



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

Summary Sheet

Provider Name	Boswell Regional Center
Setting Name	Broadhead Group Home 1
Setting Address	
	Magee, MS 39111
Original Site Assessment Date	11/13/2018
Validation Date	06/30/2020

Setting Type

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

Heightened Scrutiny Category

- 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 homes are in a neighborhood with about 10 buildings. There are other people without disabilities that live in the buildings. The homes are located around the corner from a church and other house on other streets. The homes consist of 2-bedroom homes that could be viewed as apartments. All of the homes are walking distance from each other.

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Summary of Assessment Findings	11-13-2018
<p>1E) There are other sites operated by this provider in the immediate area.</p> <p>1F) There are additional homes in the immediate area where people with disabilities live together. Most but not all units at this site are occupied by individuals supported by the provider.</p> <p>1N) If individuals wish to leave the immediate area, they are required to have a staff person go with them.</p> <p>2C) Staff unsure if individuals are offered choice of a non-disability specific setting.</p> <p>2G) Individuals considering moving into the home may visit, but staff could not say whether existing housemates have a choice as to who moves into the home.</p> <p>3C) Information about people living in the home is not kept secure.</p> <p>3F) Assessor observed individual schedules on the kitchen counter (not kept private).</p> <p>3H) Staff indicate limited privacy with guests. No overnight guests or male/female visits in the bedrooms. Phone calls take place in common areas and staff pick up mail.</p> <p>3O) Employee information is posted throughout the home and visible to residents.</p> <p>4E) Individuals are discouraged from eating in their bedrooms due to pests.</p> <p>4H) The assessor mentioned a "main campus" where religious services are offered which sounds isolating.</p> <p>4I) May be limited availability to choose to stay home during the day as it depends upon staff availability.</p> <p>4J) May be limited choice to stay home when housemates want to go out as it depends upon staff availability.</p> <p>6A) Individuals do not have a legally enforceable lease or agreement.</p> <p>7A) Individuals do not have keys to their bedrooms.</p> <p>9C) Visits may not take place in the bedrooms unless it is a same sex visitor or a family member.</p> <p>11K) Both individuals are unable to get their own mail.</p> <p>11O) One individual indicated they do not get to eat any time they want.</p> <p>11P) Neither individual can eat where they want, there are restrictions.</p> <p>11Q) One individual reports always having to sit at the table in the same chair. Both report having to eat at the table.</p>	

Heightened Scrutiny Compliance Narrative with Provider Input	06-30-2020
<p>1E, 1F, 2C, 4H) The provider stated individuals go on activities of their choosing, sometimes alone and sometimes with a group. The provider stated groups are often comprised of individuals from the setting as well as persons in the community of Magee. The provider said individuals are asked periodically what activities they would like to attend and are given opportunities to go on trips planned by staff. The provider stated additional training is provided to staff on incorporating person-centered thinking into planning of activities and outings in the community. The provider said staff was trained to include individuals in planning things for themselves and the group. The provider explained discussions have begun about ways to approach the "enclave." He explained, while there are no immediate fixes, they have committed to not opening any more homes in this area. He stated they have begun looking at ways to reduce the number of individuals served in the immediate area by attrition and by opening sites in other areas and offering moves to individuals currently in this setting. Being de-institutionalized at the time this was our best alternative to set up this way. The provider stated individuals are informed of their right to attend religious services at the place of their choosing. He explained they support individuals with information on and transportation to the house of worship of their choosing.</p> <p>1N) The provider stated they will no longer apply blanket rules when providing supervision. The provider said a team consisting of the Supervised Living Director, Program Manager and the Nurse Director met with each person in the home to evaluate the wants, needs, abilities, and goals of the individuals. This information is documented in their PSS. The provider stated staff training is provided on an ongoing basis.</p>	

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2G) The provider stated individuals are given the opportunity to voice their opinion regarding new housemates. The provider stated if an individual would like to change settings, the accommodations are made.

3C, 3F) The provider stated staff are trained annually to ensure all confidential information is kept private. He said staff ensure that posted material does not have identifying information. The provider stated any information containing identifying information is kept in a desk drawer out of public view. The provider stated service notes are kept in a desk drawer which the program manager collects the notes throughout the month and take to her locked office for review.

3H, 9C) The provider stated individuals was informed of their right to take telephone calls in their bedroom for privacy. The provider stated visitor's policies was updated to allow individuals to have visitors in their bedroom. The provider stated all bedrooms are private. The provider stated this practice has worked previously; however, if an individual wanted a visitor at any certain time, each person is asked if they were okay with it and if not, other arrangements are made. The provider stated if an individual has a guardian any restriction on visitors would be noted in the individual's person-centered plan. He stated staff is trained by the program manager.

3O) The provider stated all employee information and signage has been removed from the setting.

4E, 11O, 11P, & 11Q) The provider stated policies was updated and staff trained on the individual's right to eat privately including in their bedroom. He stated the setting has set mealtimes and menus, but individuals are free to have snacks and/or meals can be provided at any time. The provider stated individuals are offered a variety of choices at mealtime and can make a special request. The provider stated they do not have assigned seating at the meal table. He said most individuals sit in the same seat at each meal but that is not assigned by the setting. The provider stated staff are trained on flexibility of mealtimes/choices/and seating.

4I, 4J) The provider stated individuals are never required to participate in any activity or outing including day service or prevocational programs. He said individuals may choose each day if they would like to participate or opt to stay home. He said individuals are also informed they can leave the program early or go late if they choose. The provider provides transportation to accommodate the individuals' preferences.

6A) The provider stated individuals have a rental agreement with the setting. He said individuals have a financial agreement which includes specifics on their responsibilities and budget. He said this document is reviewed, updated, and signed on an annual basis. He said individuals are given a copy of the rental agreement. The provider stated individuals are protected by tenant laws as set by the State of Mississippi.

7A) The provider stated individuals are informed of their right to have a key to the setting as well as a key to their bedroom upon admission and annually thereafter. He said individuals are explained they have a right to request a key at any point even if the right was waived at admission. The provider said this conversation and choice is documented in the individual's person-centered plan.

11K) The provider stated individuals are informed of their right to receive, open, and read their own mail and their right to do this in private. He said staff are trained to offer support and assistance upon request. The provider stated any official mail (bank statements, Social Security, etc.) is noted to individuals and assistance offered if requested.

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.

Compliance Summary

Compliant?	Federal Requirement	Summary of Evidence of Compliance
<p><i>42 CFR 441.304(c)(4)(i)</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>Individuals are supported to participate in opportunities and activities, including employment, in the community. Individuals are supported to manage their personal resources. Individuals are offered learning opportunities on topics including budgeting and money management.</p>
<p><i>42 CFR § 441.301(c)(4)(ii)</i></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 opportunities to choose from non-disability specific settings. Documentation of these choices and the discussions are included in the individual's person-centered service plan.</p>
<p><i>42 CFR § 441.301(c)(4)(iii)</i></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 given a copy of their rights upon admission and information is reviewed with them annually. Rights are reviewed with individuals on an annual basis. Staff are required to complete ongoing training on individuals' rights.</p>
<p><i>42 CFR § 441.301(c)(4)(iv)</i></p> <p><input checked="" type="checkbox"/> Yes</p>	<p>The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in</p>	<p>Individuals are supported to spend their time with whomever they choose and participating in whichever activities they enjoy. Staff have access to individuals' person-centered plans.</p>

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<input type="checkbox"/> Partial <input type="checkbox"/> No	making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.	
42 CFR § 441.301(c)(4)(v) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	The setting facilitates individual choice regarding services and supports, and who provides them.	Individuals have the choice of staff who provide his/her services, supports, and personal care. Individuals have the opportunity to adjust their work or daily activities. Staff support individuals to make a request for additional services or to make changes to their Activity Support plans.
42 CFR § 441.301(c)(4)(vi)(A) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	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.	Each person in the setting has a rental agreement that is signed by the individual. Most rents are HUD or Section 8 subsidized. Each person is a financial agreement that is reviewed upon admission, annually and/or if there are any changes.
42 CFR § 441.301(c)(4)(vi)(B) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	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	Individuals in the setting have keys to their bedroom and the setting. Individuals are supported to decorate their bedroom as they choose and to their taste.

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	or living units within the lease or other agreement.	
<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>	Individuals have the freedom and support to control their schedules and activities and have access to food any time.	Individuals in the setting have access to food at all times. Individuals have full access to the kitchen including the stove/oven. Individuals also have the option to eat at restaurants within the community. Individuals are not required to eat at the dining room table. The setting removed any assumed policies prohibiting individuals from eating in their rooms or other areas of the home and completed staff training. Individuals were also educated on this change.
<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>	Individuals are able to have visitors of their choosing at any time.	Individuals can have visitors at the home any time of their choosing. The setting completed a remediation plan to update the individual right's policy to include dignity of risk and self-determination when it comes to making choices about their relationships with others. Individuals were educated and informed on their rights to meet with visitors privately as they choose. The setting also trained staff on these practices and removed other blanket restrictions such as no visitors of the opposite sex in the individual's room. Staff were educated on these procedures. All staff are trained upon hire, and these practices will continue to be discussed at regular staff meetings throughout the year. Documentation of these trainings are included in staff education binders.
<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>	The setting is physically accessible to the individual.	The home was observed to be physically accessible to all individuals living in the home. The home included handheld showers and grab bars in the bathroom. Should an individual need any assistive devices, the setting would support the individual in providing what was needed.