, or adjacent to, a public institution (Prong II)
- Settings with the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS (Prong III).

While Medicaid did not identify any Prong I or Prong II settings during its review and validation activities, it submitted a list of Prong III settings on September 30, 2021. These settings were believed to be remediable before the regulatory transition date of March 17, 2023. For settings presumed to have institutional qualities, Medicaid will submit evidence to CMS demonstrating that these settings do not have institutional qualities, but instead have the characteristics of home and community-based settings. CMS then examines this evidence to determine if the setting meets the home and community-based requirements, a process known as "Heightened Scrutiny."

Pursuant to CMS guidance issued on March 22, 2019, and July 14, 2020, regarding the requirements and processes for heightened scrutiny, Medicaid is making available for public comment the findings of its review of settings initially determined to be institutional in nature but later found compliant due to remediation activities and evidence. This public comment request addresses Medicaid's identification of settings presumed to be institutional but, after additional review, have overcome this presumption.

The attached evidentiary packet includes the list and summaries of residential and non-

residential settings that Medicaid determined to be compliant with the HCBS Settings Rule, demonstrating no institutional or isolating qualities. These packets contain the evidence collected from each setting, supporting the determination of compliance. Medicaid is presenting this evidence to the public for review and comment, seeking additional information to further supplement or dispute the information collected and evaluated by Medicaid in making its determination. This information will be compiled with Medicaid’s assessment and remediation efforts and used to support the conclusion that these settings no longer isolate individuals receiving HCBS services or used to develop a remediation plan.

Home and Community-Based Services (HCBS) Settings Rule Heightened Scrutiny Review Evidentiary Package

Table of Contents

*Below is a list of residential and non-residential settings initially presumed to be institutional in nature (Prong III) but have since overcome the presumption of isolating individuals receiving HCBS and been determined compliant due to remediation activities.

Region 1:

Setting Name	Provider Name	Page Number
Tri County Development Center	Sterling Companies	1
B House	Sterling Companies	7
C House	Tri-County Group Homes	13

Region 2:

Setting Name	Provider Name	Page Number
Pine Haven	Northwest Alabama Mental Health Center	20

Region 4:

Setting Name	Provider Name	Page Number
Quality South	Quality South	29
Milton Road CRF	HELP	35

Region 5:

Setting Name	Provider Name	Page Number
Saturn Lane	The Arc of Central Alabama	42
House 2	Arc of Central Alabama – Blount County	49
The Loft	Arc of St Clair	55
Longmeadow	PHP	60

Setting Information – R1-184 – Tri County Developmental Center

Provider Name:	Sterling Companies		
Setting Name:	Tri County Developmental Center		
Setting Number:	R1-184		
Number of Individuals Served at this Location Regardless of Funding:	22	Number Individuals Utilizing Medicaid Served at this Location:	22
HCBS Provider Setting Type:			
<input checked="" type="checkbox"/> Day Habilitation <input type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	1/8/2025		
Description of Setting:			
<p>The setting is a day habilitation center. The monitor observed the building to have a ramp with a handrail on both front and back entrances. It has rooms for individuals to engage in activities, a large kitchen, dining room, conference room, an outside seating area, and several bathrooms. It is in a rural location and is 20 minutes from Walmart, 15 minutes from Caldwell Park, and less than 10 minutes from Pappy’s Place, a local restaurant.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> Individuals were observed to have the right to privacy. Individuals will go into the conference room, office, or any other empty room when they want privacy. The monitor observed that individuals were treated with dignity and respect. The staff spoke with individuals using a soft and respectful tone. Individuals feel safe in the setting.</p>
	<p><i>Schedule and Activities Choice:</i> Staff stated that each individual’s likes and dislikes are respected at the Day Program. Individual A enjoys playing Uno. They choose to play every day. Individual B likes to watch movies and shop for purses. The monitor observed individuals eating in the dining room, working with staff, and hanging out. Some individuals chose to go out on an outing during the visit. Each individual chooses what they would like to do each day.</p>
	<p><i>Visitor Access:</i> Staff stated that individuals chose to go into any empty room for privacy when making phone calls. Each room in the Day Program has a phone available for use.</p>

	<i>Food Access:</i> Individuals have lockers in the hallway where they can choose to store their food. They also bring their own lunches. Individuals have access to snacks and food at any time.
	<i>Living Unit Lease:</i> Not applicable to the setting.
	<i>Sleep Privacy:</i> Not applicable to the setting.
	<i>Living Unit Locks:</i> Not applicable to the setting.
	<i>Roommate Choice:</i> Not applicable to the setting.
	<i>Furnish & Decorate:</i> Not applicable to the setting.
	<i>Accessible Living Space:</i> The monitor observed the entrances and exits were free from clutter and accessible to all individuals. Individuals were observed moving freely throughout the building. Grab bars and ramps were observed throughout the setting.
	<i>Community-Based Setting Distinction:</i> Individuals choose what they would like to do each day and who they would like to spend time with.
	<i>Staff Distinction:</i> Staff were dressed in regular clothing and were observed actively engaging with individuals

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> The monitor reviewed documentation and observed recent outings including going to the movie theater, Walmart, Dollar Tree, Caldwell Park, and Scottsboro Library. The individuals interviewed indicated they could go to their chosen places and provided the following examples to the monitor during the interview.

	<ul style="list-style-type: none"> • Individual A likes to eat at restaurants and people watch. • Individual B likes to go to the park and outside. • Individual C likes to go to the movies and grocery shops. • Individual D likes to shop. • Individual E likes to go to the movies and shopping.
	<p><i>Transportation:</i> Transportation options are posted. They include Jackson County Rural Public Transportation. The provider also provides transportation.</p>
	<p><i>Employment:</i> Individuals interviewed are not currently employed and are not interested in employment based on their feedback to the monitor.</p>
	<p><i>Personal Resources:</i> The monitor asked the individuals about access to their personal resources while attending the day center. Some individuals had the staff hold onto their funds and this is documented in their respective PCPs as a choice they have made.</p> <ul style="list-style-type: none"> • Individual A keeps their money in their purse. They like to buy snacks and drinks. • Individual B keeps their money in their purse on the back of their chair. They like to buy books, dolls, purses, and snacks. • Individual C keeps their money in their bag that they keep on their person. They like to buy soft drinks, coffee, and snacks. • Individual D usually chooses to have staff hold onto their money. They like to buy notebooks, pens, markers, and paper. • Individual E has staff hold their personal funds. This modification was not documented in the PCP.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- **The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board;**
- **The setting facilitates choice regarding services and supports and who provides them; and**
- **Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.**

Compliance:

Met Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> Review of the interviewed individuals' PCPs demonstrated that multiple setting options were offered to each individual based on their specific needs and preferences. Some setting options offered include local housing authority, local apartments, residential waiver settings, and assisted living.
	<i>Services and Supports Choice:</i> Review of the interviewed individuals' PCPs demonstrated documentation of services and supports choices were provided to each individual based on their preferences. Services and supports offered included self-direction, day habilitation, personal care, remote supports, local education classes, and employment services.
	<i>Service Provider Choice:</i> Review of the interviewed individuals' PCPs demonstrated that each individual was offered provider choice for the services they chose to receive. Provider options included Tri-County Homes, Haymon Homes, Volunteers of America, Jackson County Senior Center, Highlands Health, and DeKalb Education and Training Center.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with the HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	5	Each individual chose for a staff member to assist them during the interview and gave verbal permission for staff to participate
Staff	5	Staff participate based on the individual choice and provided additional information

Ongoing Remediation Activities (as applicable)

Current Standing: Currently Compliant Approved Remediation Plan

**Individuals
Served
Summary:**

**Staff
Summary:**

Setting Information – R1-186 – B House

Provider Name:	Sterling Co – Tri County Group Homes		
Setting Name:	B House		
Setting Number:	R1-186		
Number of Individuals Served at this Location Regardless of Funding:	4	Number Individuals Utilizing Medicaid Served at this Location:	4
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	11/15/2024		
Description of Setting:			
<p>This setting is located on a rural residential street with neighboring houses. The house presents an appealing exterior. The single-family home features a spacious layout, with three bedrooms and two bathrooms. The living room and dining room provide ample space, while the kitchen is equipped with all working appliances. Additionally, the property has an accessible large covered back patio area. The setting does not have sidewalks immediately accessible. This setting is not immediately near schools, gas stations or grocery stores. Dollar General is seven minutes away, Pappy’s Place restaurant is eight miles away, and Caldwell Park is 15 minutes away from the property.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- **The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint;**
- **The setting ensures the individual has freedom and support to control his / her own schedule and activities;**
- **Individuals are able to have visitors of their choosing at any time;**
- **Individuals have access to food at any time;**
- **The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;**
- **Each individual has privacy in their sleeping or living unit;**
- **Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;**
- **Individuals sharing units have a choice of roommates in that setting;**
- **Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;**
- **The setting is physically accessible to the individual;**
- **The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and**
- **There is a distinction between staff for the HCBS setting and the institutional setting.**

Compliance:

Met Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual’s Rights: Monitor observed individuals had the right to privacy in the home. Staff said individuals can have privacy in their bedrooms and the bathroom. Staff said they knock and ask for permission before entering bedrooms. Staff said if they assist with personal care; they do so in a private place. Staff said they do not share individuals’ personal information. Staff said individuals choose their clothing. The interviewed individual said they talk to staff if they have a concern about how they are treated. The individual said their rights are reviewed with them.

Schedule and Activities Choice: Monitor observed individuals did not follow one set schedule in the home. During the visit, the monitor observed the interviewed individual go for a walk while another individual spent time in their room with staff. The individual said they can take a nap when they come home from the center if they choose.

Per the PCP, the individual enjoys wrestling, basketball, rap music, and video games. Per the PCP, the individual is interested in becoming a professional rapper and would like to record an album. The individual has a YouTube

	<p>channel to share their raps. The interviewed individual said they tell staff if they change their mind about doing something.</p>
	<p><i>Visitor Access:</i> The monitor observed documentation of staff completion of in-service training on rights to visitors at any time. Staff said one individual's mother visits twice per month and their sister visits once per month. Staff said another individual's girlfriend visits once or twice per month. Staff said another individual's parents visited them. The individual indicated they have access to a phone with a cord that they can use in the cubby hole. Monitor observed the area referenced by the individual has a door to provide privacy.</p>
	<p><i>Food Access:</i> Monitor observed no locks on the refrigerator or kitchen cabinets. The individual said they prefer to store their snacks in their bedroom closet. Staff said individuals keep snacks in boxes in their rooms. Since the monitoring visit, staff have completed in-service training on the individual's right to choose their food and eat at the times they prefer. Staff said individuals tell staff what they want to eat, and staff prepare what is on the menu. Staff said if the house is going out to eat and an individual does not want to join, staff offer to bring food back from the restaurant or make something at home.</p>
	<p><i>Living Unit Lease:</i> The individual stated they are aware of their lease and have been informed about its contents. Staff said copies of the individuals' leases are kept in the director's office. And individuals can access the leases.</p>
	<p><i>Sleep Privacy:</i> Individuals have private bedrooms and can close and lock their bedroom doors for privacy when they choose.</p>
	<p><i>Living Unit Locks:</i> During the visit, the individuals had keys to their bedroom. The interviewed individual indicated they can lock their door for privacy when they choose.</p>
	<p><i>Furnish & Decorate:</i> Monitor observed bedrooms were personalized. The interviewed individual had a blue comforter. Another individual had Alabama Roll Tide decorations and an Alabama comforter. Another individual had hats hanging on the wall, a football poster, and an Alabama Roll Tide sign. Another individual had ABC decorations and an American flag on the wall. Staff said individuals can have the items they choose in their bedrooms.</p>
	<p><i>Accessible Living Space:</i> Monitor observed entrances and exits were accessible to individuals. Monitor observed individuals move freely throughout the common living areas. The interviewed individual said they can move around the house as they like, but staff must go with them outside due to approved 1:1 staffing modifications.</p>
	<p><i>Community-Based Setting Distinction:</i> Staff said individuals are able to do things they want to do in the home.</p>

	<p><i>Staff Distinction:</i> Staff said they support individuals to do things independently by demonstrating how to do something and then encouraging the individual to do it themselves. Individuals were spoken to very respectfully by staff while attending to their personal needs.</p>
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<p>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 42 CFR 441.304(c)(4)(i). This includes:</p> <ul style="list-style-type: none"> • Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting; • The setting supports access to the community activities through its own transportation or coordination of transportation options; • Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and • Individuals are able to control their personal resources, including their own money. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Community:</i> The monitor observed that community integration was offered daily. The monitor reviewed documentation in the outing log. The individual said they can go places they would like at times of their choosing. The individual said staff choose where they go. The interviewed individual said they choose who they spend time with. The interviewed individual said they enjoy parks, swimming, and eating at restaurants.</p> <p>Per the PCP, the individual is interested in joining a local basketball league and attending a WWE wrestling match. Staff said they try to get individuals to do things in the community they enjoy, like bowling, the movies, the fair, the library, yard sales, and art in the park.</p>
	<p><i>Transportation:</i> Monitor observed information about Jackson County Rural Public Transportation on the wall in the home. Staff said they take individuals to community activities.</p>
	<p><i>Employment:</i> Per the PCP, the individual is not currently employed. Per the PCP, the individual would like a job that does not involve working with food or cleaning. The interviewed individual said they had an interview but were told by their job coach they could not get a job. Staff said some individuals have jobs around the day center and one individual works with the person who does maintenance.</p>

	<p><i>Personal Resources:</i> The interviewed individual said they have a debit card and cash. The interviewed individual said they would like to purchase food and go to restaurants. The individual said they like to shop at Walmart.</p> <p>Staff said individuals keep their personal resources on their person, and individuals do not have restrictions on what they can purchase. Staff said they assist with purchases as needed. Per the PCP, the individual has a lockbox to store personal items and has control over their funds.</p>
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<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, non-disability-specific options such as renting their own apartment or living in a house with or without supports have been discussed.</p> <p><i>Services and Supports Choice:</i> Per the PCP, all day habilitation providers in the area and non-disability-specific settings such as local libraries, community recreation centers, the local community college, and Impact Learning Center with classes and activities throughout the year were discussed. Per the PCP, the individual attends Tri-County Development Center for day habilitation. Per the PCP, self-directed services were discussed, but the interviewed individual is not interested.</p> <p><i>Service Provider Choice:</i> Per the PCP, a list of available providers was provided and discussed.</p>

<p>Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.</p>	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:	The setting complies with HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.
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Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual directly responded to the monitor's questions.
Staff	2	One staff member was interviewed alongside the individual. A second staff member was interviewed separately.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R1-188 – C House

Provider Name:	Tri-County Group Homes		
Setting Name:	C House		
Setting Number:	R1-188		
Number of Individuals Served at this Location Regardless of Funding:	7	Number Individuals Utilizing Medicaid Served at this Location:	7
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	11/20/24		
Description of Setting:			
<p>This setting is a 5-bedroom, 3-bathroom home with a living room, dining room, kitchen, and covered back patio. The home is in a rural area on a residential street with neighboring homes. The home is 19 minutes away from Walmart, 8 miles away from Pappy’s Place restaurant, and 15 minutes away from Caldwell Park.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed four individuals living in the home had 1:1 staffing. The need for the 1:1 medical staffing is documented in each of the individuals PCPs. The monitor observed individuals are afforded the right to privacy in their bedrooms. Both staff members said individuals can have privacy when they want it. The staff members said if they assist with personal care, they do so in a private place.</p> <p>The monitor observed staff speak with individuals respectfully while attending to their personal needs. Both staff members said individuals feel staff listen to and respect them. Both staff members said they consider and respect individuals’ preferences. Staff member A said individual A styles their hair how they like and picks out their clothes by pointing. Staff member B said individual B picks out their clothes and styles their hair as they like, including letting staff know when they are ready for a shave.</p> <p>The monitor did not observe the use of coercion or restraint during the onsite visit. The monitor observed individuals’ rights are posted in a visible place in the home. Staff member A said individual A feels safe in the home and often remarks they feel blessed to live there. Staff member B said individual B</p>

	<p>appears comfortable in the home. Both staff members said individuals are not forced to do anything they do not want to do. The staff members said individuals would tell staff, a supervisor, or the house manager if they had a concern about how they were treated.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals do not follow one set schedule, as some individuals were home while others were at the Tri-County Development Center or doing individual tasks outside of the home. The monitor observed individuals did whatever they wanted to do in the home. Both staff members said individuals decide the activities they participate in and go on outings as often as they like. The staff members said individuals choose who they spend time with. Staff member A said individual A likes to spend time with their roommate. The staff members said individuals tell a staff member if they change their mind about doing something. Both staff members said individuals can wake up, go to sleep, and take a nap whenever they choose.</p>
	<p><i>Visitor Access:</i> Both staff members said individuals can have visitors of their choosing at any time. Both staff members said individuals can meet with visitors in private in their bedroom with the door closed or on the back patio. Both staff members said there is a cordless phone in the home that individuals can use to make phone calls in private.</p>
	<p><i>Food Access:</i> The monitor observed individuals have access to food at any time. The monitor observed individuals keep personal snacks in bins in their bedrooms. Individual A had chips, popcorn, crackers, Jell-O, and pudding in their snack bin during the monitoring visit. Individual B had chips, Little Debbie cakes, candy bars, and drinks in their snack bin during the monitoring visit. Staff member A said individual A does not need permission to access snacks. Staff member A said individual A often requests a snack, and staff provide it to them. Staff member B said individual B can eat anything they like during mealtimes or outside of mealtimes. Staff member B said individual B usually tells staff when they are getting a snack, but they do not have to ask for permission. Both staff members said individuals can go grocery shopping with staff and pick out items they want.</p>
	<p><i>Living Unit Lease:</i> The monitor observed copies of individuals' leases in the residential monitoring book in the home. The monitor observed individuals' leases were signed by appropriate parties. The staff members said the interviewed individuals know their rights in the home. The leases are updated and contain HCBS required rights.</p>
	<p><i>Sleep Privacy:</i> Individual A shares a bedroom. Room dividers are installed to support privacy when the individuals choose. Individuals can close and lock their bedroom doors for privacy.</p>

	<p><i>Living Unit Locks:</i> The monitor observed bedroom doors have working locks. The monitor observed all individuals have keys to their bedroom doors. Individuals did have keys to the front door of the home. Staff member A and staff member B said individuals can close and lock their bedroom doors for privacy any time they want. Staff member A said individual A keeps their key on a nightstand in their bedroom. Staff member B said individual B keeps their key hanging on a hook above their bed.</p>
	<p><i>Roommate Choice:</i> Individual A shares a bedroom. Staff member A said individual A requested their roommate.</p>
	<p><i>Furnish & Decorate:</i> The monitor observed bedrooms are personalized. Individual A shares a bedroom. Individual A's side of the bedroom has a collage of personal pictures, inspirational quotes, red and blue bedding, dolls, a TV, and a DVD player. The other side of the bedroom has race car decorations and floral bedding. Individual B's bedroom has personal crafts, a TV, and a bookshelf with notebooks, pens, and trinkets. Staff member A and staff member B said individuals can decorate their bedrooms any way they like.</p>
	<p><i>Accessible Living Space:</i> The monitor observed entrances and exits are accessible and free of clutter. The monitor observed individuals can move freely throughout the common living areas. The monitor observed the home has accessible doorways, hand bars, and ramps, and mobility assistive devices are in good condition. Both staff members confirmed individuals can move around the home as they like, including using outdoor spaces like the porches and patio.</p>
	<p><i>Community-Based Setting Distinction:</i> The monitor observed individuals move freely throughout the home and complete individual tasks in their own private spaces. The monitor observed individuals have daily opportunities for community integration.</p>
	<p><i>Staff Distinction:</i> Staff did not control individuals' schedules.</p>

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> The monitor observed documentation of community outings to Dollar Tree, Publix, TJ Maxx, Captain D’s, Dunkin Donuts, and church. Staff member A said individual A goes on outings and participates in their favorite activities as often as they would like, including people watching, talking to people, visiting the mall, and eating at restaurants. Staff member A said individual A goes on outings with staff and sometimes their roommate. Staff member B said individual B likes shopping at Piggly Wiggly and Dollar Tree and does so 1-2 times per week. Staff member B said individual B typically prefers to go on outings individually. Both staff members said individuals can go anywhere in the community at any time they choose.
	<i>Transportation:</i> Staff provide transportation for community outings. The monitor observed information about Jackson County Rural Public Transportation posted in the home.
	<i>Employment:</i> Per individual A’s PCP, they are not interested in employment and the support coordinator will refer the individual to vocational rehabilitation if they demonstrate an interest in employment. Per individual B’s PCP, individual B does not have an interest in employment. Per individual B’s PCP, individual B will tell the support coordinator or residential staff if they decide they would like to work, and they will then be referred to vocational rehabilitation.
	<i>Personal Resources:</i> The monitor observed individual A had cash in their purse. Staff member A said individual A keeps money in their nightstand drawer and prefers to use cash rather than a debit card. Staff member A said individual A likes to shop at Dollar Tree and Dollar General and purchases drinks, coloring books, and sticker books. The monitor observed individual B had cash in a drawer in their bedroom. Staff said individual B keeps money in their pocket or their bedroom. Staff

	member B said individual B likes to shop at Piggly Wiggly and Dollar Tree and purchases notebooks and pens.
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<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, individual A was given information about disability and non-disability settings, including the housing authority. Staff member A said individual A made the decision to live at this home.</p> <p>Per the PCP, individual B was offered a non-disability-specific settings. Staff member B said individual B made the decision to live at this home.</p>
	<p><i>Services and Supports Choice:</i> Per the PCP, individual A was offered day habilitation. Staff member A said individual A provides input about the services they receive.</p> <p>Per the PCP, individual B was offered day habilitation and chooses to attend day habilitation. Staff member B said individual B provides input about the services they receive.</p>
	<p><i>Service Provider Choice:</i> Per the PCP, individual A was offered Tri-County Homes, Haymon Homes, and Volunteers of America, Alabama Inc.</p> <p>Per the PCP, individual B was offered Haymon Homes, Tri-County Homes, and Volunteers of America, Alabama Inc.</p>

<p>Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.</p>	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.
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Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	2	Individual A had limited interest in speaking with the monitor and verbally consented to staff speaking on their behalf during the interview. Individual B had limited interest in speaking with the monitor and verbally consented to staff speaking on their behalf during the interview
Staff	2	Staff member A spoke on behalf of individual A throughout the interview. Staff member B, who is the house manager, spoke on behalf of individual B during the interview. Both staff members said the individuals enjoy living in this home and like the amount of assistance they receive there.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R2-67 – Pine Haven

Provider Name:	Northwest Alabama Mental Health Center (NWAMHC)		
Setting Name:	Pine Haven		
Setting Number:	R2-67		
Number of Individuals Served at this Location Regardless of Funding:	6	Number Individuals Utilizing Medicaid Served at this Location:	6
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	9/30/24		
Description of Setting:			
<p>This is a 2-story, 6-bedroom, 3-bathroom home in a rural area. The home has a back deck that overlooks a large, wooded backyard. There are two side entrances with wheelchair ramps. The home is 5 miles from Dollar General and 19 miles from Jasper, which offers a wider variety of stores and activities.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed individuals can have privacy in their bedrooms. During the visit, individual A sat alone in the living area while watching TV. Individual B confirmed they can have privacy when they want. Staff said individuals can have privacy in their bedrooms and bathrooms. Staff said they knock before entering rooms. Both individuals and staff confirmed that staff assist with personal care in a private place. Staff said they do not share personal information about individuals.</p> <p>The monitor observed staff interact with individuals and respond to them directly. Individual B said they feel staff listen to them and respect their preferences. Staff said individual A points at the clothing they want to wear for the day. Individual B confirmed they wear their hair and clothing as they like.</p> <p>No use of coercion or restraint was observed during the onsite visit. Individual B confirmed they feel safe in the home and are not forced to do anything they do not want to do. Staff said individual A points or reaches out to indicate wants and needs or to signal something is wrong.</p>

	<p>Individual B said they will communicate with staff if they have a complaint about how they are treated in the home.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals do not follow one set schedule. When the monitor arrived at the home, individual E was sitting outside on the porch, individual A was watching TV in the living room, and individual D was in their bedroom. Per staff member, some individuals participate in the day program.</p> <p>Staff said individual A does not attend a day program, so they spend time with staff and are aware of their right to spend time with others in the community. Per staff member, individual A enjoys painting. Per the PCP, individual A enjoys art, magazines, watching TV, and listening to music. Staff said individual A enjoys visiting craft stores and communicates when they change their mind about doing something through gestures. Staff said individual A chooses when they wake up, go to sleep, and nap.</p> <p>Individual B confirmed they decide their activities and who they spend time with. Individual B said they go on outings as they like and know who to tell if they change their mind about doing something. Individual B confirmed they wake up, go to bed, and take naps when they like. Per the PCP, individual B enjoys sleeping in, going out to eat, Alabama football, sports statistics, listening to music, playing video games, watching TV, talking on the phone, attending day habilitation, and spending time with their significant other.</p>
	<p><i>Visitor Access:</i> Staff said individuals can have visitors at any time. Individual B confirmed they can have visitors of their choosing at any time. Staff and individual B confirmed that staff do not restrict visitors. Individual B said their father and sisters visit, and they usually go out to eat. Staff said individuals can meet with visitors wherever they choose in the home, including their bedrooms, the living room, the dining area, or outdoor areas. Individual B confirmed they can have privacy with visitors. Individual B has a personal cell phone to make phone calls in their bedroom's privacy.</p>
	<p><i>Food Access:</i> The monitor observed individuals can access food at any time, as access to the kitchen was not restricted and there were no locks on the refrigerator, freezer, pantry, or cabinets. The monitor observed snacks in the pantry, including peanut butter cheese crackers, Nutri-Grain bars, trail mix, suckers, applesauce, and Jell-O. Some individuals choose to keep personal snacks in their bedrooms. Individual A and individual B confirmed they can get a snack any time they choose, without seeking permission. Staff said individual A chooses their food by pointing at what they want. Individual B confirmed they choose their own food.</p>

	<p>Per staff, individuals assist with developing the weekly menu and with grocery shopping. Staff said individuals tell staff what they want to eat, and the menu is created based on their preferences. Per staff, if changes need to be made to the menu due to personal preferences, staff make these changes. Staff said individuals go grocery shopping for the items they want. Staff said if the house is going out to eat and one individual does not want to join, a staff member will stay home with that individual.</p>
	<p><i>Living Unit Lease:</i> The monitor observed the individuals' lease agreements are signed and contain HCBS-required rights and responsibilities. Copies of the leases are in the individuals' training binders. Individual B confirmed they know their rights in the home. The monitor observed individuals at this setting have a copy of their leases. Some keep it in their safes in their rooms, while others keep it in a folder in the same area where the safe is kept.</p>
	<p><i>Sleep Privacy:</i> Each individual has their own bedroom. Individuals can close and lock their bedroom doors for privacy when they choose.</p>
	<p><i>Living Unit Locks:</i> The monitor observed each bedroom door has a working lock. Individual A keeps their key in their purse on the back of their wheelchair, and individual B keeps their keys around their neck on a lanyard. When asked if they can lock the door to their bedroom if they want privacy, individual A did not respond. The monitor observed individual A's door can be locked from the inside to ensure privacy. Individual B confirmed they can lock their bedroom door when they want privacy. Per the PCP, individual A has keys to the front door of their home.</p>
	<p><i>Roommate Choice:</i> Not applicable in this setting.</p>
	<p><i>Furnish & Decorate:</i> The monitor observed all bedrooms were personalized. Individual A's bedroom had their name on the door, flower paintings on the walls, personal artwork, a TV, a brown suede recliner, a butterfly blanket, a hand bar next to the door, and a Hoyer lift. Individual B's bedroom had University of Alabama items, a TV, a gray comforter, a brown leather recliner, hats hanging on the wall, and hand bars next to the bed and the window. Individual C's bedroom had lavender walls, white furniture, a teal floral quilt, teal curtains, and floral pictures. Individual D's bedroom had light orange walls, Hello Kitty wall posters, a TV, and a gray comforter. Individual E and F's bedroom doors were closed and locked, so the monitor did not observe these bedrooms. Individual B confirmed they can decorate their bedroom as they desire.</p>
	<p><i>Accessible Living Space:</i> The monitor observed entrances to the home were accessible, free of clutter, and had functioning doorknobs and locks. The monitor observed a ramp at the side entrance of the home that gives</p>

	<p>access to the patio and porch area. All bathrooms had hand bars. All mobility assistive devices were in good working condition.</p> <p>The monitor observed staff assist individual A as they moved from the living room to their bedroom in their wheelchair for their interview. Staff said individual A independently moves themselves to the kitchen and pantry. Individual A confirmed they can use outdoor spaces.</p> <p>The monitor observed individual B move from the living room to their bedroom using an UPWalker. Individual B confirmed they can move around the house as they like and can use outdoor spaces.</p> <p>The monitor observed individual C move from the living room to the kitchen and then to their bedroom independently in their wheelchair.</p>
	<p><i>Community-Based Setting Distinction:</i> The monitor observed the home is in a rural setting surrounded by open fields and trees. The home does not have restrictions or practices that control behavior. Staff said individuals are free to come and go from the home as they please.</p>
	<p><i>Staff Distinction:</i> Staff do not wear a uniform. Staff interact with individuals by engaging them in conversations about daily activities. Staff do not enter bedrooms without permission and do not impose restrictions on freedom and movement. Staff said they support individuals to do things independently by showing them how to do things and encouraging them. Individual B said they like staff because they help them with things.</p>

<p>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 42 CFR 441.304(c)(4)(i). This includes:</p> <ul style="list-style-type: none"> • Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting; • The setting supports access to the community activities through its own transportation or coordination of transportation options; • Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and • Individuals are able to control their personal resources, including their own money. 	
<p>Compliance:</p>	<p><input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant</p>
<p>Summary of Evidence of Compliance:</p>	<p><i>Community:</i> Staff said they respect individuals’ preferences for activities and schedule them on a monthly calendar to ensure everyone’s interests are accommodated. Staff said individuals enjoy yard sales, festivals, and looking at Christmas lights. Individuals reported they have been on outings</p>

	<p>to Walmart, Dollar general, a thrift store, and Cracker Barrel. Staff and individual B said outings occur with staff and housemates. The individual chooses not to attend day habilitation program and can go out on individual outings.</p> <p>Staff said individual A tells staff when they want to go to an outing and points to places to indicate where they want to go. Staff said individual A enjoys Michael's and Hobby Lobby. Individual A confirmed they get to go to Hobby Lobby. Per the PCP, individual A enjoys community events, parks, restaurants, and shopping.</p> <p>Individual B said they can go places of their choosing at any time they like. Individual B said they like Walmart, Dollar General, and getting a shake at Sonic. Per the PCP, individual B enjoys community events, parks, bowling, movies, church, ballgames, restaurants, and shopping.</p>
	<p><i>Transportation:</i> The monitor observed a provider van at the home for transportation to the greater community. The monitor observed information about Dial-A-Ride and Walker County Transportation posted on a board near the back patio door. Per the PCP, individual B is transported by NWAMHC and family.</p>
	<p><i>Employment:</i> Staff said individuals in the home do not have jobs. Per the PCP, individual A is not employed and has not expressed interest in employment.</p> <p>Per the PCP, individual B would like a job and has an open file with vocational rehabilitation. Individual B said they have been employed in the past. Staff said individual B has expressed some interest in working with the high school football team. Individual B said they would contact staff if they were interested in employment.</p>
	<p><i>Personal Resources:</i> The monitor noted that individuals have access to money when they go on outings. Staff said individuals keep personal resources in their wallet, purse, lockbox, or locked in the medication room. Staff said there are no restrictions on what individuals can purchase. Staff said they provide assistance with making purchases as needed, such as counting out the correct amount of money to pay for a purchase.</p> <p>Per the PCP, individual A has their own bank account, can access their money at any time, and can purchase anything they choose. Staff said individual A has a wallet for their money. Staff said individual A likes to buy paints and other craft items at Michael's and Hobby Lobby.</p> <p>Individual B said they keep money in their wallet and keep their debit card and extra money locked up due to a rights restriction. Individual B said they like to buy CDs and notebooks at Dollar General, Walmart, and the thrift store.</p>

	<p>The individuals have approved rights restriction regarding their provider serving as their representative payee and having access to funds. This restriction has been acknowledged and signed by the individuals and/or their guardian, along with HRC and is documented in their Person-Centered Plan (PCP). In addition, these documents are maintained in the home for easy access by the individual and clearly outlines fading plans.</p> <p>The monitor has determined that the home complies due to the presence of a spend binder in the home and the provider acting as the representative payee. The provider manages the funds on behalf of the individuals, ensuring they have access to their funds at all times. Each individual receives weekly funds based on the amount they can manage, while the additional funds are securely locked away to maintain the budget. However, individuals are aware of the location of these additional funds and may request access to them at any time.</p>
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<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, other living options were discussed, including living in an apartment with supports, with friends, and in a nursing home. Per the PCP, individual A was given a choice of residential services, living in an apartment alone or with friends, and/or residing in a nursing home. Living with family was not presented as an option, as the family cannot provide the necessary care. Per the PCP, individual A chose to live in a residential facility.</p> <p>Individual B said they chose to live in this home and they like living there. Per the PCP, individual B was offered a choice of living in an apartment alone, with friends, or in a nursing home. Living with family was not an option, as the family cannot provide the level of care the individual requires.</p> <p><i>Services and Supports Choice:</i> Per the PCP, individual A was informed about the services and supports they are eligible for and chose their services and</p>

	<p>supports from that list. Per the PCP, individual A receives residential habilitation, specialized medical supplies, and targeted case management.</p> <p>Individual B said they choose their services. They said they like the amount of help they have at home and mostly prefer to do things on their own. Both individuals were offered the following services as documented in the PCP, which included self-directed services, community day programs, facility-based day programs, residential services, supported employment services, and case management. The individual chose their services.</p>
	<p><i>Service Provider Choice:</i> According to the PCP, the SC informed the individual of residential service provider options, including NWAMHC, the ARC of Walker County, Community Options, or options outside of the county. Individual A chose their provider.</p>

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with the HCBS Settings Rule requirements based on observations of the monitor, interviews with individuals, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	2	Individual A communicates with gestures, signs, and words. During the interview, they responded with “mm-hmm” or a head nod, and some of their responses were interpreted by staff. Individual A gave consent for the staff to participate in the interview along with them. Individual B communicates verbally. Staff were not present during individual B’s interview.
Staff	1	The staff member participated in individual A’s interview and was also interviewed separately.

Ongoing Remediation Activities (as applicable)

Current Standing: Currently Compliant Approved Remediation Plan

**Individuals
Served
Summary:**

**Staff
Summary:**

Setting Information – R4-85 – Quality South

Provider Name:	Quality South		
Setting Name:	Quality South		
Setting Number:	R4-85		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	11/13/24		
Description of Setting:			
This setting is a 3-bedroom, 2 -bathroom home in a residential neighborhood. It is 2.2 miles from Walmart, Applebee’s, Zaxby’s, Burger King, and a shopping plaza.			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed the individuals had the right to privacy in their bedrooms and were able to close their doors but not lock them. The individuals were observed to be treated with respect by staff and were noted expressing their opinions and discussing things that interest them. The individual felt the staff listened to and respected them, including wearing the clothes they chose. The monitor did not observe signs of coercion or restraint during the site visit. The individual stated they did not feel coerced to do things they do not want to do. Individuals were afforded the right to have control over their day-to-day lives, including making choices.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed the individuals created their own schedules. The interviewed individual was observed discussing with staff what they would like for a meal and where they were planning to go that day after the monitoring visit concluded. Staff understood the individuals’ rights to have control over their schedule and choices and supported that autonomy.</p>

	<p><i>Visitor Access:</i> The individual stated to the monitor they can have privacy with visitors in their bedroom and could also make phone calls in private in their bedroom. The staff stated individuals can have visitors at any time.</p>
	<p><i>Food Access:</i> The individual indicated to the monitor they could have access to food at any time and would obtain food and snacks from the kitchen in the home. The individuals said their favorite snacks are bananas, grapes, and Doritos.</p>
	<p><i>Living Unit Lease:</i> There were copies of the individuals' leases in assessment folders in the setting's office. Individuals have access to their leases, nor did they have their own copies of their lease. The individual indicated they knew about their rights in the home.</p>
	<p><i>Sleep Privacy:</i> Each individual in the home had their own bedroom with a door they could close for privacy. The setting did not have keys available to the individuals for them to be able to lock their doors or keys to the entrance of their home.</p>
	<p><i>Living Unit Locks:</i> The monitor observed individuals bedroom doors had key locks. The monitor observed individuals had keys to their bedrooms at the time of the monitoring visit.</p>
	<p><i>Roommate Choice:</i> Not applicable in this setting.</p>
	<p><i>Furnish & Decorate:</i> The monitor observed rooms demonstrated individualization with the interviewed individual's bedroom decorated with a blue and gray comforter. The individual indicated they were able to decorate their room as they choose.</p>
	<p><i>Accessible Living Space:</i> The monitor observed the entrance to the home to be accessible.</p>
	<p><i>Community-Based Setting Distinction:</i> The setting is a residential home with a backyard.</p>
	<p><i>Staff Distinction:</i> Staff stated the individuals are able to express themselves, including their likes, dislikes and preferences.</p>

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> On the day of the monitoring visit, it was observed the individuals had access to the greater community and go to the places of their choosing in the community. The individuals like to go shopping and out to eat with staff or with their fellow housemates.
	<i>Transportation:</i> The monitor observed transportation options in the home. The posting included Uber, city bus, taxi service, airports, and train stations.
	<i>Employment:</i> The monitor was informed by the interviewed individuals that they did not want to work.
	<i>Personal Resources:</i> The monitor observed the interviewed individual keeps their personal funds in their wallet and uses cash and a debit card. The individual stated they like to buy soda, hats, clothing, and coffee when out shopping. Their preferred shopping locations included Walmart and Dollar Tree.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> The Support Coordinator discussed with the individual their options regarding waiver services, non-disability services, and service providers during the annual redetermination and as needed. The Support Coordinator explained the Free Choice of Provider form, which is provided annually along with a list of provider and service options. The Support Coordinator reviewed the option for the individual to live independently in their own apartment, with or without personal care (in-home supports), self-directed services (PPL, ALLIED), or remote supports (Alchera). This can be achieved by seeking placement through the Montgomery Housing Authority, with assistance from the ADMH Housing Coordinator.</p> <p><i>Services and Supports Choice:</i> Upon review of PCP documentation, services and support options were discussed with the individual and included the options to self-direct their services.</p> <p><i>Service Provider Choice:</i> Per the monitoring report, the individual was offered HELP Milton Road, Magnolia Wood Therapeutic, The Arc of Montgomery, EBAM Services In., Ameicare Health and Rehabilitation, Volunteers of America, Three Folds Care, Maxwell Alternative Residential Services, Oui Care, LLC., Hill Group Hom, in. PHP of Alabama, Montgomery County Housing Authority, and apartments in the Montgomery area.</p>

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
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Summary of Evidence of Compliance:	The setting complies with the HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.
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Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual gave consent for staff to be part of the interview and support them.
Staff	4	There were four staff present during the monitor’s visit. The staff assisted the individual during the interview if there was a question they did not understand.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R4-36 – Milton Road CRF

Provider Name:	H.E.L.P.		
Setting Name:	Milton Road CRF		
Setting Number:	R4-36		
Number of Individuals Served at this Location Regardless of Funding:	11	Number Individuals Utilizing Medicaid Served at this Location:	11
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	7/23/24		
Description of Setting:			
<p>The setting is a multi-family home in a community neighborhood. The home is within 5 miles of local restaurants, and within 3 miles of schools and a zoo. The house is near a public bus transit stop.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- **The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint;**
- **The setting ensures the individual has freedom and support to control his / her own schedule and activities;**
- **Individuals are able to have visitors of their choosing at any time;**
- **Individuals have access to food at any time;**
- **The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;**
- **Each individual has privacy in their sleeping or living unit;**
- **Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;**
- **Individuals sharing units have a choice of roommates in that setting;**
- **Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;**
- **The setting is physically accessible to the individual;**
- **The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and**
- **There is a distinction between staff for the HCBS setting and the institutional setting.**

Compliance:

Met Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual’s Rights: Monitor observed individuals have privacy in their bedrooms when they choose. Individuals said they can go into their bedrooms when they choose, and staff ask them if they want to be alone. Staff said if they help with personal care they do so in a private setting. Individuals confirmed the staff’s statement.

Monitor observed individuals treated with dignity and respect, as staff spoke with individuals respectfully. Individual B said staff listen to them and respect them. Staff receive training annually about individual’s rights. Individuals said staff ask them about their likes and dislikes and give them choices. Individuals indicated they choose their hairstyle and clothing. Individual A said they choose to wear their hair as short as possible because that is how they prefer it.

No use of coercion or restraint was observed during the monitoring visit. Individuals said they feel safe at home and do not feel forced to do anything they do not want to do. Both individuals said they will tell staff or support coordination if they have a concern about how they are treated. Staff said they tell individuals to inform staff if they have concerns. Individuals said they

	<p>know their rights in the home. Staff said they review individuals' rights with them and support their rights.</p>
	<p><i>Schedule and Activities Choice:</i> No set schedules were posted in the home. Individuals said they choose their activities, who they spend time with, and their sleep schedules, including naps. Individuals said they tell staff if they do not want to do something, and they have the right to choose what they do or do not do. Per the PCP, individual A enjoys socializing with friends, watching TV, talking on the phone with friends, and listening to music.</p>
	<p><i>Visitor Access:</i> Staff and individuals can have visitors of their choosing at times of their choosing. Individual A said their family comes to visit. The individuals said they can meet with visitors in private in their bedrooms or any private area of the home. Staff said individuals can use the phone privately in the activity room or the office. Alternatively, staff provide individuals with a cell phone so they can make phone calls in their bedroom. Individual A said they have a personal phone, and they make private calls in their bedroom.</p>
	<p><i>Food Access:</i> Monitor observed individuals have access to food at any time and can store snacks in the closet or storage bins in their bedrooms if they choose. Individuals confirmed they can get food and snacks any time they choose. Individuals said they do not have to get permission, but they do ask for staff's assistance. Individuals confirmed they choose their food and snacks. Individual A said they like blackberries, while individual B said they like cakes and shrimp.</p>
	<p><i>Living Unit Lease:</i> The monitor observed copies of the individuals' leases available to them. Upon review, the leases meet HCBS requirements.</p>
	<p><i>Sleep Privacy:</i> Each individual has a private bedroom with a lockable door. Individuals can close and lock their bedroom doors for privacy when they choose.</p>
	<p><i>Living Unit Locks:</i> Monitor observed bedroom doors had working locks. Monitor observed individuals have keys to their bedrooms if they choose to have them. Individual A stated they want a key, and staff stated they would provide a key for them. The individual has been provided with a key. Individual B stated they do not want a key. Both individuals confirmed they can lock their bedroom door for privacy if they choose. Per the PCP, individual A can have a key to their home but chooses not to.</p>
	<p><i>Furnish & Decorate:</i> Monitor observed bedrooms were personalized. The individuals confirmed they can decorate their bedrooms how they choose.</p>
	<p><i>Accessible Living Space:</i> Monitor observed entrances and exits are accessible to individuals, and individuals move freely throughout the home. The home has one level. During the visit, individual A's mobility assistive device was</p>

	not staying powered on. Staff said a work order has been placed for a new part, the part has been purchased, and a date is scheduled for the device to be fixed. Individuals said they can move throughout the home as they please, including outdoor spaces.
	<i>Community-Based Setting Distinction:</i> Individuals made their own choices in the home.
	<i>Staff Distinction:</i> Individual A said staff help when they ask staff for help.

<p>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 42 CFR 441.304(c)(4)(i). This includes:</p> <ul style="list-style-type: none"> • Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting; • The setting supports access to the community activities through its own transportation or coordination of transportation options; • Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and • Individuals are able to control their personal resources, including their own money. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Community:</i> The individuals said they like going on outings with staff. Individuals said when they have staff and a bus driver, they can go places to do the things they would like to do. Staff said individuals typically have the option to go places of their choosing when they would like. Montgomery ARC also provides transportation.</p> <ul style="list-style-type: none"> • Individual A said they like shopping for clothes and shoes at Walmart, EastChase, and Eastdale mall. Per the PCP, individual A enjoys visiting their family. Per the PCP, individual A attends church with their residential group home. • Individual B said they like to shop at Walmart. Per the PCP, individual B chooses when they attend church and which church they attend. Per the PCP, individual B has not been presented with the opportunity to volunteer in the community.
	<p><i>Transportation:</i> Monitor observed transportation schedules in the home. Per the PCP, HELP provides transportation for individual A to get to places of interest and need in the community. Per the PCP, Montgomery ARC also provides individual A with transportation during outings and to go back to their home from the day program. Per the PCP, individual B is transported</p>

	by HELP staff to their day program and all community activities of their choosing.
	<p><i>Employment:</i> Per the PCPs, individuals can seek employment if they choose. Individual A and individual B do not have jobs.</p> <ul style="list-style-type: none"> • Individual A previously worked for GKN, but the site closed. They are currently not interested in a job at this time. • Individual B is not interested in employment. Per the PCP, individual B is not employed and is not interested in employment at this time.
	<p><i>Personal Resources:</i> Monitor observed individuals have control over and access to personal resources. Both individuals said they like shopping at Walmart, Eastdale Mall, and EastChase.</p> <ul style="list-style-type: none"> • Individual A said they keep their money in a wallet in their purse. Individual A said they like to buy shoes and clothes. Per the PCP, individual A has access to 10% of their income in an account for their personal use. Per the PCP, individual A prefers to request money from the agency director when they want money to make purchases. • Individual B said they have staff hold their money, or they keep it in their bedroom. Individual B said they like to buy shirts and DVDs. Per the PCP, individual B has a bank account and has access to their funds.

<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Both individuals said they chose to live at this home. Individual A said they chose to move to this home because their mother could not assist them as much anymore due to her age.</p>

Summary of Evidence of Compliance:	Per the PCP, individual A was given the option to live in their own home in the community or a residential home.
	<i>Services and Supports Choice:</i> Both individuals said they choose their services, and they like the amount of support they receive in the home. Per the PCPs, both individuals choose to attend the McInnis Center for day habilitation. Per the PCP, individual A has natural support from their siblings and extended family. Per the PCP, individual B has natural support from a family friend. Services and supports discussed included residential habilitation, day habilitation, remote supports, self-directed services, and traditional in-home personal care supports.
	<i>Service Provider Choice:</i> Per the PCP, individual A, with their sister, made the choice to continue receiving services from HELP at Milton Road. Per the PCP, individual B chose HELP as their provider after touring different homes. Other residential providers discussed include Magnolia Wood, ARC of Montgomery, Ameri Care Health and Rehab, Volunteers of America, Three Folds Care, Health Care Connection Group, and Quality South.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of this report's date.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	2	The staff member was present during the individuals' interview and assisted individuals with responding to questions. The staff member was respectful and assisted when individuals did not understand a question.
Staff	1	The staff participated in the individuals' interview.

Ongoing Remediation Activities (as applicable)

Current Standing: Currently Compliant Approved Remediation Plan

**Individuals
Served
Summary:**

**Staff
Summary:**

Setting Information – R5-25 – Saturn Lane

Provider Name:	The Arc of Central Alabama		
Setting Name:	Saturn Lane		
Setting Number:	R5-25		
Number of Individuals Served at this Location Regardless of Funding:	9	Number Individuals Utilizing Medicaid Served at this Location:	9
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	9/27/24		
Description of Setting:			
<p>This setting is a 10-bedroom, 3.5-bathroom home on a street with little traffic. The home is about 5 minutes from shopping and restaurants, including Walmart Neighborhood Market, Dollar Tree, Family Dollar, Dollar General, Taco Bell, McDonald’s, and Pizza Hut. There are also schools, churches, and parks in the area.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed individuals have the right to privacy when they would like. Staff said the individual can go in and out of their bedroom when they choose and can close their bedroom door. Staff said they knock before entering bedrooms. Staff said if they assist with personal care, they do so in the bathroom with the door closed for privacy.</p> <p>The monitor observed staff treated the individuals with dignity and respect by talking to them and guiding them. Staff said they listen to and respect the individual by paying attention to their gestures, facial expressions, and vocalizations to determine when they are happy or aggravated. Staff said they respect the individual’s preferences, including their like of hamburgers, fries, and McDonald’s. Staff said the individual points to their head when they want a haircut. Staff said the individual goes to the barbershop twice per month and chooses to get their hair cut short. Staff said the individual holds clothing items and points to them to let staff know what they want to wear. The monitor observed individuals appear to make independent choices about what to eat and what to do throughout the day.</p>

	<p>No use of coercion or restraint was observed during the onsite visit. Staff said the individual is not forced to do anything they do not want to do and lets staff know if they do not want a certain person to help them. If the individual indicates they are not comfortable around a certain person through their behavior, staff ask them questions.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals decided what they wanted to do during the onsite visit and did different activities according to their preferences. Per the PCP, the individual spends most days at home doing what they choose. Per the PCP, the individual enjoys being outdoors, watching TV, listening to the radio, and sitting in the living room around others. Staff said the individual likes to look out the window and inform staff when someone arrives at the home. Staff said the individual decides who they spend time with and appears to enjoy being with their housemates and staff.</p> <p>The staff provided documentation to the monitor demonstrating community activities. Staffing capacity is low, preventing full participation in the community. Staff said the individual goes to the door and points at the bus if they want to go somewhere. Staff said the individual can tell staff if they change their mind about going somewhere. Staff said the individual chooses their sleep schedule and chooses not to take naps. Staff confirmed the individual could take a nap if they wanted to.</p>
	<p><i>Visitor Access:</i> The Arc of Central Alabama’s policy states the individuals have the right to decide who visits them. Staff said the individual can have visitors whenever they want and can visit with them in private. Staff said individuals can take the home’s cordless telephone into their bedrooms for private calls as they choose.</p>
	<p><i>Food Access:</i> The monitor observed individuals had access to food at any time and there were no scheduled snack times or mealtimes. The monitor observed snacks were stored in the kitchen pantry where individuals can access them at any time. Staff said individuals do not have to ask permission for snacks, but staff assist individuals with obtaining snacks when requested. Staff said the individual points to their mouth or goes to the table when they want a snack because they need assistance with obtaining snacks from the pantry and the refrigerator. Staff said they lay out a couple different snacks so the individual can choose what they want to eat.</p>
	<p><i>Living Unit Lease:</i> The monitor observed the individual's lease is current, signed by the individual and the provider, and contains HCBS-required rights and responsibilities. The individual had a copy of their lease in a folder in their bedroom drawer. Staff indicated the individual knows their rights in the home and exercises them daily as they look out the window, go in and out of their bedroom, get a snack when they want one, and enter common areas when they choose.</p>

	<p><i>Sleep Privacy:</i> Individuals can close and lock their bedroom doors for privacy when they choose, and each has their own bedroom.</p>
	<p><i>Living Unit Locks:</i> The monitor observed bedrooms had working locks, and individuals had keys to their bedrooms. The interviewed individual kept their key in the bedroom door lock. Staff said the individual can close and lock their bedroom door if they choose. Per the PCP, the individual also has a key to the home and their lockbox.</p>
	<p><i>Roommate Choice:</i> Not applicable in this setting</p>
	<p><i>Furnish & Decorate:</i> The monitor observed bedrooms were personalized and decorated with personal items. The interviewed individual had a framed picture of cars, a picture of a NASCAR driver, two pictures of themselves, and a stuffed dinosaur. Staff confirmed the individual can decorate their room as they wish. Staff said they assisted the individual with decorating their room with the items they brought from their previous setting.</p>
	<p><i>Accessible Living Space:</i> The monitor observed entrances to the home were accessible and there was a ramp to the front porch. The monitor observed individuals move freely throughout the home, and the hallways are large enough for wheelchair access. The monitor observed detachable shower heads and shower chairs in the bathrooms. Staff said the individual moves around the home as they choose and goes from the hallway to the den and back every few minutes. Staff said the individual can use outdoor spaces, and they enjoy sitting on the deck in the morning.</p>
	<p><i>Community-Based Setting Distinction:</i> The monitor observed that the home does not have policies or practices that control behavior and offer opportunities for community inclusion.</p>
	<p><i>Staff Distinction:</i> Staff wore everyday clothing and treated individuals with dignity and respect.</p>

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Community:</i> Per interview, the individual likes to go to McDonald’s to get French fries. Per the PCP, the individual did not express interest in participating in community activities, volunteering, or going places other than McDonald’s. The monitor observed documentation of the individuals’ outings to Thunder on the Mountain and arts and crafts at Bessemer Farmer’s Market. Staff said if the individual makes a request to go somewhere, staff will transport them once second shift arrives. Staff said the individual does not go out much on their shift due to limited staff. Remediation is underway to support community inclusion and documentation reflects these efforts. The agency provided a document to the monitor stating they are working diligently to increase staffing to ensure safety and provide more support towards accessing the greater community. Staff said the individual usually goes on outings with the house manager.</p>
	<p><i>Transportation:</i> The monitor observed transportation information in a folder attached to a board. The information included phone numbers for Yellow Cab and Class Trans, the website for Lyft and Uber, and routes for Maxx Publix Bus, The Magic City Connector, and the National Aging and Disability Transportation Center. Per the PCP, the individual is transported places they want and need to go to by the Arc of Central Alabama staff.</p>
	<p><i>Employment:</i> Per the PCP, an employment assessment is completed quarterly, and the individual has shown no interest in employment. Staff said the individual can talk to their support coordinator about employment if they decide to work in the future.</p>
	<p><i>Personal Resources:</i> The individual has their own debit card that they keep in a lockbox in their bedroom. Per the PCP, the individual can spend the money on their debit card however they like. Staff said the individual likes to go to McDonald’s, and staff assist them with purchasing burgers and fries.</p>

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, the individual was offered non-disability settings, including Hunter Ridge Apartments and Stratford Square Apartments. Per the PCP, the individual is not interested in living independently and chose to receive residential habilitation.
	<i>Services and Supports Choice:</i> Per the PCP, the individual chooses not to attend day habilitation based on options provided.
	<i>Service Provider Choice:</i> Per the PCP, the individual was offered the Arc of Central Alabama, EJYS, IAH, Just as Family, and Louise’s Promise. Per the PCP, the individual chose to receive residential habilitation through the Arc of Central Alabama. Staff said the individual’s previous home closed. Staff said the individual was brought to eat dinner with the housemates at this home, and they liked it, so the decision was made to move in.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with HCBS Settings Rule requirements based on observations of the monitor, interview with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
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Individuals	1	Per the PCP, the individual communicates using gestures. The individual was sitting at the kitchen table preparing to eat their lunch, and the monitor informed the individual they would be interviewing staff on their behalf and asked for the individual's consent to do so. The individual looked at staff and shook their head "ok."
Staff	1	Staff responded to questions on behalf of the individual.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-54 – House 2

Provider Name:	Arc of Central Alabama Blount County		
Setting Name:	House 2		
Setting Number:	R5-54		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	10/4/24		
Description of Setting:			
This setting is a 3-bedroom, 2-bathroom home with a front porch and a back patio. The home is near Charlie B's, Western Sizzling, Taco Bell, and Walmart.			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed individuals were afforded the right to privacy in the home. Per interview, the individual can have privacy any time they want. Staff said they knock on bedroom doors prior to entering.</p> <p>The monitor observed staff treat individuals with dignity and respect. Per interview, staff respect the individual’s preferences. Per interview, the individual wears their hair however they like and picks out their own clothing. The monitor observed individuals had independence in making life choices and selecting their outings, activities, and meals.</p> <p>The monitor did not observe the use of coercion or restraint during the onsite visit. Per interview, the individual felt safe in the home and was not forced to do anything they do not want to do. Per interview, the individual would report a complaint to the house manager if they had a concern about how they were treated.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals do not follow one set schedule. During the onsite visit, the interviewed individual sat outside on the porch and smoked while another individual listened to music</p>

	<p>with their headphones. Per interview, the individual decides the activities they participate in. The individual goes on outings as they like and is offered outing options to choose from. The individual tells staff if they change their mind about doing something. Per interview, the individual decides who they spend time with and enjoys spending time with friends and wakes up, goes to bed, and takes a nap whenever they choose.</p>
	<p><i>Visitor Access:</i> Per interview, the individual can have visitors of their choosing at any time. Staff said the individual can meet with visitors and make phone calls privately in their bedroom. There is a cordless phone in the kitchen that individuals can use.</p>
	<p><i>Food Access:</i> The monitor observed individuals had access to food at any time, as there are no locks observed on kitchen cabinets or the refrigerator and no posted signs with scheduled mealtimes. The monitor observed snacks in the kitchen cabinet, including honey buns, snack cakes, oatmeal pies, sweet tea, and Kool-Aid. Per interview, the individual eats whenever they choose, without seeking permission. Per interview, the individual chooses their own food and enjoys snack cakes, sweet tea, and Kool-Aid.</p>
	<p><i>Living Unit Lease:</i> The monitor observed a copy of the interviewed individual's lease in their bedroom closet. The monitor reviewed the lease to be current, signed by appropriate parties, and contains HCBS-required rights and responsibilities.</p>
	<p><i>Sleep Privacy:</i> Each individual has their own bedroom. Individuals can close and lock their bedroom doors for privacy.</p>
	<p><i>Living Unit Locks:</i> The monitor observed all bedroom doors have working locks. The interviewed individual had keys to the front door and their bedroom. The interviewed individual could lock their bedroom door with a key.</p>
	<p><i>Roommate Choice:</i> Not applicable in this setting.</p>
	<p><i>Furnish & Decorate:</i> The monitor observed bedrooms are personalized. The interviewed individual has Alabama and Spider-Man posters in their bedroom. Another individual has toy cars in their bedroom. The third individual has a bean bag chair in their bedroom. Per interview, the individual can decorate their bedroom however they want, and staff assist as needed.</p>
	<p><i>Accessible Living Space:</i> The monitor observed entrances and exits were accessible, free of clutter, and have working doors. The monitor observed the home is on a single level and has hand bars in the bathroom. The monitor observed individuals move freely throughout the common living areas. Per interview, the individual moves around the house as they like and can use outdoor spaces like the front porch.</p>

	<p><i>Community-Based Setting Distinction:</i> The monitor observed the home is in an area that offers the opportunity for community inclusion. The monitor observed there are no bars on the windows, no sterile-looking furniture, and no locks on the cabinets. The monitor observed the home does not have policies or practices that control behavior.</p>
	<p><i>Staff Distinction:</i> The monitor observed staff wear casual attire. The monitor observed staff speak with individuals using a respectful tone and refer to individuals by their preferred names. The interviewed individual said they like the staff because they are nice and prepare tea for them.</p>

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Community:</i> Staff said they provide options for outings, and individuals can choose to go out or stay at home. Staff said individuals enjoy the park, the city pool, Walmart, and McDonald’s. Per interview, the individual can go any place at any time they choose. Staff said the interviewed individual enjoys McDonald’s and going to the store to buy cigarettes. Staff said the individual enjoys going on outings with their friends or by themselves.</p>
	<p><i>Transportation:</i> Staff said they provide transportation for community outings. The monitor observed information about Blount County Transportation posted in the home.</p>
	<p><i>Employment:</i> Per interview, the individual is not employed and is not interested in seeking employment. Per interview, the individual would talk to the executive director if they wanted to get a job, and their support team would assist them.</p>
	<p><i>Personal Resources:</i> The monitor observed the interviewed individual had a personal debit card. Per interview, the individual likes shopping at Walmart and likes to buy cigarettes.</p>

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> The interviewed individual confirmed they made the decision to live in this home and were offered the options to live independently with personal care or remote supports.
	<i>Services and Supports Choice:</i> Per interview, the individual participates in their PCP meeting and decides the services they want. Service options discussed included residential, day habilitation, community experience small group, physical therapy, and positive behavioral supports.
	<i>Service Provider Choice:</i> The monitor observed in PCPs the individuals will be provided a region 5 provider list should the individual wish to move and during future PCP meetings.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with the HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual consented to the staff member participating in their interview. The individual gave “yes” and “no” responses to the monitor’s questions. The

		individual indicated they like the amount of support they have in the home.
Staff	1	The staff member clarified the individual's responses and provided additional information.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-64 – The Loft

Provider Name:	ARC of St Clair		
Setting Name:	The Loft		
Setting Number:	R5-64		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	9/202024		
Description of Setting:			
<p>This setting is a three-bedroom, two-bathroom home with a front yard and a porch in the front and side of the home. It is surrounded by woods. It is near several fast-food restaurants, movie theaters, Walmart, gas stations, and other residential homes.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> Individuals have the right to their privacy when they choose and the right to visitors. When personal care assistance is provided, it is conducted in private. Staff pay attention and respond to the individual’s gestures and body language communication. Staff explained that the individual enjoys watching Alabama football and baseball and listening to music. The staff stated they are aware of their dislikes of Auburn football and red sauce on their food.</p> <p>The monitor did not observe any signs of coercion or restraint. The individual expressed that they feel safe in the home. They stated that if they had a complaint, they would discuss it with the Executive Director, Program Coordinator, or Support Coordinator.</p>
	<p><i>Schedule and Activities Choice:</i> During the interview, the individuals discussed community outings and things they liked to participate in. The individuals had control over their own schedule, this included deciding when they wake up and go to bed. The individual interviewed stated that they take a nap in their chair every day.</p>

	<p><i>Visitor Access:</i> The individual interviewed mother comes to visit them often. They can meet in private if they choose. The individual has their own telephone in their bedroom. The individual interviewed stated they can have visitors when they like. They enjoy having their family members visit them. The individual stated staff never tells them they cannot have visitors.</p>
	<p><i>Food Access:</i> The individual stated that they had access to food at any time. The individual stores their snacks on the bottom shelf in the kitchen pantry. They also keep their drink on the kitchen table for them to reach whenever they like. The individual expressed that they could get a snack when they want and do not have to get permission but will ask the staff for assistance if needed. The individual stated that they like eating broccoli, chicken nuggets, and Chick-Fil-A sandwiches.</p>
	<p><i>Living Unit Lease:</i> There is a copy of the lease signed by all parties. The lease includes tenant rights and responsibilities. The individual has a copy of their lease</p>
	<p><i>Sleep Privacy:</i> Each individual has their own bedroom with functional locking door.</p>
	<p><i>Living Unit Locks:</i> The monitor observed that all the individuals have working bedroom locks. They all have keys to their bedrooms. The individual interviewed keeps their key in their bookbag that is on the back of their wheelchair.</p>
	<p><i>Roommate Choice:</i> Not applicable in the setting.</p>
	<p><i>Furnish & Decorate:</i> The monitor observed that the bedrooms were personalized. The individual interviewed had University of Alabama pictures on their wall.</p>
	<p><i>Accessible Living Space:</i> Per monitor's observation, the front and side door are accessible to all individuals in the home. The individual interviewed bathroom has grab bars to assist with showering and the toilet has safety handles. The individual stated they can move around the home as they like.</p>
	<p><i>Community-Based Setting Distinction:</i> The home is a residential home where the individuals choose their own schedule and how they spend their days.</p>
	<p><i>Staff Distinction:</i> Staff respected the individuals' rights including choosing their own schedule.</p>

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 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> The individual interviewed stated that they go out into the community with their family. The setting has created a binder with visual depictions of options of community activities to use as part of discussions with individuals on places they would like to go in the community.
	<i>Transportation:</i> The monitor observed transportation options posted on the dining room wall.
	<i>Employment:</i> The individual interviewed said they are not interested in working.
	<i>Personal Resources:</i> Individuals in the home keep their personal funds in their wallets and lockboxes. The individual interviewed stated they like to buy McDonalds and shop at Walmart.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- **The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;**
- **The setting facilitates choice regarding services and supports and who provides them; and**
- **Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
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Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, the SC will provide a list of settings for the individuals in region 5 to choose from in future PCP planning meetings.
	<i>Services and Supports Choice:</i> Monitor noted day habilitation and residential habilitation were services documented in the PCP.
	<i>Service Provider Choice:</i> Per the PCP and Support Coordinators a list of Providers in the Region 5 will be provided during future PCP planning meeting to the individual so they will have access to the possibilities in the community and if a need arises, they can tell their SC.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with the HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual interviewed answered the monitor's questions. They looked to staff to assist in providing additional information
Staff	1	Individuals were asked prior to the interview if staff could participate in the interview. Individuals gave verbal consent to the staff to participate in the interview.

Ongoing Remediation Activities (as applicable) Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-89 - Longmeadow

Provider Name:	PHP		
Setting Name:	Longmeadow		
Setting Number:	R5-89		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	10/2/24		
Description of Setting:			
This setting is a 3-bedroom, 2-bathroom home with a fenced-in yard. The home is in a neighborhood with sidewalks. The home is near McDonald's, Zaxby's, and Piggly Wiggly.			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

<p>The setting optimizes, but does no regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:</p> <ul style="list-style-type: none"> • The setting ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint; • The setting ensures the individual has freedom and support to control his / her own schedule and activities; • Individuals are able to have visitors of their choosing at any time; • Individuals have access to food at any time; • The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services; • Each individual has privacy in their sleeping or living unit; • Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors; • Individuals sharing units have a choice of roommates in that setting; • Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement; • The setting is physically accessible to the individual; • The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and • There is a distinction between staff for the HCBS setting and the institutional setting. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual’s Rights:</i> The monitor observed individuals were afforded the right to privacy and can go into their bedrooms for privacy whenever they choose. Per interview, the individual can have privacy any time they want it. The interviewed individual said staff knock on their bedroom door before entering. The monitor observed staff knock on bedroom doors and announce themselves prior to entering. Staff said if they assist with personal care, they do so in a private setting.</p> <p>The monitor observed staff treat individuals with dignity and respect, including speaking to the interviewed individual respectfully and using their preferred name. The interviewed individual said staff listen to them and respect their preferences. The interviewed individual said they pick out their own clothes and choose to wear their hair in braids. The monitor observed individuals have independence in making life choices, including selecting their food and outings.</p> <p>The setting does not allow the use of coercion or restraint. The monitor did not observe the use of coercion or restraint during the onsite visit. The interviewed individual said they feel safe in the home and are not forced to do anything they</p>

	<p>do not want to do. The interviewed individual said they would tell the executive director if they had a complaint about how they were treated in the home.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals do not follow one set schedule. During the interview, one of the interviewed individual's housemates got their hair done by staff and another individual sat on the couch and watched TV. Per interview, the individual decides the activities they participate in and enjoys watching Steve Harvey on TV. Per interview, the individual goes on outings as they like and enjoys feeding the ducks at the neighborhood park. Per interview, the individual tells staff if they change their mind about doing something. Per interview, the individual decides who they spend time with and enjoys spending time with their daughter. Per interview, the individual wakes up, goes to bed, and takes a nap whenever they choose.</p>
	<p><i>Visitor Access:</i> Per interview, the individual can have visitors of their choosing at any time. The interviewed individual said they receive visits from their daughter. The interviewed individual said they can meet with visitors and make phone calls privately in their bedroom. The monitor observed a cordless phone in the living room that individuals can use to make private phone calls.</p>
	<p><i>Food Access:</i> The monitor observed individuals have access to food at any time, as there are no locks on the kitchen cabinets or refrigerator and no posted signs with scheduled mealtimes. The monitor observed snacks in the kitchen, including sweet tea, oatmeal, chips, tuna, and honey buns. The monitor observed the interviewed individual has oatmeal in their own closet. Per interview, the individual can eat whenever they choose, without seeking permission. Per interview, the individual chooses their own food and enjoys sweet tea. During the onsite visit, the interviewed individual requested a tuna sandwich.</p>
	<p><i>Living Unit Lease:</i> The monitor observed a copy of the interviewed individual's lease in their bedroom dresser. The monitor observed the interviewed individual's lease is current, signed by all appropriate parties, and contains HCBS-required rights and responsibilities. The interviewed individual said they know their rights in the home, including the right to go into their bedroom when they choose and the right to eat whatever they want.</p>
	<p><i>Sleep Privacy:</i> Each individual has their own bedroom. Individuals can close and lock their bedroom doors for privacy.</p>
	<p><i>Living Unit Locks:</i> The monitor observed bedroom doors have working locks. The monitor observed all individuals have keys to the front door and their own bedroom door. The interviewed individual indicated they keep their keys in their pink purse. The interviewed individual said they can lock their bedroom door for privacy if they choose.</p>

	<p><i>Furnish & Decorate:</i> The monitor observed bedrooms are personalized. The interviewed individual's bedroom has purple bedding, a family picture, and a memory blanket of the individual's son. The interviewed individual said staff helped them decorate their bedroom. Staff said individuals can pick out their own decorations and bedding.</p>
	<p><i>Accessible Living Space:</i> The monitor observed entrances and exits are accessible to individuals living in the home. The monitor observed the home is on a single level and there are hand bars in the bathroom. The monitor observed the interviewed individual's walker appears to be in good repair. The monitor observed individuals can move freely throughout the common living areas. Per interview, the individual can move around the home as they like and use outdoor spaces. Per interview, the individual enjoys sitting outside sometimes.</p>
	<p><i>Community-Based Setting Distinction:</i> The monitor observed the home is in a neighborhood that offers opportunities for community inclusion. The monitor observed the setting is homelike, with no bars on the windows, no sterile-looking furniture, and no locks on cabinets. The monitor observed the home does not have policies or practices that control behavior.</p>
	<p><i>Staff Distinction:</i> The monitor observed staff wear casual attire. The monitor observed staff speak to individuals in a respectful tone and use their preferred names. The interviewed individual said they like staff because staff help them.</p>

<p>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 42 CFR 441.304(c)(4)(i). This includes:</p> <ul style="list-style-type: none"> • Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting; • The setting supports access to the community activities through its own transportation or coordination of transportation options; • Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and • Individuals are able to control their personal resources, including their own money. 	
<p>Compliance:</p>	<p><input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant</p>
<p>Summary of Evidence of Compliance:</p>	<p><i>Community:</i> The monitor observed documentation of outings to the park. The interviewed individual said they enjoy going to Dollar Tree, Family Dollar, and the splash pad. Per interview, the individual can go places they enjoy at any time. Per interview, the individual likes to go on outings with their daughter.</p>

	<i>Transportation:</i> Per interview, staff provide transportation for community outings. The monitor observed information about ClasTran, Uber, and Lyft posted in the home.
	<i>Employment:</i> The interviewed individual said they do not want a job. If the interviewed individual desires to seek community employment in the future, their team will support them.
	<i>Personal Resources:</i> Each individual has their own debit card. Per interview, the individual likes to shop at Dollar Tree and Dollar General to purchase sweet tea.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- **The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual’s needs, preferences, and resources available for room and board;**
- **The setting facilitates choice regarding services and supports and who provides them; and**
- **Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> Per interview, the individual’s daughter assisted them with the decision to live in this home. Per the individual’s PCP, settings discussed include residential services and apartments.
	<i>Services and Supports Choice:</i> Per interview, the individual decides the services they receive as part of their person-centered planning meeting with support coordination.
	<i>Service Provider Choice:</i> Per the individual’s PCP, provider choice included the Arc of Central AL, IAH, PHP of Alabama, VOA, and Louise’s promise.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with the HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual participated in the interview and responded to the monitor's questions. The individual consented to the staff member participating in their interview. The individual said they like living in this home because the staff are good to them. The individual said they like the amount of help they receive in the home.
Staff	1	The staff member was present during the individual's interview and provided reminders and clarifications for the individual's responses.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	