



**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>	Piney Lane
<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 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 similar fencing to other homes in the neighborhood.

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<b>Summary of Initial Assessment Findings</b>	<b>10-1-2018</b>
<p><b>1E)</b> There are four other homes in the area operated by the same provider.</p> <p><b>1F)</b> There are four other homes in the area operated by the same provider for people with disabilities.</p> <p><b>1I)</b> People have limited opportunity to run errands independent of housemates.</p> <p><b>3A)</b> While staff reported individuals can decorate common living areas of the home, site assessor did not observe any decorations in these areas.</p> <p><b>3B)</b> Furnishings needed repair.</p> <p><b>3C)</b> The setting does not ensure that all information about the people living there is kept confidential.</p> <p><b>3I)</b> The setting does not ensure response to each person's needs and preferences as defined in their person-centered Plan of Services and Supports/Activity Support Plan.</p> <p><b>3J)</b> The setting does not ensure that one person's behavior supports do not impede on the rights of others.</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>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>5F)</b> Staff do not provide information about making a request for additional services or changes to Activity Support Plans.</p> <p><b>5G)</b> Staff were unsure if people receiving services and their representatives participate in their planning meetings.</p> <p><b>6A)</b> It was unclear whether or not people had leases or agreements.</p> <p><b>7A)</b> Staff did not know if people have keys to their rooms.</p> <p><b>7B)</b> Staff did not know if people have keys to their home.</p> <p><b>11C)</b> The person interviewed has to run errands even when he doesn't want to.</p> <p><b>11H)</b> The person does not know what to do if he has a problem.</p> <p><b>11I)</b> The person does not have a number to call if he has a problem.</p> <p><b>11R)</b> The person has to wake up at a certain time.</p> <p><b>11U)</b> Unclear if others attend the planning meeting.</p> <p><b>12I)</b> The person indicates staff manage some of his money.</p>	

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>06-26-2020</b>
<p><b>1E, 1F)</b> The provider stated each of Brandi's Hope's settings is operated independently of their other settings with dedicated staff and transportation. The provider stated each setting has its own activity calendar and schedule of community outings. The provider said individuals have opportunities to choose from non-disability specific settings. The provider stated documentation of these choices and the discussions are included in the individual's person-centered service plan which is reviewed upon admission and annually thereafter.</p> <p><b>1I, 3L, 3M, 11H, &amp; 11I)</b> 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.</p> <p><b>3A, 3B)</b> The provider stated all worn, broken, or dated furniture throughout the setting has been repaired or replaced. The provider said individuals were given the opportunity to provide their input and opinions on new items being purchased for common areas of the setting. The provider stated individuals will have</p>	

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input and participation in decorating for birthdays, seasons, and holidays. The provider stated staff have been trained on policies and best practices on how and when to request new furniture for the setting.

**3C)** 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.

**3I, 5G, & 11U)** The provider stated a person-centered approach has been instated throughout the settings. He said the person-centered plans includes individual's wants, needs, goals, preferences, likes, and dislikes. The provider said person-centered plan meetings are conducted annually. He said individuals are informed of their right to request a change in any services they are receiving at any time. Additionally, individuals are informed of their right to participate in their planning meetings and to include anyone of their choosing (family, friends, etc.) to participate in those meetings.

**3J, 5F)** The provider stated a person-centered approach has been instated throughout the settings. 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 on going conversations with individuals about their wants, goals, and preferences. The provider said staff are encouraged to regularly check in with individuals and provide them the opportunity to request a change in their plan or services. The provider stated staff work with individuals in the setting to accommodate individuals wants and preferences without impeding on the rights of others. The provider stated individuals are regularly asked about their satisfaction with their current services. He said staff are trained during their weekly management meetings on the importance of listening to the wants, needs, desires, and goals of the individuals. 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. Additionally, individuals are informed of their right to participate in their planning meetings and to include anyone of their choosing (family, friends, etc.) to participate in those meetings.

**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.

**4J, 11C, 11R, & 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 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. 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. The provider stated staff will continue to be trained on this policy and the individual's right to have their money.

**3O)** The provider stated all employee postings have been removed from the settings.

**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.

**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.

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  <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>

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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.
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 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 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.