



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

*Summary Sheet*

<b>Provider Name</b>	Boswell Regional Center
<b>Setting Name</b>	Rials Creek I
<b>Setting Address</b>	
	Mendenhall, MS 39114
<b>Original Site Assessment Date</b>	11/14/2018
<b>Validation Date</b>	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

<b>Setting Description</b>
The setting is located in a residential neighborhood and is surrounded by residential homes. The first four settings on the block are owned and operated by the provider. There are no gates or fences that surround the property.

**Mississippi Home and Community-Based Services  
Heightened Scrutiny Evaluation**  
*Setting Summary Sheet*

<b>Summary of Assessment Findings</b>	<b>11-14-2018</b>
<p><b>1E &amp; 1F)</b> There are many other group homes on this street that are operated by this provider and another provider.</p> <p><b>1G)</b> Registered nurses provide wellness checks and medication management onsite.</p> <p><b>3E, 3F)</b> Medication management is not conducted in private as medications are distributed in a group setting.</p> <p><b>3L)</b> Staff were unsure if and when individuals are informed of their rights.</p> <p><b>3M)</b> Staff were unsure if and when individuals are informed of the process for filing grievances.</p> <p><b>3O)</b> Assessor observed employee postings near kitchen area.</p> <p><b>7A)</b> People do not have keys to their rooms.</p> <p><b>7B)</b> People do not have keys to their home.</p> <p><b>8C)</b> People can only eat in the dining or living rooms.</p> <p><b>11I)</b> Neither person interviewed has a phone number to call for problems.</p> <p><b>11P)</b> Both persons interviewed said they are not allowed to eat in their bedrooms.</p> <p><b>11T, 11U, 11V, &amp; 11W)</b> Individuals were confused about the questions pertaining to service plan and person-centered care planning meetings.</p> <p><b>11X)</b> One person seemed confused as to who to speak with in order to change services.</p> <p><b>11Y)</b> People interviewed do not have keys to the home.</p> <p><b>11Z)</b> People interviewed would like keys to the home.</p> <p><b>12A)</b> People interviewed cannot lock their bedroom doors.</p> <p><b>12B)</b> People interviewed do not have keys to their rooms.</p>	

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>06-30-2020</b>
<p><b>1E &amp; 1F)</b> The provider stated the setting is in the country. He stated the homes in the immediate area are not supported by Boswell Regional Center. The provider stated most of the neighbors are individuals who do have developmental disabilities. The provider stated individuals in the setting go to church, go shopping, banking, and eating in the broader community. The provider stated each of their settings operate independently and have both staff and transportation exclusive to the setting.</p> <p><b>1G, 3E, &amp; 3F)</b> The provider stated staff has been trained to ensure all confidential information is kept private. He said this training included ensuring that any material that may be posted at a community site does not have identifying information, and that staff should need to write down an appointment on a desk calendar, be sure to use first initial of first name and spell out last name. The provider also stated individual's binders are kept in locked file cabinets when not in use. The provider stated they are trained on HIPAA compliance requirements including private health information and all medical treatments are completed in a private area.</p> <p><b>3L, 3M, 11I)</b> The provider stated individuals rights are reviewed upon admission and annually thereafter. The provider stated the grievance policy is reviewed at individuals' initial intake and annually thereafter at their staff meeting. He explained all questions and/or concerns are addressed promptly; the form is signed by the person, staff member, and any family that may be present. The provider stated the grievance policy and process has been reviewed with staff and individuals in the setting.</p> <p><b>3O)</b> The provider stated employee signage and informational postings have been removed.</p> <p><b>7A, 7B, 11Y, 11Z, 12A, &amp; 12B)</b> The provider stated individuals are informed of their right to have a key to the setting as well as a key to their bedroom and the home upon admission and annually thereafter. He said he explained individuals are informed 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. Each person also signed a form if they want or did not want a key.</p> <p><b>8C, 11P)</b> The provider stated staff have been trained that individuals must always have access to food and should be involved in menu planning. The provider stated individuals have been informed of this right as well as the right to have their meals in a private area of their choosing including their bedroom. The provider stated staff training is annually.</p> <p><b>11T, 11U, 11V, 11W, &amp; 11X)</b> The provider stated individuals have an annual meeting to review their person-centered plan. He stated individual's plans will focus on their wants/needs/goals/and abilities. He</p>	

**Mississippi Home and Community-Based Services  
Heightened Scrutiny Evaluation**

*Setting Summary Sheet*

said individuals are notified of the date, time, and place of the PSS meeting and are encouraged to include anyone in their support system (friends, family, etc.) of their choosing. The provider stated individuals are encouraged to be active participants in their planning process. The provider said ongoing training on person-centered thinking and planning is conducted with individuals and staff.

**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**

<b>Compliant?</b>	<b>Federal Requirement</b>	<b>Summary of Evidence of Compliance</b>
<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. <i>42 C.F.R. § 441.304(c)(4)(i).</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. § 441.301(c)(4)(ii).</i></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. § 441.301(c)(4)(iii).</i></p>	<p>Individuals are given a copy of their rights upon admission and information is posted in the setting. Rights are reviewed with individuals upon admission and at least annually. Staff has ongoing training on individual 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 individual's person-centered plans.</p>

**Mississippi Home and Community-Based Services  
Heightened Scrutiny Evaluation**  
*Setting Summary Sheet*

<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 has a financial agreement that is reviewed upon admission, annually and if changes are needed/occur.
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 can request a key to the home or bedroom at any time and it will be provided. Individuals are supported to decorate their bedroom as they choose and to their taste.

**Mississippi Home and Community-Based Services  
Heightened Scrutiny Evaluation**  
*Setting Summary Sheet*

	or living units within the lease or other agreement.	
<p style="text-align: center;"><i>42 CFR § 441.301(c)(4)(vi)(C)</i></p> <p style="text-align: center;"><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 style="text-align: center;"><i>42 CFR § 441.301(c)(4)(vi)(D)</i></p> <p style="text-align: center;"><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 rights 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 trained on these procedures. All staff will be trained upon hire, at least annually and these practices will continue to be discussed at regular staff meetings throughout the year. Documentation of these trainings is included in staff education binders.
<p style="text-align: center;"><i>42 CFR § 441.301(c)(4)(vi)(E)</i></p> <p style="text-align: center;"><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.