



**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>	Martin Bluff II
<b>Setting Address</b>	
	Gautier, MS 39553
<b>Original Site Assessment Date</b>	10/23/2018
<b>Validation Date</b>	06/26/2020

**Setting Type**

- Supervised Living
- Shared Supported Living
- Supported Living
- Day Services – Adult
- Day Habilitation
- Prevocational Services
- Community 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>
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>10-23-2018</b>
---	-------------------

**1C)** Assessor observed locked front and rear doors. Housemates do not have a key and are unable to enter without someone to unlock the door.

**1E, 1F)** There are a total of four houses for people with disabilities in the area operated by the same provider. One is next door and the other two are approximately two to four minutes away.

**1I)** Limitations on people running errands independently – depends upon staff availability.

**1O)** The environment is not barrier-free for those who live there. For example, there is not a ramp at one of the exterior doors to the setting.

**1Q)** People do not have access to their money at all times.

**3H)** The setting does not provide the opportunity for all people to read their own mail.

**3K)** The setting does not offer a secure place for each person to store their belongings.

**3L)** It was unclear if individuals are informed of their rights upon admission and annually thereafter.

**3M)** It was unclear if people are informed of the process for filing grievances or complaints upon admission and annually thereafter.

**4H)** The setting does not support people to access their own money or to vote.

**6A)** Staff was not sure if people living at the setting have a lease.

**7A)** People do not have keys to their rooms.

**7B)** People do not have keys to their home.

**9A)** There is no sign in/sign out procedure for visitors.

**10A)** The setting is not physically accessible for all who live there. There is not a ramp at one of the exterior doors.

**11C)** The person has to go on errands with others even when she doesn't want to.

**11E)** The person wanted to live with her mother.

**11Q)** The person has an assigned seat at the dining table.

**11S)** The person did not recall going to her planning meeting.

**12I)** The person indicated that staff hold the person's money when she is not spending it.

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>06-26-2020</b>
---	-------------------

**1C, 3K, 7A, & 7B)** The provider stated individuals are given the option to have a key to the setting and/or their bedroom door during admission. He stated even if an individual waives their right to a house key and or to a locking bedroom door and key, they have the right to request keys 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.

**1E, 1F)** The residences are staffed 24 hours per day 365 days per year by staff unique to the specific home. Each home has its own transportation assigned or transportation via natural supports. They do not plan activities for homes jointly including activities in community settings or in the homes themselves.

**1I, 1Q, 4H, 11E, 11S, 12I)** 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 individuals are included in all aspects of their program planning and are encouraged to attend meetings and voice their opinions. The provider stated staff members meet monthly with management regarding the individuals they serve. The provider stated they now staff to accommodate an individual's request to remain home or opt out of an activity or errand in the community. When an election timeline draws near individuals are supported to participate in voting. The provider said staff has been trained to make sure individuals have access to their money upon request. The provider said information regarding the individual's access to money and how to request money or control money is conveyed to individuals during their annual meeting.

**1O, 10A)** The provider said the setting is now accessible to all individuals living in the settings. He said they have added ramps at all exterior doors.

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

*Setting Summary Sheet*

**3H, 3L, 3M, & 11C)** The provider stated individuals will be informed of their rights to have private phone calls, open their own mail 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. The provider said staff will work on how to use the telephone, so they are able to make and take calls privately. 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 annually. 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. The provider said the grievance policy and process will be reviewed with individuals on a regular basis including providing a phone number to file a grievance.

**6A)** The provider stated each person in the setting has a rental agreement that is signed by the individual. The provider stated the terms of the agreement including terms for eviction or termination. The provider said policies have been updated to reflect this agreement is to be reviewed in full with the individual upon admission and annually thereafter.

**9A)** The provider stated they have updated the individual rights policy to include dignity of risk and self-determination when it comes to making choices about their relationships with others. He said 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. He stated all staff will be trained upon hire, and these practices will continue to be discussed at regular staff meetings throughout the year. He stated doors to the setting are unlocked during daylight hours allowing visitors to access the setting without assistance. He explained visitors are requested to sign in/out as they arrive and leave the setting. 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.

**11Q)** The provider stated policies have been updated and staff advised that individuals are free to sit anywhere they choose at meals. He said assigned seats are not allowed as individuals should be able to sit where they prefer. He said staff and individuals have been educated on individuals' rights which includes freedom to eat privately in their room, outside, or any seat of their choosing.

Evidence submitted to DMH for review: Staff training; lease agreement; choice and control instructions; picture of door; rights form; transportation availability

**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 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>

**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.
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.

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

	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 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 § 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.