



**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>	Shady Side Lane I
<b>Setting Address</b>	
	Picayune, MS 39466
<b>Original Site Assessment Date</b>	October 22, 2018
<b>Validation Date</b>	June 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

**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 chain link fence with a latched gate.

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<b>Summary of Initial Assessment Findings</b>	<b>10-22-2018</b>
<p><b>1E, 1F)</b> There are two other homes in the immediate area where people with disabilities live together.</p> <p><b>1O)</b> The site is not barrier free for people with mobility issues. The site assessor observed that there were stairs on the deck, but they had no ramp leading into the backyard.</p> <p><b>1P)</b> Staff unsure if activities were age appropriate</p> <p><b>1Q, 4H)</b> People do not have access to their money at any time.</p> <p><b>3B)</b> Furnishings are not in good repair or up to date, but staff shared new furnishings for the common spaces had been ordered.</p> <p><b>3H)</b> Unclear if guests are able to meet with people in private.</p> <p><b>3I)</b> Staff do not use people's Plan of Services and Supports to determine needs and preferences. Staff instead referenced blue/ green charts.</p> <p><b>3K, 11L)</b> Not all people have a secure place to store their belongings.</p> <p><b>4F, 8D)</b> People do not have access to food at any time. Food is kept locked in the pantry.</p> <p><b>5D)</b> Staff said they speak to individuals about activities they want to do but then decide as a group.</p> <p><b>5E)</b> Appears staff are not knowledge on when meetings occur.</p> <p><b>5F)</b> Staff do not provide information on how to request changes to individual Activity Support Plans.</p> <p><b>5G)</b> Only staff participate in planning meetings with individuals.</p> <p><b>6A)</b> Staff unsure if people had signed a lease.</p> <p><b>7A, 7B)</b> People do not have keys to their rooms or the home.</p> <p><b>7C)</b> The physically accessible bathroom does not lock or have a door for privacy.</p> <p><b>11C, 12D)</b> Person has to go with everyone when they run errands. She cannot stay home.</p> <p><b>11H)</b> Person would not know what to do if she had a problem.</p> <p><b>11T)</b> Person did not respond to the question.</p> <p><b>11V)</b> Person did not know if she was listed to at the planning meeting.</p> <p><b>11W)</b> Person is not sure the things that are important to her are in her plan.</p> <p><b>11Y, 12B)</b> Person does not have a key to the front door or her bedroom door.</p> <p><b>11Z)</b> Person wants to have a key to the front door but the supervisor does not want her to have one.</p>	

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>06-26-2020</b>
<p><b>1E, 1F)</b> The provider stated the privacy fence enclosing the backyard is like 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 homes 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>1O)</b> The provider stated they have had wheelchair ramps added at the exterior doors including a ramp from the deck into the backyard.</p> <p><b>1P, 3I)</b> The provider explained they utilize the PCT Tool Perfect Week to allow individuals to schedule individualized activities and outings based not only on the wants, needs, and goals of individuals but also on age and ability. The provider stated staff training is utilized to discuss developing individual schedules which include activities and outings that are appropriate to the age of the individuals.</p> <p><b>1Q, 3B, &amp; 4H)</b> 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. 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.</p> <p><b>3B)</b> The provider stated new furniture was selected with input from individuals. The provider stated furniture quality and conditions will be monitored by staff and request for new furniture will be placed with</p>	

provider. The provider stated decorating the common areas will include input from the individuals. The provider stated individuals will be encouraged and supported to decorate their private space.

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

**3K, 11L, & 11Z)** 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.

**4F, 8D)** Individuals in the setting always have access to food. 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.

**5D, 5E, 5F, 5G, 11T, 11V & 11W)** 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 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.

**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, 7C, 11Y, & 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. The provider stated all bathroom doors have been equipped with doors that can be locked from the inside. Policies have been updated and individuals informed of this right and change.

**11C, 12D)** 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.

**11H)** 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.

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Evidence submitted to DMH for review: Staff training, picture of key lock, lease agreement, rights form, list of vehicles, choice and control instructions

**Compliance Summary**

<b>Compliant?</b>	<b>Federal Requirement</b>	<b>Summary of Evidence of Compliance</b>
<p>42 CFR 441.304(c)(4)(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. 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. Setting offers activities and outings in the community including transportation.</p>
<p>42 CFR § 441.301(c)(4)(ii)</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.</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>42 CFR § 441.301(c)(4)(iii)</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.</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. Staff are required to complete ongoing training on individuals' rights.</p>
<p>42 CFR § 441.301(c)(4)(iv)</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.</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. The provider stated individuals are able to eat their lunch/snack at any time during the program. Individuals have full access to the kitchen including the stove/oven. Individuals also have the option to eat at restaurants within the community.
<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 setting 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. 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 setting was observed to be physically accessible to all individuals receiving services. The setting included grab bars in the bathroom. Should an individual need any assistive devices, the setting would support the individual in providing what was needed.