

The Office of Long-Term Living (OLTL) Heightened Scrutiny Evidentiary Information

The following table includes:

- Where the setting is located (locations that have the presumption of institutional qualities and therefore, the possibility of isolating individuals from the broader community due to the service location’s physical location),
- OLTL’s Heightened Scrutiny determination on whether the service location currently meets, or will meet, waiver and regulatory requirements to overcome the presumption of having institutional qualities,
- The HCBS Rule requirement that was measured,
- Waiver requirements specific to services funded by OLTL used to measure Home and Community Based Settings (HCBS) Rule compliance, and
- Information reviewed by OLTL to determine whether the service location currently meets, or will meet, regulatory and waiver requirements to overcome the presumption of having institutional qualities.

Service locations that OLTL determined have or will overcome the presumption of institutional qualities will be sent to the Centers for Medicare & Medicaid Services (CMS) (after public comment) for final review of compliance with the HCBS Rule.

In cases where there were modifications or additional conditions (participant restrictions) that would need to be justified in a participant’s person-centered service plan, those modifications or conditions were confirmed to be needed or justified.

Home and Community Based Settings (HCBS) Quality Review

Setting Name:	Landis Homes
Setting Region:	Central
Setting Address:	1001 E Oregon Rd, Lititz, PA
Setting Type:	Adult Daily Living Provider
Brief description of setting:	Adult Day Center (ADC) operating in a building on the grounds of an institution
Review Date:	3/22/2018
Number of Participants Served at Site	Less than 10

Reason for Category	Setting is in a building located on the grounds of, or immediately adjacent to, a public institution.
Overcomes the presumption of institutional qualities?	Yes
Evidence to support	<p>Assessment tool, state staff review of policies and procedures, on-site observations.</p> <p>The ADC setting was selected by each participant during the Person-Centered Planning process while being reviewed with all service delivery options available based on the assessed needs and preferences of each participant. Each waiver participant resides in the community with access to the greater community the same as people not receiving home and community-based services.</p> <p>Waiver participants in the setting are transported to the setting from community-integrated settings and return to their community-integrated settings after leaving this setting.</p> <p>The setting affords opportunities for individuals to have knowledge of or access to information regarding age-appropriate activities outside of the setting. The setting encourages interaction with the public.</p> <p>The setting provides opportunities for regular meaningful activities in integrated community settings for the period of time desired by the individual. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.</p> <p>Person-Centered Planning information is confidentially maintained at the Service Coordination Entity.</p>

Expectation	What you might see (based on CMS suggested Exploratory Questions and the OLTL Assessment Tool)	Notes/Documentation to Support Expectation
(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including...	N/A- please see responses to questions below.	
1. opportunities to seek employment and work in competitive integrated settings,	The setting provides services to older adults with mental and/or physical disabilities. Per staff they've never had anyone expresses interest in obtaining a job.	During the Person-Centered Service Planning process, during annual assessment or more frequently as needed the service coordinator assesses the participant's desire to seek employment in competitive integrated settings and assists with referrals as desired. Person-Centered Planning information is confidentially maintained at the Service Coordination Entity.
2. engage in community life,	The setting has a variety of daily activities that any attendee can choose to participate in.	Review of policies and procedures, observation, as well as interview with staff found the setting affords opportunities for individuals to have knowledge of or access to information regarding age-appropriate activities outside of the setting. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.
3. control personal resources,	N/A - Setting is an ADC and does not have access to participant funds.	
4. and receive services in the community, to the	The setting has a variety of daily activities that any	Individuals in the setting do not receive home and community-

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same degree of access as individuals not receiving Medicaid HCBS.	attendee can choose to participate in.	based services in a different area of the setting from individuals not receiving Medicaid home and community-based services. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.
(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting.	N/A-Not a residential setting.	
and setting options are based on the individual's needs, preferences	N/A-Not a residential setting.	
and, for residential settings, [based on the individual's] resources available for room and board.	N/A-Not a residential setting.	
(iii) Ensures an individual's rights of 1. privacy,	The center delivers daily care with thoughtful behavior to ensure an individual's privacy and confidentiality are respected. Participant's rights and responsibilities are posted in a common area within the facility.	Review of policies and procedures, observation, as well as interview with staff found that an individual's right to privacy is respected. Any personal needs of individuals in the setting are taken care of in private. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.

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(iii) Ensures an individual's rights of 2. dignity and respect,	The center delivers daily care with thoughtful behavior to ensure an individual's privacy and confidentiality are respected. Participant's rights and responsibilities are posted in a common area within the facility.	Review of policies and procedures, observation, as well as interview with staff found that individuals in the setting are addressed in a manner they prefer and treated in a dignified, respectful manner. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.
(iii) Ensures an individual's rights of 3. freedom from coercion,	Staff are monitored to ensure they treat participants appropriately and do not use coercion.	Review of policies and procedures, observation, as well as interview with staff found that individuals are free from coercion. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.
(iii) Ensures an individual's rights of 4. and freedom from restraint.	Staff are monitored to ensure they treat participants appropriately and do not use restraints.	Review of policies and procedures, observation, as well as interview with staff found that individuals are free from restraint. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.
(iv) The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, ~daily activities	Participants have the freedom to choose which activities they participate in.	Review of policies and procedures, observation of activity in the center, and interview with center staff found that individuals are supported to make decisions and exercise autonomy to the greatest extent possible, the setting affords individuals with the opportunity to

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		<p>participate in meaningful daily activities in integrated community settings in a manner consistent with the individual's needs and preferences, and individuals are free to choose with whom to interact during activities.</p> <p>Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.</p>
<p>(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, ~physical environment</p>	<p>Participants have the freedom to move around the setting.</p>	<p>Review of policies and procedures, observation of activity in the center, and interview with center staff found that the setting allows individuals the freedom to move about inside and outside of the setting as opposed to one restricted room or area within the setting. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.</p>
<p>(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, ~and with whom to interact</p>	<p>Participants have the freedom to choose when and with whom they would like to interact. Visitors are allowed at the setting.</p>	<p>Review of policies and procedures, observation of activity in the center, and interview with center staff found that individuals in the setting are free to choose with whom to interact during activities.</p> <p>Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.</p>

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(v) Facilitates individual choice regarding services and supports, and who provides them	Team members of the center are trained in client interactions and their care plans. They are instructed to treat clients respectfully.	Review of policies and procedures, observation of activity in the center, and interview with center staff found the setting affords individuals with the opportunity to participate in meaningful daily activities in integrated community settings in a manner consistent with the individual's needs and preferences. Licensing staff reviewed policies and procedures, observed activity in the setting, and interviewed staff to confirm.