



**Mississippi Department of Mental Health Home and Community-Based Services
Heightened Scrutiny Evaluation**

Summary Sheet

Provider Name	Boswell Regional Center
Setting Name	Alpha House
Setting Address	
	Magee, MS 39111
Original Site Assessment Date	October 2, 2018
Validation Date	6/29/2020

Setting Type

- Supervised Living
- Shared Supported Living
- Supported Living
- Day Services – Adult / Day Habilitation
- Prevocational Services
- Community Respite

Reason(s) for Heightened Scrutiny

- Located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment (such as a hospital, nursing facility, ICF/IID, or IMD);
- Located in a building on the grounds of, or adjacent to, a public institution; or
- Has the effect of isolating individuals receiving Medicaid home- and community-based services (HCBS) from the broader community of individuals not receiving Medicaid HCBS

Setting Description

The setting is located in a residential neighborhood with the day program located across the street. The day program is owned and operated by the same provider. The setting is a typical ranch style home, and each person holds their own lease.

Summary of the Assessment Findings -	10/02/2020
<p>1E/F) Boswell day program adjacent to site. 2A) No flexibility at schedules in day program, but residents can choose to stay home. 3C/F) Personal information and schedules are not kept private. 3H) Phone time limits, calls are not private. 3I) No copies of PSS or ASP kept at setting. 9A) Guests must sign in. 9D) It appears staff may need to help let guests into home. 11D/E) Persons interviewed did not choose the setting. One person wants to live elsewhere. 11Y) Persons do not have keys to the home.</p>	
Compliance Validation Narrative with Provider Input	06/29/2020
<p>1E/F) There are other homes in the area and a day program operated by Boswell. The Program Manager stated that while they may be under the same operating policies and procedures that is the only area where they are similar. The Site Manager stated that the site has dedicated staff and operates independently in every other way from any other Boswell site. This includes the activities both in and out of the site and menus. 2A) Individuals have the option of waking up and going to bed as desired. Additionally, people choose the activities that they participate in on and off site. People have the option of attending day program services in the community or remaining at home if they wish to stay on site. Additional staff members are available to remain with people on site or take to take people into the community. 3C/F) Provider stated that this documentation is maintained in individual binders, which are kept in a locked cabinet on site. They displayed the cabinet during the validation process. Staff members are informed to keep this information locked up when not being reviewed. 3H) Staff received training on the aspects of privacy where the persons they serve are concerned. This included persons wanting privacy while making or accepting phone calls and that they can take the phone to any location in their living area to make or receive a call. There are no time limits on calls. 3I) Provider stated that each person in the setting has a person-centered plan that is developed, reviewed, and revised while individuals are living on site. Each individual's needs and preferences are documented in these plans and staff members are able to refer to them when developing activities and learning more about individuals in the home. Preferred activities, abilities, and interests are documented in these plans. Plans are reviewed and updated annually or as needed by the individual. These documents are maintained on site for staff members to review. 9A) Provider stated that visitors are no longer required to sign in and out of the setting before meeting with their visitors. They displayed their new policy during the virtual visit. 9D) Individuals are supported to open the door for their visitors. 11D/E) Individuals are supported to meet with their Service Coordinator or the Program Manager to make changes to their services or living situation. 11Y) Individuals are assessed upon admission and offered the choice of a lock and key for their bedroom door. This option is reviewed with individuals annually during planning meetings or as desired by the individual.</p> <p>Evidence Submitted to DMH for Review Policy and Procedures, Person training on Final Rule, Staff training on Final Rule, Personal key form, Rights of Individual Receiving Services, Grievance Policy, individual Rights/Autonomy and Independence, Privacy, Choice of Services, Confidentiality, Choicer of Setting, Change of Setting, Keys to a person's Home/Bedroom, Menus, Housemate/freedom of choice.</p>	

Compliance Summary

Compliant?	Federal Requirement	Summary of Evidence of Compliance
<p>42 CFR 441.304(c)(4)(i)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS. 42 C.F.R. § 441.304(c)(4)(i).</p>	<p>The home is located in a residential neighborhood with other homes occupied by people not receiving services. The day program is located across the street from this setting and is also owned and operated by Boswell. The setting has independent staff that operate independently of other Boswell-operated settings in the area. The setting completed a remediation plan to ensure individuals have access and control of their own money. Each individual has a banking account in the community, and individuals can keep their own money at the setting.</p>
<p>42 CFR § 441.301(c)(4)(ii)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>	<p>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. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and for residential settings, resources available for room and board. <i>Id.</i> § 441.301(c)(4)(ii).</p>	<p>Individuals have choices and opportunities to tour a wide variety of settings before selecting this home. Individuals have the option to choose from non-disability specific settings, and these choices are documented. Each person in the home has their own bedroom. The setting completed a remediation plan to ensure all staff are trained on individual choice and put a plan in place to ensure staff are trained annually at a minimum.</p>
<p>42 CFR § 441.301(c)(4)(iii)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint. <i>Id.</i> § 441.301(c)(4)(iii).</p>	<p>Individuals are free to decorate their home and living space as they choose. The setting completed a remediation plan to ensure binders with all individual health information is secured and store onsite, with only appropriate staff having access. The setting also completed a remediation work plan to address additional areas of staff training regarding privacy and individual rights. Additionally, the setting completed additional training on person-centeredness, and will conduct these trainings annually and as needed. The setting maintains staff training documentation to verify when trainings occurred and who attended.</p>

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<p>42 CFR § 441.301(c)(4)(iv)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.</p>	<p>The setting offers numerous spaces to meet individual environmental goals and needs, including large living space, common areas and outdoor space. All activities onsite and within the community are based on an individual's support plan, and activities were observed to be age appropriate. Individuals also have access to food at any time, choices in whom they choose to engage and spend time with both inside and outside the setting, and what activities they wish to participate in. Individuals reported attending church of their choice, voting, and also having the option to remain home if they did not want to participate in a day program or other community activities.</p>
<p>42 CFR § 441.301(c)(4)(v)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting facilitates individual choice regarding services and supports, and who provides them.</p>	<p>The setting supports individuals to make requests to receive services from specific staff members and honor their choice. Individuals also have the option to tour the home before choosing to live there. Staff received extensive training on each individual's support plan, and individuals are educated and supported in making changes to their activity plans.</p>
<p>42 CFR § 441.301(c)(4)(vi)(A)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>	<p>The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at minimum, the same responsibilities and protections from eviction that tenants have under the landlord-tenant law of the State, county, city or other designated entity. For settings where landlord-tenant laws do not apply, a lease, residency agreement, or other form of written agreement is in place for each HCBS participant providing protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord-tenant law.</p>	<p>Each person holds their own lease to live in the home. These leases include protections addressing eviction processes and appeals.</p>

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<p>42 CFR § 441.301(c)(4)(vi)(B)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>	<p>Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p>	<p>Each person holds a key to their own bedroom, and the home. One person has chosen to have a key to the home while the others have chosen not to have a key. These choices are documented in each person's plan and reviewed annually or as desired by individuals.</p>
<p>42 CFR § 441.301(c)(4)(vi)(C)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>Individuals have the freedom and support to control their schedules and activities and have access to food any time.</p>	<p>Each person has flexibility in mealtimes and access to food at all times. Individuals can choose to eat in the dining room, kitchen table, or on the patio, and can access food independently of staff assistance.</p>
<p>42 CFR § 441.301(c)(4)(vi)(D)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>Individuals are able to have visitors of their choosing at any time.</p>	<p>Individuals can choose to have visitors at any time. The setting completed a remediation plan to train staff on individual rights regarding visitors. The setting removed the requirement for visitors to sign in and out and removing curfews.</p>
<p>42 CFR § 441.301(c)(4)(vi)(E)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting is physically accessible to the individual.</p>	<p>The setting was observed to be physically accessible to all individuals living in the home.</p>