

OMH SED Waiver

Standard/Quality	Degree of Compliance				Documentation/Citations	Documentation/Citations	
	Non-Compliant	Partially Compliant	Silent	Compliant			
<p>All Settings: All services are provided in private homes which New York State presumes compliant with the HCBS rule</p>							
1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS		x			<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include "Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS" by March 2019.</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families: Webpage header "The least restrictive environment is the environment of choice for a child and family's success. Services are provided in the home and the community, making full use of natural supports"</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	
- opportunities to seek employment/ work in			x		<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include opportunities to seek employment/work in.</p>		
- engage in community life			x		<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include engage in community life by March 2019.</p>		
- control personal resources		x			<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include " control personal resources" by March 2019.</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families: Webpage header Child and Families participation and freedom of choice are essential to planning and strategizing for effective outcomes "The unique strengths and need of each child and family direct the design of every service plan." "Priorities identified by the child and family guide the development of goals and services to be delivered" "To ensure families the choice of providers, Waiver ICC agencies are expected to develop a network of providers for the remaining five services"</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	
- receive services in the community				x	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families states the waiver will "serve children with complex and significant mental health needs in their homes and communities.</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families: Webpage header The least restrictive environment is the environment of choice for a child and family's success: "Services are provided in the home and community, making full use of natural supports"</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families: Webpage header Family Support Services (FSS) "Family Support Services offer activities designed to enhance the health and growth of children and adults in the family unit to ultimately developed safe, stable, and supportive families who are connected to their communities."</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting		x			<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include "Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting" by March 2019.</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Child and family participation and freedom of choice are essential to planning and strategizing for effective outcomes...To ensure families the choice of providers."</p> <p>Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.</p>	
- the options are identified and documented in the person-centered service plan		x			<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include "the options are identified and documented in the person-centered service plan" by March 2019</p>	<p>Home and Community Based Services Waiver Guidance Document Division of Children and Families Web Header Child and family participation and freedom of choice are essential to planning and strategizing for effective outcomes "The unique strengths and needs of each child and family direct the design of every service plan"</p> <p>Home and Community Based Services Waiver Guidance Document Division of Children and Families: Webpage header All domains of life impact on a child's level of functioning and overall wellness and must be considered in service planning "Information pertaining to domains is integrated in the service plan"</p>	

					Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.
- the options are based on the individual's needs, preference, and for residential settings, resources available for room and board		x			Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include "the options are based on the individual's needs, preference, and for residential settings, resources available for room and board" by March 2019.	Home and Community Based Services Waiver Guidance Document Division of Children and Families Web Header Psychiatric diagnosis alone does not define the child. The family environment plays a key role in child's progress and continued success "Agreed upon goals and services are mutually worked on to support changed in the home environments that reinforce a child's healthy development"	
					Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
3. Ensure an individual's rights of privacy.			x		Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include documentation to ensure an individual's rights of privacy" by March 2019.		
- Ensure an individual's rights of dignity and respect.			x		Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include language to "ensure an individual's rights of dignity and respect" by March 2019.		
- Ensure an individual's rights of freedom from coercion and restraint			x		Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include language to "ensure an individual's rights of freedom from coercion and restraint" by March 2019.		
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.			x		Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised to "optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact" by March 2019.		
5. Facilitate individual choice regarding services and supports, and who provides them.			x		Home and Community Based Services Waiver Guidance Document Division of Children and Families will be revised by OMH to include "facilitate individual choice regarding services and supports, and who provides them" by March 2019.		
Provider Owned or Controlled Settings:							
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services. The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports."		
					Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.		
7. Each individual has privacy in their sleeping or living unit				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports."		
					Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.		

- units have entrance doors lockable by the individual with only appropriate staff having keys.				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
- individuals sharing units have a choice of roommates in that setting				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
- control their own schedules and activities;				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
- have access to food at any time.				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
9. Individuals are able to have visitors of their choosing at anytime				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
10. The setting is physically accessible to the individual				N/A	Home and Community Based Services Waiver Guidance Document Division of Children and Families. "Services are provided in the home and community, making full use of natural supports." Click here to access Home and Community Based Services Waiver Guidance Document Division of Children and Families.	
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)	YES (Indicate How Many)	No			List Heightened Scrutiny Sites - Use Additional Sheets If Necessary	
11. Are any settings in facilities that also provide inpatient institutional services?		x				
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?		x				
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?		x				

*OMH will ensure compliance with CMS' ruling on person-centered planning process by disseminating guidance

OMH 1115 HARP Care Management

Standard/Quality	Non-Compliant	Partially Compliant	Compliant	Documentation/Citations	Documentation/Citations	Documentation/Citations	Documentation/Citations
<p>1. High-impact from the broader community to the same degree of access as individuals not receiving behavioral HCS.</p>		x		<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: CHM will review to include language stating that settings should be fully integrated into the broader community to the same degree of access as individuals not receiving behavioral HCS by March 2019.</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: CHM will review to include language stating that settings should be fully integrated into the broader community to the same degree of access as individuals not receiving behavioral HCS by March 2019.</p>		
<p>2. Opportunities to seek employment/work in</p>			x	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "A provider should be able to assist and support a person's potential for recovery by optimizing quality of life and assisting employment. Mental illness and substance use disorders through employment, housing, and health and well-being goals."</p> <p>Recovery Oriented Services should be provided based on the services that all individuals have the capacity to receive from mental illness and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: Section IV: Person-Centered Planning and Service Delivery (Pg. 5) "The Plan of Care must include services chosen by the individual to support independent functioning in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>		
<p>3. Engage in community life</p>			x	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: Section IV: Person-Centered Planning and Service Delivery (Pg. 5) "The Plan of Care must include services chosen by the individual to support independent functioning in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>		
<p>4. Control personal resources</p>			x	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: Section IV: Person-Centered Planning and Service Delivery (Pg. 5) "The Plan of Care must include services chosen by the individual to support independent functioning in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: Section IV: Person-Centered Planning and Service Delivery (Pg. 5) "The Plan of Care must include services chosen by the individual to support independent functioning in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>		
<p>5. Receive services in the community</p>			x	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p> <p>Health and Wellness: Workers should assist in the specific and changing needs of each individual using all of the community-based services. Approaches along with the specific methods and recovery approaches which best suit each individual's needs. BH HCS, when indicated, may be provided to support all of the individual's appropriate community settings such as where an individual works, attends school or socializes."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: Section IV: Person-Centered Planning and Service Delivery (Pg. 5) "The Plan of Care must include services chosen by the individual to support independent functioning in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>		
<p>7. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting</p>		x		<p>Behavioral Health Home and Community Based Services Plan of Care (Pg. 10) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p> <p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>Federal Adult Behavioral Health HCS Person-Centered Planning Process Requirements/Characteristics (Pg. 11) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>
<p>8. The options are identified and documented in the person centered service plan</p>			x	<p>Behavioral Health Home and Community Based Services Plan of Care (Pg. 10) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>Behavioral Health Home and Community Based Services Plan of Care (Pg. 10) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>Federal Adult Behavioral Health HCS Person-Centered Planning Process Requirements/Characteristics (Pg. 11) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>
<p>9. The options are based on the individual's needs, preferences, and/or residential settings, resources available for care and based</p>			x	<p>Federal Adult Behavioral Health HCS Person-Centered Planning Process Requirements/Characteristics (Pg. 11) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>Behavioral Health Home and Community Based Services Plan of Care (Pg. 10) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>Federal Adult Behavioral Health HCS Person-Centered Planning Process Requirements/Characteristics (Pg. 11) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>
<p>9. Ensure an individual's rights of privacy</p>			x	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>	<p>Federal Adult Behavioral Health HCS Person-Centered Planning Process Requirements/Characteristics (Pg. 11) "Respect Rights for Individuals Seeking Behavioral Health Home and Community Based Services (BH HCS): (a) Individuals who are essential to their health and well-being and may require different settings to receive their services."</p>	<p>NY State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH HCS) Provider Manual: (Pg. 3-4) "Services should be provided based on the person's needs, and/or substance use disorders. Specifically, workers should support the acquisition of living, employment, and social skills and be engaged in home and community-based settings that promote hope and encourage each person to establish an individual path towards recovery."</p>

1. Ensure an individual's rights of dignity and respect.					<p>NYS Home and Community Service Application Guide: Section 1 is a summary of the elements of the final rule related to HCBS setting. The final rule requires that all home and community based settings meet particular regulatory requirements. These include that the setting: ...</p> <ul style="list-style-type: none"> • Ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint; <p>NYS HCBS Service Application Guide</p>	
2. Ensure an individual's rights of freedom from coercion and restraint.					<p>NYS Home and Community Service Application Guide: Section 1 is a summary of the elements of the final rule related to HCBS setting. The final rule requires that all home and community based settings meet particular regulatory requirements. These include that the setting: ...</p> <ul style="list-style-type: none"> • Ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint; <p>NYS HCBS Service Application Guide</p>	
3. Optimize and doesn't regress individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.					<p>New York State Home and Community Based Services Application Guide (Comment 4): The final rule requires that all home and community based settings meet particular regulatory requirements. These include that the setting: ...</p> <ul style="list-style-type: none"> • A strategy that and supports full access to the greater community; • Is selected by the individual from among setting options; • Ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint; • Optimizes autonomy and independence in making life choices; and • Facilitates choice regarding services and who provides them. <p>NYS HCBS Service Application Guide</p> <p>Section IV, Person-Centered Planning and Service Delivery (pg. 11) "The Plan of Care must include services chosen by the individual to support his independent community living in the setting of his choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p> <p>NYS Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH/CHCS) Provider Manual</p> <p>Section IV, Person-Centered Planning and Service Delivery (pg. 11) "The Plan of Care must include services chosen by the individual to support his independent community living in the setting of his choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p>	
4. Facilitate individual choice regarding services and supports, and who provides them.					<p>New York State Home and Community Based Services Application Guide (Comment 4): The final rule requires that all home and community based settings meet particular regulatory requirements. These include that the setting: ...</p> <ul style="list-style-type: none"> • Facilitates choice regarding services and who provides them. <p>NYS HCBS Service Application Guide</p> <p>New York State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH/CHCS) Provider Manual (pg. 11) Person-Centered Care: Services should reflect an individual's goals and exploration based decision making approaches that empower members, and provide choice and autonomy to the greatest level of wellbeing and full community inclusion.</p> <p>Section IV, Person-Centered Planning and Service Delivery (pg. 11): The Plan of Care must include services chosen by the individual to support independent community living in the setting of his or her own choice and must support integration in the community, including opportunities to seek employment, engage in community life, control personal resources, and to receive services within the community."</p> <p>BH/CHCS Expedient Workflow Guidance: "Person-centered discussion about individual's Recovery Goals" (pg. 11) "The MCO assessment that prompt a person-centered discussion with the individual about the individual's recovery goals); and how State Plan, Medicaid and/or BH/CHCS services may help them achieve their goals... in some situations, individuals may already be receiving a State Plan service such as Person-Centered Recovery Orientation Services (PCROS), Assertive Community Treatment (ACT) or Case Services, that meet their needs. The MCO should help the individual make an informed choice about which available services best address their health needs and goals"... There are several other program options for a case manager and/or other individual through OMI or OMIAS providers to address treatment and/or rehabilitation needs. It is important for a case manager to understand the full array of services."</p> <p>Level of Service Determination (pg. 11): "Individuals must be given a choice of BH/CHCS providers from the MCO's network and there must be documentation in the POC that choice was given to the individual. MCOs will assist in identifying which BH/CHCS providers in their network are ready to receive referrals."</p> <p>New York State Health and Recovery Plan (HARP) Adult Behavioral Health Home and Community Based Services (BH/CHCS) Provider Manual</p>	
5. Individualized and Culturally Sensitive Settings						
6. Is a specific plan that can be reviewed or updated under a legally enforceable agreement by the individual or his representative. The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.					N/A	<p>Medical Health Homes - Comprehensive Care Management: "A health home is a physical place, it is a group of health care and support providers working together to make sure you get the care and services you may need to stay healthy..."</p> <p>Medical Health Homes - Comprehensive Care</p>
7. Each individual has privacy in their sleeping or living unit.					N/A	
8. Units have windows that are lockable by the individual with only appropriate staff having keys.					N/A	
9. Individuals sharing units have a choice of accommodations in that setting.					N/A	
10. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease (except their own vehicles and vehicles).					N/A	
11. Have access to food at any time.					N/A	
12. Individuals who wish to have visitors of their choosing at anytime.					N/A	
13. The setting is physically accessible to the individual.					N/A	
Additional questions - these questions should be on the below criteria than the full under highlighted category	YES (Indicate How Many)		No			List Highlighted Scoring Sites - Use Additional Sheets if Necessary
14. Are any settings in facilities that also provide person-centered services?			100			
15. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?			100			
16. Do any of the settings serve to isolate individuals in receipt of Medical-Managed HCBS from the broader community?			100			

*OMH will ensure compliance with CMHC ruling on person-centered planning process by disseminating guidance to providers by March 2015.

OMH 1115 Supported Housing

Standard/Quality	Degree of Compliance				Documentation/Citations
	Non-Compliant	Partially Compliant	Silent	Compliant	
All Settings:					
1. Fully integrated into the broader community to the same degree of access as individuals not			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS
- opportunities to seek employment/ work in			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- engage in community life			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- control personal resources			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- receive services in the community			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- the options are identified and documented in the person-centered service plan			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- the options are based on the individual's needs, preference, and for residential settings, resources available for room and board			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
3. Ensure an individual's rights of privacy.			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- Ensure an individual's rights of dignity and respect.			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
- Ensure an individual's rights of freedom from coercion and restraint			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
5. Facilitate individual choice regarding services and supports, and who provides them.			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
Provider Owned or Controlled Settings:					
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services. The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.		x			Supported Housing Guidelines 2014 state on page 11: "The Provider often plays a dual role in helping the recipient maintain an amicable tenant/landlord relationship. As an advocate for the recipient, the Provider should ensure that the tenant's rights are guaranteed by the lease and under applicable law and that the recipient". OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019. In accordance with 42 CFR 441.301(c)(4)(v)(F) any modification of the additional conditions, under 42 CFR 441.301 (c)(4)(v)(A) through (D), will be supported by a specific assessed need and justified in the person-centered service plan. www.omh.ny.gov/omhweb/adults/supportedhousing/supported-housing-guidelines.pdf
7. Each individual has privacy in their sleeping or living unit			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019. In accordance with 42 CFR 441.301(c)(4)(v)(F) any modification of the additional conditions, under 42 CFR 441.301 (c)(4)(v)(A) through (D), will be supported by a specific assessed need and justified in the person-centered service plan.
- units have entrance doors lockable by the individual with only appropriate staff having keys.			x		Same as above response in column F row 34.
- Individuals sharing units have a choice of roommates in that setting			x		Same as above response in column F row 34.
8. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.			x		Same as above response in column F row 34.
- control their own schedules and activities;			x		Same as above response in column F row 34.

- have access to food at any time.			x		Same as above response in column F row 34.
9. Individuals are able to have visitors of their choosing at anytime			x		Same as above response in column F row 34.
10. The setting is physically accessible to the individual			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised state guidelines by March 2019.
Heightened Scrutiny. (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)	YES (Indicate How Many)			No	List Heightened Scrutiny Sites - Use Additional Sheets If Necessary
11. Are any settings in facilities that also provide inpatient institutional services?				TBD	
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?				TBD	
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?				TBD	

*OMH will ensure compliance with CMS' ruling on person-centered planning process by disseminating guidance to providers by March 2019.

- have access to food at any time.			x		Same as above response in column F row 34.
9. Individuals are able to have visitors of their choosing at anytime			x		Same as above response in column F row 34.
10. The setting is physically accessible to the individual			x		OMH is currently updating the Supported Housing Guidelines 2014. OMH will incorporate HCBS standards from column A into revised guidelines by March 2019.
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)	YES (Indicate How Many)		No		List Heightened Scrutiny Sites - Use Additional Sheets If Necessary
11. Are any settings in facilities that also provide inpatient institutional services?				TBD	
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?				TBD	
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?				TBD	

*OMH will ensure compliance with CMS' ruling on person-centered planning process by disseminating guidance to providers by March 2019.

1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS		x			<p>OMH 14 NYCRR Part 595 Operations of Residential section (595.1 a) states: "The purpose of residential programs for individuals diagnosed with a severe and persistent mental illness is to provide residential services which support and assist individuals with their goal of integration into the community".</p> <p>OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.</p> <p>https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=Icb5a98e0b7ec11dd9120824eac0ffce&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)&bhcp=1</p>
- opportunities to seek employment/ work in			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- engage in community life			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- control personal resources			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- receive services in the community			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- the options are identified and documented in the person-centered service plan			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- the options are based on the individual's needs, preference, and for residential settings, resources available for room and board			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.

3. Ensure an individual's rights of privacy.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- Ensure an individual's rights of dignity and respect.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- Ensure an individual's rights of freedom from coercion and restraint			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
5. Facilitate individual choice regarding services and supports, and who provides them.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
Provider Owned or Controlled Settings:					
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services. The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.	x				OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019. In accordance with 42 CFR 441.301(c)(4)(vi)(F) any modification of the additional conditions, under 42 CFR 441.301(c)(4)(vi)(A) through (D), will be supported by a specific assessed need and justified in the person-centered service plan.
7. Each individual has privacy in their sleeping or living unit			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019. In accordance with 42 CFR 441.301(c)(4)(vi)(F) any modification of the additional conditions, under 42 CFR 441.301(c)(4)(vi)(A) through (D), will be supported by a specific assessed need and justified in the person-centered service plan.
- units have entrance doors lockable by the individual with only appropriate staff having keys.			x		Same as above response in column F row 34.

- individuals sharing units have a choice of roommates in that setting			x		Same as above response in column F row 34.
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.			x		Same as above response in column F row 34.
- control their own schedules and activities;			x		Same as above response in column F row 34.
- have access to food at any time.			x		Same as above response in column F row 34.
9. Individuals are able to have visitors of their choosing at anytime	x				Same as above response in column F row 34.

10. The setting is physically accessible to the individual			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.

OMH 1115 Apartment Tx

Standard/Quality	Degree of Compliance				Documentation/Citations
	Non-Compliant	Partially Compliant	Silent	Compliant	
All Settings:					
1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS		x			OMH 14 NYCRR Part 595 Operations of Residential section (595.1 a) states: "The purpose of residential programs for individuals diagnosed with a severe and persistent mental illness is to provide residential services which support and assist individuals with their goal of integration into the community". OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019. https://gov.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=icb5a78e0b7ec11d99120824eacffce&origin=ContextText=documenttoc&transitionType=Default&contextData=isc.Default&bhcp=1
- opportunities to seek employment/ work in			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- engage in community life			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- control personal resources			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- receive services in the community			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- the options are identified and documented in the person-centered service plan			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- the options are based on the individual's needs, preference, and for residential settings, resources available for room and board			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
3. Ensure an individual's rights of privacy.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- Ensure an individual's rights of dignity and respect.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
- Ensure an individual's rights of freedom from coercion and restraint			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
5. Facilitate individual choice regarding services and supports, and who provides them.			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
Provider Owned or Controlled Settings:					
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services. The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.	x				OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019. In accordance with 42 CFR 441.301(c)(4)(v)(F) any modification of the additional conditions, under 42 CFR 441.301(c)(4)(v)(A) through (D), will be supported by a specific assessed need and justified in the person-centered service plan.
7. Each individual has privacy in their sleeping or living unit			x		Same response as above row 32 column f.
- units have entrance doors lockable by the individual with only appropriate staff having keys.			x		Same response as above row 32 column f.
- Individuals sharing units have a choice of roommates in that setting			x		Same response as above row 32 column f.
8. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.			x		Same response as above row 32 column f.

- control their own schedules and activities;			x		Same response as above row 32 column f.
- have access to food at any time.			x		Same response as above row 32 column f.
9. Individuals are able to have visitors of their choosing at anytime	x				Same response as above row 32 column f.
10. The setting is physically accessible to the individual			x		OMH is currently updating the 14 NYCRR Part 595 Operations of Residential Programs Housing Regulations that will include HCBS standards' language in column A by March 2019.
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)	YES (Indicate How Many)		No		List Heightened Scrutiny Sites - Use Additional Sheets If Necessary
11. Are any settings in facilities that also provide inpatient institutional services?			TBD		
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?			TBD		
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?			TBD		

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