



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

*Summary Sheet*

|                                      |                                 |
|--------------------------------------|---------------------------------|
| <b>Provider Name</b>                 | Brandi's Hope                   |
| <b>Setting Name</b>                  | Brandi's Hope Bayou View Circle |
| <b>Setting Address</b>               |                                 |
|                                      | Gautier, MS 39553               |
| <b>Original Site Assessment Date</b> | 10/01/2018                      |
| <b>Validation Date</b>               | 06/26/2020                      |

**Setting Type**

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

**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

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| <b>Setting Description</b>   |
| This setting is located a neighborhood surrounded by similar homes. There are 3 additional homes in the immediate area owned and operated by this provider. This setting is a residential home similar in size and style to other residences in the neighborhood. The setting has fencing similar to style of other homes in the neighborhood. |

| <b>Summary of Initial Assessment Findings</b>  | <b>10-01-2018</b> |
|--|-------------------|
| <p>The site is co-located with three other homes serving people with disabilities, which can limit community integration. Additionally, the assessment shows that there are a number of limitations on community integration, choice of setting, individual rights, autonomy and independence, choice of services, privacy and visitors.</p> <p><b>1B)</b> The back yard has a privacy fence but it is not locked.</p> <p><b>1C)</b> The home is not free from locked doors, gates, or other barriers which inhibit entry to or egress.</p> <p><b>1E)</b> There are three other homes in the area operated by the same provider.</p> <p><b>1F)</b> There are three other homes in the area operated by the same provider for people with disabilities.</p> <p><b>1I)</b> Unclear if people have the opportunity, if interested, to run errands independent of their housemates/roommates.</p> <p><b>2G)</b> It was unclear if people have a choice of housemates.</p> <p><b>3A)</b> No personalization in common living areas in the home.</p> <p><b>3C)</b> The setting does not ensure that all information about the people living there is kept confidential.</p> <p><b>3D)</b> The setting does not ensure health information is only discussed with the person or those authorized.</p> <p><b>3H)</b> The setting does not provide the opportunity for all people to have the space in order to speak on the telephone, open and read mail, and visit with others in private.</p> <p><b>3K)</b> The setting does not offer a secure place for each person to store their belongings.</p> <p><b>3L)</b> It was unclear if individuals are informed of their rights upon admission and annually thereafter.</p> <p><b>3M)</b> It was unclear if people are informed of the process for filing grievances or complaints upon admission and annually thereafter.</p> <p><b>3O)</b> The site is not free from postings of employee information.</p> <p><b>4A)</b> The site has barriers preventing people's movement around the home.</p> <p><b>4C)</b> The setting does not afford the opportunity for tasks and activities that match to the following attributes for people in the home-Age -Skills -Abilities -Desires/Goals.</p> <p><b>4H)</b> The setting does not support individuals to vote.</p> <p><b>4J)</b> People do not have the choice to stay home when housemates want to go out.</p> <p><b>5A)</b> It was unclear whether or not people could choose which of the setting's employees provide his/her services.</p> <p><b>5D)</b> It was unclear if the site has person-centered policies and practices to ensure people are supported in developing plans to support their needs and preferences.</p> <p><b>5F)</b> Staff did not know how to provide information about how to make a request for additional services or changes to the Activity Support Plan</p> <p><b>5G)</b> Unclear if individuals participate in planning meeting.</p> <p><b>7A)</b> People do not have keys to their rooms.</p> <p><b>9B)</b> Staff was unsure if people could have visitors at any time.</p> <p><b>9C)</b> People cannot meet visitors in private.</p> <p><b>9D)</b> The site does not have a method to allow guests to enter the location without the assistance of staff.</p> |                   |

| <b>Heightened Scrutiny Compliance Narrative with Provider Input</b>  | <b>06-26-2020</b> |
|--|-------------------|
| <p><b>1B, 1C, 1E, 1F, &amp; 1I)</b> The provider stated the privacy fence enclosing the backyard is similar to fencing at other homes in the neighborhood. The provider said the fence is used for privacy only. He said the gate is latched but not locked and latch is easily reached and opened by individuals. The residences are staffed 24 hours per day 365 days per year by staff unique to the specific home. The provider stated each setting has its own activity calendar and vehicle. The provider explained they utilize the PCT Tool Perfect Week to allow individuals to schedule individualized activities and outings. The schedules are studied along with other people in the home for conflicts and harmony and staff/transportation or natural supports are then worked out to accommodate individual choices.</p> <p><b>2G)</b> The provider stated individuals are encouraged to tour the setting prior to admission and meet their potential house and roommates.</p> |                   |

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**3A)** The provider stated individuals have previously had the opportunity to select a television, VCR, and movies for the living room. He explained the furniture and curtains were selected when the setting was purchased and updated by staff as needed. The provider said they have updated their practices to allow individuals to work together to decide on décor of the common areas. The provider stated staff and individuals have been informed of the change in policy.

**3C, 3D)** The provider stated they have implemented a policy of keeping individuals' binders stored in a locked cabinet. He said staff has access to the information, but binders are kept in a secured area when not in use. The provider stated this policy is reviewed with staff as part of the weekly training meetings. Additionally, the provider said the privacy policy also addresses the importance of having confidential conversations with individuals in private areas. The provider said they will continue to reinforce this policy with staff during weekly meetings and as part of their annual training.

**3H)** The provider stated individuals will be informed of their rights to have private phone calls, open their own and read mail privately, and see visitors in private. He said these privacy rights were discussed with staff during the weekly meetings and training on privacy will be conducted annually.

**3K, 7A)** The provider stated individuals are given the option to have a key to their bedroom door during admission. He stated even if an individual waives their right to a locking bedroom door and key, they have the right to request a key locked bedroom door at any time. He said this gives individuals a way to secure their valuables. He said individuals were trained on how to utilize the locks. He said key locks were added to all bedroom doors and information on this right was added to the admission agreement.

**3L, 3M)** The provider stated the house manager reviews individual rights with individuals upon admission and annually thereafter. He explained individuals are also given a copy of the grievance policy during admission. He said this policy is reviewed with the individual during admission and annually thereafter. He said this frequency was added to the training manuals and policies for house managers. He said the policy was discussed in a weekly staff meeting and will be reviewed annually.

**3O)** The provider said all employee postings have been removed from the setting.

**4A)** The provider stated all chains on doors were removed to allow individuals to open doors without impediment.

**4C, 4H, 4J)** The provider stated staff are trained to get to know individuals by reviewing their person-centered plan and getting to know their individual wants, needs, preferences, and goals. The provider stated staff members meet monthly with management regarding the individuals they serve. When an election timeline draws near all individuals will be given notice of coming elections and provided information on the election and candidates as well as their right to vote. The provider said staff will support individuals who wish to vote. The policy will be covered with staff in weekly meetings as well as additional trainings annually and in election years.

**5A)** The provider stated individual requests to work with staff whom they feel most comfortable will be honored based on staff assignments and availability. He said any request by individuals for a same sex staff member to assist with personal care services would be honored.

**5D, 5F)** The provider stated a person-centered approach has been implemented throughout the setting. He said the person-centered plans includes individual's wants, needs, goals, preferences, likes, and dislikes. He said staff has access to these plans and meet with management regularly to stay up to date on the individuals. He said staff members get to know individuals and are encouraged to engage in ongoing conversations with individuals about their wants, goals, and preferences. The provider stated individuals are regularly asked about their satisfaction with their current services. He said they review this policy during weekly training meetings with staff. He said individuals are informed of their right to request a change in any services they are receiving at any time.

**9B, 9C & 9D)** The provider stated they do not have set visiting policy. He said individuals are free to have visitors in "their home" at any time unless a risk assessment has determined a limitation must be set. He said any risk assessment or determination of limitation is included in the individual's plan. He said staff always has access to this information. He stated visitors are allowed in individuals' bedrooms by invitation of the individual. He said they have informed individuals and staff of the need to be respectful of other individuals in the setting. He stated doors to the setting are unlocked during daylight hours allowing visitors to access the setting without assistance. The provider said individuals are educated on this policy during admission and in ongoing conversations. The provider said the issue of visitors is reviewed during the weekly staff meeting and will be reviewed monthly.

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Evidence submitted to DMH for review: P&P; lease agreement; staff training; door lock; choice and control instructions; rights

**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<br/> <input type="checkbox"/> Partial<br/> <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<br/> <input type="checkbox"/> Partial<br/> <input type="checkbox"/> No<br/> <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<br/> <input type="checkbox"/> Partial<br/> <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 posted in the setting. 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<br><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)<br><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> Partial<br><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.<br><br>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)<br><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> Partial<br><input type="checkbox"/> No<br><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.   |
| 42 CFR § 441.301(c)(4)(vi)(B)<br><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> Partial<br><input type="checkbox"/> No<br><input type="checkbox"/> Not Applicable | Each individual has privacy in their sleeping or living unit:<br>(1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors.<br>(2) Individuals sharing units have a choice of roommates in that setting.<br>(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 §<br/>441.301(c)(4)(vi)(C)</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> Partial<br/><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 §<br/>441.301(c)(4)(vi)(D)</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> Partial<br/><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 will be trained upon hire, 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>42 CFR §<br/>441.301(c)(4)(vi)(E)</p> <p><input checked="" type="checkbox"/> Yes<br/><input type="checkbox"/> Partial<br/><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.  |