



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

Summary Sheet

Provider Name	Millcreek
Setting Name	First Avenue Home 1, also called "Lang House"
Setting Address	
	Magee, MS, 39111
Original Site Assessment Date	October 7, 2018
Validation Date	June 29, 2020

Setting Type

- ☒ Supervised Living
- ☐ Shared Supported Living
- ☐ Supported Living
- ☐ Day Services – Adult / Day Habilitation
- ☐ Prevocational Services
- ☐ Community Respite

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

The setting is located in a residential area near other homes. Commercial businesses are located a few blocks from the neighborhood. An Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) operated by the same agency is across the street and two houses over from the home. There are other residential homes located on the same street and across the street from the Supervised Living setting.

However, DMH discovered in October 2021 that homes located next door of the Lang House were ICF Group Homes owned/operated by Millcreek ICF. *A map and pictures of the neighborhood will be attached to the summary.*

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Description of the surrounding property - Both the ICF and Lang House are located on First Avenue in Magee. Traveling down First Avenue, Millcreek ICF and Psychiatric Residential Treatment Facility (PRTF) main campus is located on the left and administrative, accounting offices, and education buildings located on the right. Crossing through an intersection, there is a residential neighborhood with homes owned by private citizens on the right and five homes owned by Millcreek on the left. The Millcreek homes have appearance of typical residential homes. The first, third, fourth and fifth homes are Millcreek ICF Group Homes for children/adolescents age 21 and under. The second home is the First Avenue Home 1 home, called "Lang House" certified for Supervised Living through the HCBS ID/DD Waiver Program. Five women live in the supervised living home, each with their own private bedroom. The house has a large yard with a fence on three sides typical to other residential homes in the neighborhood.

Summary of Initial Assessment Findings

10/07/2018

- 1D)** Site is adjacent to an ICF/IID.
- 1E/F)** Provider operates multiple sites for individuals with disabilities in the immediate area.
- 2C)** Staff unsure if people are provided non-disability specific options.
- 3K)** No secure location for belongings.
- 3O)** Employee postings in common areas of home.
- 5F)** Potentially limited options when wanting to change ASP; use of language (i.e. "intake").
- 7A/12A/B)** No keys to bedrooms.
- 7B/11Y)** No keys to home.
- 9A)** Visitors are required to sign in and out.
- 9B)** No overnight visitors are allowed and all guests must leave by 9pm.
- 11D)** People said they did not choose this home.
- 11I)** Neither individual interviewed has been given a phone number to call if they have a problem.

Compliance Validation Narrative with Provider Input

6/29/2020; 10/25/2021

- 1D/1E/1F)** Provider shared that there is an ICF up the street. The two settings are not connected and work independently of one another. The agency does not share staff between the ICF and HCB services other than Human Resources providing criminal background checks and the Business Office billing for HCBS Services. The Human Resources and Business Office staff never enter the home. All other administrative staff, inservice education staff, HCBS direct support staff are totally separate from the ICF. The persons living in the HCBS supervised living home do not receive services or participate in activities with the ICF. The people served through the HCBS supervised living shop, go to church, go to the doctor/dentist, and participate in community activities in the greater community with other people without disabilities.
- 2C)** Provider stated that people are informed of their options before deciding to move onsite. They stated that people are able to tour various sites and are supported to choose non-disability specific options in the community. Support Coordinators will be informed if the person/family expresses dissatisfaction or interest in non-disability specific options or other service options.
- 3K)** Provider stated that each person was individually approached and assessed to determine if they would prefer to have a key to the home and to their bedrooms. Each individual decided they would like a key to the home and bedroom. Individual files were updated to include this information. Provider displayed new keyed locks for each bedroom. All people living in the home have been given keys to both the home and their individual rooms. Staff will prompt people to help remember their keys when leaving the home. Staff shared that this process has been working well and that people appreciate having the keys.
- 3O)** Provider said and displayed during the virtual visit that all employee postings were removed from the common areas of the home and are no longer in view of individuals in the setting.

5F/11D/I) Individuals have been informed and trained regarding their ability to make changes to their services and plans as desired or needed, including where they live. Staff have been re-inserviced to ensure that all individuals know what to do and who to talk to if they want to request changes in their services or the home. Requests can be made to the Program Director or Support Coordinator. Changes can be made during the annual PSS process or at any time during the year by making the request know to any staff at the program. Direct care staff will report requests for changes to the Program Director. The Program Director will verify the request with the individual, facilitate contact with the appropriate Support Coordinator, if applicable, or the Regional Director, and follow up to ensure that the changes were made to the individual's satisfaction.

7A/B/11Y/12A/B) Provider stated that each person was individually approached and assessed to determine if they would prefer to have a key to the home and to their bedrooms. Each individual decided they would like a key to the home and bedroom. Individual files were updated to include this information. Provider displayed new keyed locks for each bedroom. All people living in the home have been given keys to both the home and their individual rooms. Staff will prompt people to help remember their keys when leaving the home. Staff shared that this process has been working well and that people appreciate having the keys.

9A) Provider stated that visitors are no longer required to sign in and out of the setting before meeting with their visitors. They displayed their new policy during the virtual visit.

9B) Provider said they met with staff to ensure that people are able to meet with individuals at the time of their choosing. They stated that guests were previously encouraged to visit before 9pm; however, people have been told that they are able to see their visitors when they desire.

Evidence Reviewed by DMH:

Policies and Procedures and revisions
Organizational chart for ICF and separate organizational chart for HCBS
Staff Training Records
Inservice Records for persons receiving HCB Services
Annual Training Checklist
Orientation Training Checklist
Final Rule Handbook for Day Program
Final Rule Handbook for Supervised Living
Map Millcreek Property
Pictures of Lang House and surrounding property

Compliance Summary

Compliant?	Federal Requirement	Summary of Evidence of Compliance
<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. 42 C.F.R. § 441.304(c)(4)(i).</p>	<p>The setting is located near other residential settings and commercial businesses. Additionally, a large ICF/IDD is located up the street; however, this site is owned and operated separately from HCB Services.</p> <p>Each person in the setting is able to access the community as desired at the time of their choosing. Activities and tasks are comparable to those of similar ages and schedules are determined based from feedback by individuals.</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.</i> § 441.301(c)(4)(ii).</p>	<p>The setting completed a remediation plan Provider stated that people are informed of their options before deciding to move onsite. They stated that people are able to tour various sites and are supported to choose non-disability specific options, noting that these options are available for those who are do not require consistent assistance or monitoring in their day-to-day lives.</p> <p>People are able to meet with potential housemates and roommates before deciding where they wish to live.</p> <p>Additionally, people are supported and encouraged to decorate their rooms and homes in the way of their choosing. People are supported to provide feedback and input on the decorations and furnishings in the shared part of the home.</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.</i> § 441.301(c)(4)(iii).</p>	<p>The setting completed a remediation plan to ensure people have secure place to keep their personal belongings while on site. Provider stated that each person was individually approached and assessed to determine if they would prefer to have a key to the home and to their bedrooms. Each individual decided they would like a key to the home and bedroom. Individual files were updated to include this information. Provider displayed new keyed locks for each bedroom. All people living in the home have been given keys to both the home and their individual rooms. Staff will prompt people to help remember their keys when leaving the home. Staff</p>

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		<p>shared that this process has been working well and that people appreciate having the keys.</p> <p>People are informed of their rights and the grievance procedure upon admission and annually thereafter.</p> <p>The site completed a remediation plan and removed all employee postings from the common areas of the setting.</p>
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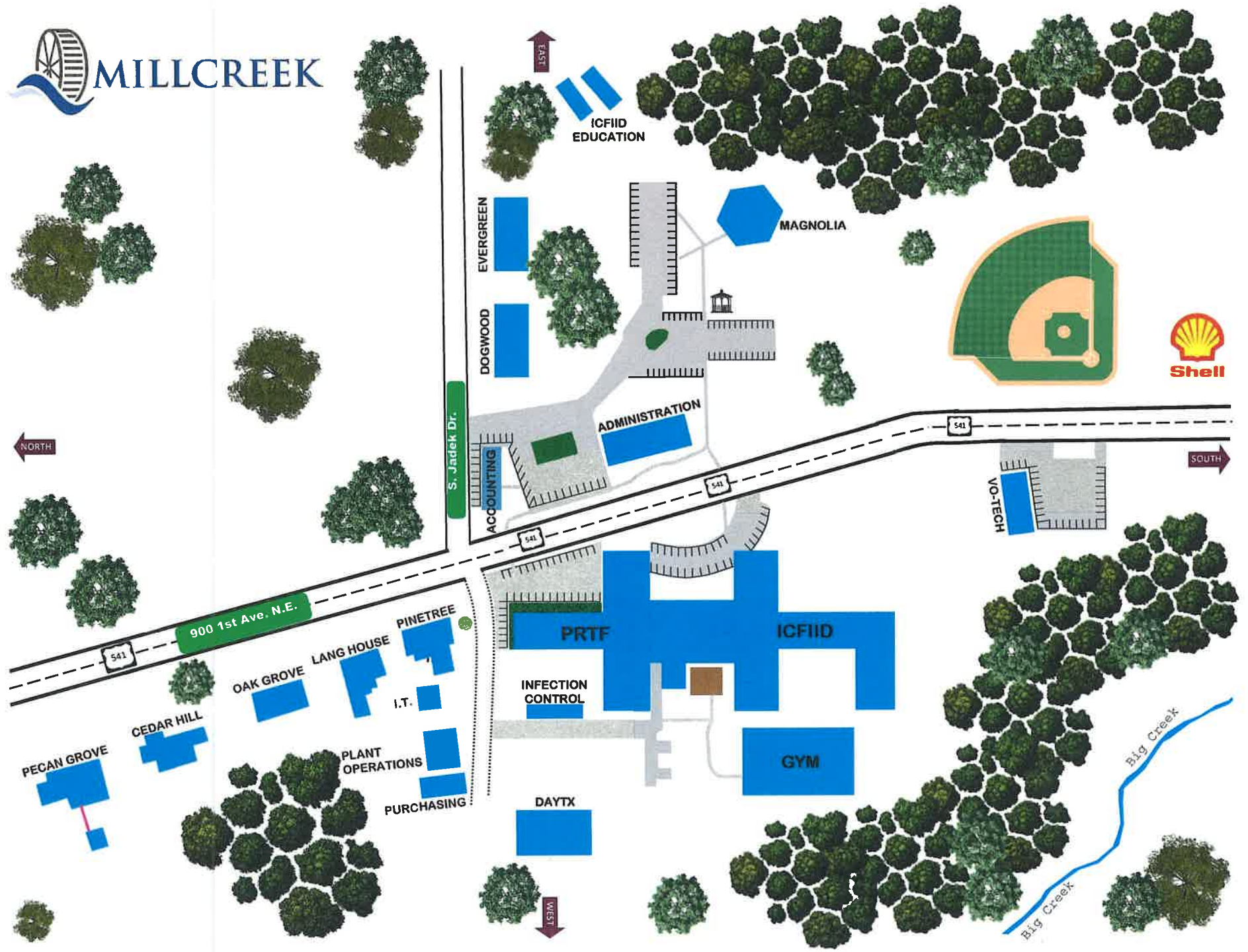
<p>42 CFR § 441.301(c)(4)(iv)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.</p>	<p>The setting offers numerous spaces to meet individual environmental goals and needs, including large living space, common areas and outdoor space. All activities onsite and within the community are based on an individual's support plan, and activities were observed to be age appropriate. Individuals also have access to food at any time and what activities they wish to participate in. Individuals reported attending church of their choice, voting and also having the option to remain home if they did not want to participate in a day program or other community activities.</p>
<p>42 CFR § 441.301(c)(4)(v)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>The setting facilitates individual choice regarding services and supports, and who provides them.</p>	<p>Each person has choice and input on which staff member provides their services.</p> <p>The setting has person-centered policies and people are supported in developing plans that support their needs and preferences.</p>
<p>42 CFR § 441.301(c)(4)(vi)(A)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>	<p>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</p>	<p>Each person holds their own lease to live in the home. These leases include protections addressing eviction processes and appeals.</p>

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	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.	
<p><i>42 CFR § 441.301(c)(4)(vi)(B)</i></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>	<p>Each individual has privacy in their sleeping or living unit:</p> <p>(1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors.</p> <p>(2) Individuals sharing units have a choice of roommates in that setting.</p> <p>(3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.</p>	<p>The setting completed a remediation plan. Provider stated that each person was individually approached and assessed to determine if they would prefer to have a key to the home and to their bedrooms. Each individual decided they would like a key to the home and bedroom. Individual files were updated to include this information. Provider displayed new keyed locks for each bedroom. All people living in the home have been given keys to both the home and their individual rooms. Staff will prompt people to help remember their keys when leaving the home. Staff shared that this process has been working well and that people appreciate having the keys.</p>
<p><i>42 CFR § 441.301(c)(4)(vi)(C)</i></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>Individuals have the freedom and support to control their schedules and activities and have access to food any time.</p>	<p>Each person has flexibility in mealtimes and access to food at all times. Individuals can choose to eat in the dining room, kitchen table, or on the patio, or any place they choose. Each person can access food independently of staff assistance.</p>
<p><i>42 CFR § 441.301(c)(4)(vi)(D)</i></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No</p>	<p>Individuals are able to have visitors of their choosing at any time.</p>	<p>The setting completed a remediation plan to train staff on individual rights regarding visitors. Provider stated that individuals are supported to see their visitors at the time of their choosing. They stated that the setting does not have set visiting hours. Provider said employees are trained on this policy during orientation and annually thereafter.</p>
<p><i>42 CFR § 441.301(c)(4)(vi)(E)</i></p> <p><input checked="" type="checkbox"/> Yes</p>	<p>The setting is physically accessible to the individual.</p>	<p>The setting is accessible to all those living in the home. Individuals have the option of accessing assistive devices as needed or preferred.</p>

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<input type="checkbox"/> Partial <input type="checkbox"/> No		
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Millcreek Psychiatric Residential Treatment Facility (PRTF) and Intermediate Care Facility for persons with IDD (ICF/IDD) – for children and adolescents 21 years of age or younger – located 900 1st Avenue, Magee, MS



Administrative offices, outpatient psychiatric program located across the street from the main campus. Note stop sign at intersection. Past intersection homes on each side of the road.



Picture above shows the Millcreek ICF Group Home from the other direction – note Millcreek PRTF/ICF across the street.



Fence separates the Millcreek ICF Group Home (left) and the HCBS Supervised Living Home (right)



The HCBS Supervised Living Home – five (5) persons receiving ID/DD Waiver Supervised Living – each person has a private room. Fence surrounding the property and separating the home from the ICF Group Homes.



The back of the HCBS Supervised Living Home – large back yard



Picture of houses 3,4, and 5 are Millcreek ICF Group Homes for children/adolescents under 21. Appears to be residential neighborhood – not institutional appearance.



Across the street from the HCBS Supervised Living home. Residential homes owned by private citizens.



Across the street from the HCBS Supervised Living home. Residential homes owned by private citizens.