



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

*Summary Sheet*

<b>Provider Name</b>	Millcreek
<b>Setting Name</b>	Craft Supervised Living
<b>Setting Address</b>	
	Hernando, MS 38632
<b>Original Site Assessment Date</b>	10/23/2018
<b>Validation Date</b>	06/29/2020

**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 single family brick home located in a small rural community surrounded by similar homes. The backyard is surrounded by a privacy fence with a gate which was not locked. The setting is located next to another supported living home owned and operated by the same owner.

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<b>Summary of Assessment Findings</b>	<b>10-23-2018</b>
<p><b>1E)</b> The house is located adjacent to another house owned and operated by the same provider. <b>1F)</b> The home is not the only one in the immediate area where people with disabilities live together. The home next door, operated by the same provider, also supports people with disabilities. <b>1N)</b> People are free to move about inside and outside as they desire, but when someone goes outside, they must be accompanied by a staff member for safety reasons. <b>4E)</b> People are not allowed to eat in their rooms except when they are ill. <b>4H)</b> Guests can stay until the group starts getting ready for bed. Overnight guests are not permitted. <b>7A)</b> Bedrooms do not have key locks but staff will install one at a person's request. <b>8C)</b> People are not allowed to eat in their rooms due to pest concerns. <b>9B)</b> Visitors are not allowed to stay overnight. <b>11J)</b> Not clear if two people interviewed have a phone number to call if they have a problem. One person did not answer the question and the other said they would call 9-1-1. <b>11P)</b> People are not allowed to eat in their bedrooms. <b>11T, 11U)</b> Neither person was aware that they could invite people to their planning meeting. They both thought it was decided by staff. <b>11Z)</b> Person who lost key to door does not have one, would like another. <b>12B)</b> Bedroom doors do not have key locks.</p>	

<b>Heightened Scrutiny Compliance Narrative with Provider Input</b>	<b>6-29-2020</b>
<p><b>1E, 1F)</b> The provider stated the settings operate independently with their own staff, transportation, and schedule of activities. The provider stated most of the neighbors are individuals who do have developmental disabilities. The provider stated individuals in the setting go to church, go shopping, banking, and eating in the broader community. The provider stated each of their settings <b>1N)</b> The provider stated individuals are free to move in and out of the setting without restriction. He stated any safety restriction is determined on a case-by-case basis based on the individual's abilities and will be noted in their person-centered plan. <b>4E, 8C, &amp; 11P)</b> The provider stated staff have been trained that individuals must always have access to food and should be involved in menu planning. The provider stated individuals have been informed of this right as well as the right to have their meals in a private area of their choosing including their bedroom. The provider stated staff training will be repeated annually. <b>4H, 9B)</b> The provider stated individuals can have visitors at the setting any time of their choosing. He stated individuals were educated and informed on their rights to meet with visitors privately as they choose. The setting also trained staff on these practices. The provider stated staff will be trained upon hire, and these practices will continue to be discussed at regular staff meetings throughout the year. <b>7A, 11Z, &amp; 12B)</b> The provider stated individuals are informed of their right to have a key to the setting as well as a key to their bedroom upon admission and annually thereafter. He said he explained individuals are informed they have a right to request a key at any point even if the right was waived at admission. The provider said this conversation and choice is documented in the individual's person-centered plan. The provider stated if a key to the bedroom or setting is lost, it will be replaced by notifying the house manager. <b>11J)</b> The provider stated the individuals have been informed of their right to file a grievance and the process on how to file one. The provider stated staff have been trained to listen to individuals if they have any concerns or complaints and support their rights to file a formal complaint. <b>11T, 11U)</b> The provider stated individuals have been informed of their right to not only participate in their annual review meetings but invite whom they wanted.</p> <p><b>Evidence Submitted to DMH for Review:</b></p> <p><b>BIDD staff received and reviewed documents signed by people living in the home that they been had informed of their rights in regards to voting, having keys to their room and home, having access to their money, and having a secure place to store their belongings.</b></p>	

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**BIDD staff received and reviewed documents signed by staff that they had been in-serviced on the rights of people living in the homes to have full access to the community, to have keys to their home and their room, to choose where and with whom they live, to have visitors as they pleased, to move about their home freely, to make informed choices, to eat what/where/with whom they choose, to invite who they wanted to their PSS meeting, and all other rights as addressed by the final rule. Also reviewed were a copy of the Policies & Procedures (with revisions), and staff training checklists.**

**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.