



**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>	The Preserve
<b>Setting Address</b>	
	Gulfport, MS 39503
<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
- 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**

This setting is located a neighborhood surrounded by similar homes. The provider owns one additional home in the immediate area. This setting is a residential home similar in size and style to other residences in the neighborhood and is surrounded by a privacy fence with a latched, not locked, gate. The setting has similar fencing to other homes in the neighborhood.

<b>Summary of Initial Assessment Findings</b>	<b>10-01-2018</b>
<p><b>1C)</b> The home is not free from barriers that inhibit entry or egress from the home.</p> <p><b>1E, 1F)</b> There are two other homes where people with disabilities live together across the street from this home.</p> <p><b>1H)</b> People go to the doctor together. It is not clear if this is by choice or because of staffing.</p> <p><b>1Q)</b> People do not have access to their money at any time.</p> <p><b>2G)</b> People do not have choice of who their housemates are.</p> <p><b>3A)</b> People do not decorate the common living areas.</p> <p><b>3B)</b> Furnishings are not clean, in good repair and up to date.</p> <p><b>3E)</b> Medication is given in the living room, where others come in.</p> <p><b>3F)</b> Medical information and individual schedules are not kept in private.</p> <p><b>3H)</b> Staff opens mail.</p> <p><b>3I)</b> Staff was not familiar with PSS or ASP.</p> <p><b>3L, 3M)</b> Staff was unfamiliar with the process for reviewing rights and the process for filing grievances.</p> <p><b>3O)</b> The site is not free from postings of employee information.</p> <p><b>4F, 8D)</b> People do not have access to food at any time.</p> <p><b>4H)</b> The site does not support access to money or voting.</p> <p><b>4K)</b> Menu is provided by the agency.</p> <p><b>5D)</b> The site does not have person-centered policies and practices.</p> <p><b>5E)</b> Staff is not sure how the provider makes sure staff are aware of each person's needs and preferences.</p> <p><b>5F)</b> The site does not provide people with information about how to make a request for additional services or changes to the PSS.</p> <p><b>7A)</b> People do not have a key to their bedroom door. Bedroom doors cannot be locked from the outside.</p> <p><b>7B)</b> People do not have keys to the home.</p> <p><b>9A)</b> Visitors must be approved at the day program before coming to visit people living in the home.</p> <p><b>11E)</b> Person interviewed unable to go home to live with family. Staff will not let her.</p> <p><b>11I)</b> No one has given the person interviewed a phone number she can call if she has a problem.</p> <p><b>11K)</b> Person interviewed cannot get her own mail.</p> <p><b>11L)</b> Person interviewed cannot keep the things that are important to her locked up.</p> <p><b>11Y, 11Z)</b> Person interviewed does not have a key to the home and would like to have one.</p> <p><b>12B)</b> Person interviewed does not have a key to her bedroom but says that she needs one.</p> <p><b>12G)</b> Person interviewed cannot let visitors into the house.</p> <p><b>12I)</b> Person interviewed cannot control/ keep her own money.</p>	

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>06-06-2020</b>
<p><b>1C, 1E, 1F)</b> The provider stated the privacy fence enclosing the backyard is similar to the fencing of 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 is easily reached and opened by individuals. The residences are staffed 24 hours per day 365 days per year by staff unique to the home. The provider stated each setting has its own activity calendar and vehicle.</p> <p><b>1H, 1Q, 4H, &amp; 12I)</b> 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. 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. 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.</p>	

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The policy will be covered with staff in weekly meetings as well as additional trainings annually and in election years.

**2G)** The home supervisor writes Training Notes (in the person case management notes) and advises individuals they may change their living arrangements upon any communication from them or any circle of support member. The provider stated the setting has all private rooms which lends itself to more privacy. Each quarter Person-Center update meeting communication regarding this and other Rights, Choice and Dignity issues are standing agenda items. This will be in the Meeting Agenda and Notes in the staff's file and in the person in support Case Management file under Quarterly Person-Centered Plan Meeting.

**3A, 3B)** 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 work together to decide on décor of the common areas. The provider stated staff and individuals have been informed of the change in policy.

**3E, 3F)** The provider stated they will utilize the weekly team meetings to train staff on how, when, and where personal care services including medication management will be provided. The provider stated individuals in the setting have private rooms where many personal care services can be provided. The provider stated policies on individuals' rights to privacy have been updated and staff and individuals will be trained on these policies.

**3H, 11K)** 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. The provider said staff will work on how to use the telephone, so they are able to make and take calls privately.

**3I)** 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. The provider said staff will be trained upon hire with monthly reviews at the monthly meeting on the purpose, content, and usage of the PSS and ASP.

**3L, 3M, 11I)** 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. 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.

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

**4F, 4K, & 8D)** The provider stated staff were trained on Supervised Living policies at orientation then on an ongoing basis. The provider said information on individuals' food preferences, likes and dislikes, and any dietary restrictions are included in the individual's person-centered plan. The provider said the weekly staff meetings will include ongoing training on "getting to know" individuals and getting individuals' input on meal and menu plan. The provider stated individuals have access to the set meal or alternatives which are offered at every meal. The provider stated individuals have the right to choose what they do or do not want to eat in the setting and in the community.

**5D, 5E, 5F, & 11E)** 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 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

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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.

**7A, 7B, 11L, 11Y, 11Z, & 12B)** 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.

**9A, 12G)** Individuals can have visitors at the setting 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 provider stated staff has been trained that individuals may answer the door of the setting. The setting also trained staff on these practices. 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.

Evidence submitted to DMH for review: Rights form, P&P, staffing and staff training, Person Centered Thinking, key lock picture; choice and control training

**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.