

Benchmark Guide for Home and Community-Based Services Settings Rule: Nonresidential Provider Settings

This guide cross-references the Centers for Medicare & Medicaid Services (CMS) and Wisconsin Department of Health Services (DHS) compliance requirements for nonresidential provider settings with the CMS home and community-based services (HCBS) settings rule. It provides justification to support a reviewing agency's determination of compliance and gives reviewers a reference of state benchmarks for HCBS compliance.

Settings that do not fully meet compliance requirements at the time of assessment will have an opportunity to remediate.

HCBS requirements from the Code of Federal Regulations (C.F.R.) are cited below:

- 42 C.F.R. § 441.301(c)(4): Home and community-based settings must have all of the following qualities and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:
 - 42 C.F.R. § 441.301(c)(4)(i): The setting is integrated in and supports full access of people 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 people not receiving Medicaid HCBS.
 - 42 C.F.R. § 441.301(c)(4)(ii): The setting is selected by the individual from among setting options including non-disability specific settings. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs and preferences.
 - 42 C.F.R. § 441.301(c)(4)(iii): Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
 - 42 C.F.R. § 441.301(c)(4)(iv): 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.
 - 42 C.F.R. § 441.301(c)(4)(v): Facilitates individual choice regarding services and supports, and who provides them.
- 42 C.F.R. § 441.301(c)(5)(v): Any other locations that have qualities of an institutional setting, as determined by the Secretary. *Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS will be presumed to be a setting that has the qualities of an institution unless the Secretary determines through heightened scrutiny, based on information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings.*

1. Is the setting in a location where it is easy and convenient for people to access the broader community?	
a. Is the setting within walking distance to allow people access to the broader community?	<p>Benchmark: Setting is within 1/8 mile walking distance, to allow people access to the broader community. If not within 1/8 mile, the setting has a plan in place to access the broader community.</p> <p>Intent: Setting must incorporate access to the broader community by being within walking distance (1/8 mile or less) to allow people access to the broader community.</p>
b. Are there at least two of the following: sidewalks, pedestrian roads, signage, curb cuts, accessible ramps, etc., available at or near the setting to allow people access to the broader community?	<p>Benchmark: Setting has at least two of the following: sidewalks, pedestrian roads, signage, curb cuts, and accessible ramps (or equivalent) available at or near the setting to allow people physical access to the broader community. If not, the setting has a plan in place to access the broader community.</p> <p>Intent: Setting must incorporate access to the broader community by being near at least two of the following: sidewalks, pedestrian roads, signage, curb cuts, accessible ramps, etc., to allow people to access the broader community.</p>
c. Is the setting close to other businesses that have people from the broader community coming and going?	<p>Benchmark: Setting is within 1/4 mile of other businesses that have people from the broader community coming and going. If not, the setting has a plan in place to access the broader community.</p> <p>Intent: Setting must incorporate access to the broader community by being within 1/4 mile or less of other businesses that have people from the broader community coming and going.</p>
d. Is the setting near at least four of the following; parks, recreational activities, schools and colleges or universities, and public facilities, such as library, community center, job center, restaurants, stores, etc.?	<p>Benchmark: Setting is near and has access to at least four of the following: parks, recreational activities, schools, colleges or universities, and public facilities such as library, community center, job center, restaurants, or stores (or equivalent). If not, the setting has a plan in place to access the broader community.</p> <p>Intent: Setting must incorporate access to the broader community by being near and having access to a variety of community businesses and activities. The setting is 1/8 mile or less to at</p>

	least four of the following: parks, recreational activities, schools and colleges or universities, public facilities such as library, community center, job center, restaurants, stores, or an equivalent. The intent is not to be isolating.
2. Do people receive services in an area of the setting that is fully integrated with people not receiving services?	
a. Are there people who do not receive HCBS in the setting who are not paid staff or volunteers?	<p>Benchmark: Setting includes people who do not receive HCBS services.</p> <p>Intent: In the setting, people who are receiving HCBS services are around and interact with people who do not receive services. The intent is to not be isolating.</p>
b. Are the people receiving HCBS interacting with people from the broader community on a daily basis?	<p>Benchmark: Setting provides daily interaction with people from the broader community.</p> <p>Intent: While in the setting, people interact with the broader community on a daily basis.</p>
c. Do people receiving HCBS have access to more than group or congregate activities in this setting?	<p>Benchmark: Individuals have opportunities to have individualized or small group activities in or outside the setting with people without disabilities rather than congregate activities with only people with disabilities.</p> <p>Intent: People should have access to individualized activities or activities within a variety of group sizes based on their person-centered plan.</p>
3. Is the setting separate from medical, behavioral, or therapeutic services?	
Does the setting provide any of the following: physical, occupational, and/or speech therapies; counseling and/or mental health treatment; behavioral analysis; medical services from a doctor or nurse?	<p>Benchmark: People have access and the choice to receive their medical treatments in the same places as others without disabilities (not mandated to utilize setting offerings).</p> <p>Intent: People have the right to choose and receive their medical treatments in the same places as others without disabilities.</p>

4. Does the setting provide opportunities for regular, meaningful non-work activities in integrated community settings for the amount of time desired by the person?	
a. Does the setting provide opportunities for people receiving HCBS to interact with others not paid to provide support?	<p>Benchmark: Setting provides daily opportunities to interact with others not paid to provide support.</p> <p>Intent: People should have daily opportunities to interact with visitors or others not paid to provide support.</p>
b. Does the setting provide opportunities for regular non-work activities of the person's choosing?	<p>Benchmark: Setting provides weekly opportunities for regular non-work activities that people choose to do.</p> <p>Intent: The setting provides regular non-work activities that people choose to do.</p>
c. Does the setting have the same degree of access to the community as people not receiving HCBS?	<p>Benchmark: Setting provides the same degree of access to the community as people not receiving HCBS.</p> <p>Intent: People should have the same degree of access to the community as those not receiving HCBS.</p>
d. Does the setting offer non-work activities to complete a full day of support, when needed?	<p>Benchmark: Setting offers non-work activities to complete a full day of support, if needed.</p> <p>Intent: The setting provides non-work activities for a full day of support if necessary.</p>
e. Does the setting encourage visitors or other people from the greater community (aside from paid staff) to be present, and is there evidence that visitors have been present at regular frequencies?	<p>Benchmark: Visitors and others from the community are present and encouraged to interact in the setting daily.</p> <p>Intent: The setting encourages interactions with the public so that individuals have a variety of interactions with other people in their lives.</p>

<p>f. Does the setting otherwise encourage interactions with the public?</p>	<p>Benchmark: Setting encourages interactions with the public outside the setting daily.</p> <p>Intent: Setting encourages daily interactions with the public so individuals have a variety of interactions with other people in their lives.</p>
<p>5. Does the setting provide opportunities for regular, meaningful work activities in integrated community settings for the amount of time desired by the person?</p>	
<p>a. Does the setting provide opportunities for people receiving HCBS to seek employment and work in competitive integrated settings?</p>	<p>Benchmark: Setting provides supported employment or customized employment, as well as vocational futures planning services, to give people opportunities to seek employment and work in competitive integrated settings in addition to facility-based services or, when setting appropriate, provide employment-related information.</p> <p>Intent: The setting provides opportunities for people receiving HCBS to seek employment and work in competitive integrated settings.</p>
<p>b. Does the setting support paid, competitive integrated employment for people receiving HCBS?</p>	<p>Benchmark: Setting allows flexible scheduling, supports paid competitive integrated employment for people, and holds either a current DVR contract for supported employment and job placement services or a long-term care contract(s) for providing supported employment services or, when setting appropriate, provides employment-related information.</p> <p>Intent: The setting allows flexible scheduling with, and supports, paid competitive integrated employment for people receiving HCBS.</p>
<p>c. Does the setting provide opportunities for people to interact with others not paid to provide support?</p>	<p>Benchmark: Setting provides opportunities to interact with others not paid to provide support.</p> <p>Intent: The setting provides opportunities for people to interact with others not paid to provide support.</p>

<p>d. Does the setting provide regular meaningful work activities in integrated community settings for people receiving HCBS?</p>	<p>Benchmark: Setting supports regular access, on-the-job training, and opportunities for meaningful work activities in integrated community settings for people based on their person-centered planning goals.</p> <p>Intent: The setting supports regular access, on-the-job training, and opportunities for meaningful work activities in integrated community settings for people receiving HCBS based on their person-centered planning goals.</p>
<p>e. Does the setting provide meaningful person-centered assessments about what is important and valuable to the person receiving HCBS regarding integrated work?</p>	<p>Benchmark: Setting provides meaningful person-centered assessments about what is important and valuable to the person regarding integrated work at least every six months.</p> <p>Intent: The setting provides their own meaningful person-centered assessments about what is important and valuable to the person receiving HCBS regarding integrated work.</p>
<p>f. Is the setting aware of each person’s integrated employment goal in their service plan?</p>	<p>Benchmark: Setting is aware of each person’s integrated employment goal(s) if receiving prevocational or group supported employment services. Other settings need to be knowledgeable about employment interests of people in their settings.</p> <p>Intent: The setting is aware of each person’s integrated employment goal in their service plan if receiving prevocational services. Other settings need to be knowledgeable about employment interests of people in their settings.</p>
<p>g. Does the setting have a plan to establish milestones and measure progress toward integrated employment goals for people receiving HCBS?</p>	<p>Benchmark: Setting has a plan to establish milestones and measure progress toward integrated employment goals for people receiving HCBS.</p> <p>Intent: The setting has a plan to establish milestones and measure progress toward integrated employment goals for people receiving HCBS.</p>

<p>h. Does the setting have the same degree of access for people receiving HCBS to the community as people not receiving HCBS?</p>	<p>Benchmark: Setting provides the same degree of access to the community as people not receiving HCBS.</p> <p>Intent: The setting has the same degree of access to the community, at least weekly, for people receiving HCBS as people not receiving HCBS.</p>
<p>i. When supported employment services are approved as a service in an individual's plan, does the setting allow people that receive HCBS to spend their desired amount of time in integrated work activities?</p>	<p>Benchmark: Setting reports that individuals are spending their desired amount of time in integrated work activities and provides documentation to support this assertion, when applicable.</p> <p>Intent: The setting provides the desired amount of time for the person in integrated work activities.</p>
<p>6. Does the setting afford opportunities for individual schedules that focus on the needs and desires of a person and provides an opportunity for personal growth?</p>	
<p>a. Does the setting offer opportunities, identified by a person receiving HCBS, to access activities or classes that promote new learning?</p>	<p>Benchmark: Setting offers opportunities to experience activities that promote new learning related to areas of interest identified by person.</p> <p>Intent: The setting offers opportunities to promote new learning.</p>
<p>b. Does the setting provide people receiving HCBS with the opportunity to participate in negotiating his or her schedule, as well as break and lunch times, to the same extent as people not receiving Medicaid-funded HCBS?</p>	<p>Benchmark: Setting provides people choices to make their own schedule and documents this choice and options.</p> <p>Intent: The setting allows people the opportunity to negotiate their schedule, lunch and break times, the same as others not receiving HCBS.</p>
<p>c. Can a person receiving HCBS call in sick?</p>	<p>Benchmark: Setting allows people to request time off and call in sick.</p> <p>Intent: The setting offers the ability to call in sick for work. The setting offers the same sick leave benefits as others receive in a similar setting.</p>

7. Does the setting allow people the freedom to move about inside?	
<p>a. Does the setting have rules about freedom of movement inside the setting that could be considered different for people receiving HCBS from people not receiving HCBS? (Exclude approved specific behavior support plans and strategies.)</p>	<p>Benchmark: Setting does not have rules to restrict freedom of movement inside the setting that could be considered different from people not receiving HCBS.</p> <p>Intent: The setting allows the person receiving HCBS the freedom of movement within the setting like anyone else, appropriate to the setting, age of individual, and the individual’s plan.</p>
<p>b. Are there restricted areas in the setting that could be considered different for people receiving HCBS from people not receiving HCBS?</p>	<p>Benchmark: Setting does not have restricted areas or areas considered different for people not receiving HCBS.</p> <p>Intent: There are no areas of the setting that are restricted or considered different for people receiving HCBS from people not receiving HCBS.</p>
8. Does the setting allow people the freedom to move about outside?	
<p>Does the setting allow people receiving HCBS the freedom to move about outside to the same degree of access as people not receiving HCBS?</p>	<p>Benchmark: Setting does not have rules to restrict freedom of movement outside the setting that could be different from people not receiving HCBS.</p> <p>Intent: Setting provides freedom of movement outside of the setting while people are attending the setting. People are free from restraint like others in that type of setting.</p>
9. Does the setting offer options for people to receive services in community-based integrated settings in addition to the current setting?	
<p>Does the setting offer options for people receiving HCBS to receive services in community-based integrated settings in addition to the current setting?</p>	<p>Benchmark: Setting offers a variety of daily options and opportunities for people to access community-based integrated settings in addition to the current, facility-based setting.</p> <p>Intent: The setting offers daily options and opportunities for people to access the community, in addition to facility-based services.</p>

10. Does the setting offer options for people to seek competitive integrated employment in the community in addition to the setting?	
Does the setting offer opportunities for people receiving HCBS to seek competitive integrated employment in the community in addition to the setting?	<p>Benchmark: Setting actively offers opportunities for individuals to explore, seek, and work in competitive integrated employment in the community in addition to the facility setting or provides information about how to access competitive integrated employment.</p> <p>Intent: The setting actively offers opportunities for individuals to explore, seek, and work in competitive integrated employment in the community or provides information about how to access competitive integrated employment.</p>
11. Is transportation available to and from the facility?	
a. Is there public transportation to and from the setting to the broader community?	<p>Benchmark: The setting provides or supports access to transportation to and from facility to broader community. If public transportation is not available, the setting provides information about resources to access the broader community.</p> <p>Intent: Intent is that being in a particular setting does not prohibit access to transportation; that a setting, to the best of its ability, is not isolating due to the lack of transportation.</p>
b. Is there accessible public transportation from the setting to the broader community?	<p>Benchmark: The setting provides or supports access to accessible public transportation to and from facility to broader community. If public transportation is not available, the setting provides information about resources to access the broader community.</p> <p>Intent: Intent is that being in a particular setting does not prohibit access to transportation; that a setting, to the best of its ability, is not isolating due to the lack of transportation.</p>

<p>c. Does the setting provide transportation for people receiving HCBS to the broader community when requested?</p>	<p>Benchmark: The setting provides transportation for individuals receiving HCBS to the broader community when requested, within reason, or provides information about transportation options to individuals if setting does not provide transportation.</p> <p>Intent: Setting provides access to the broader community when people request transportation, within reason. A person interacting with the broader community is the intent, and if people need transport to interact with the broader community, then the setting provides the transportation or tells people how to obtain transportation.</p>
<p>d. Does the setting provide information in a convenient location regarding types of transportation to people receiving HCBS?</p>	<p>Benchmark: If transportation is not provided by the setting, the setting must provide information about transportation resources to access the broader community and post this information in a convenient location.</p> <p>Intent: The setting provides a way to access transportation to the broader community in a convenient way so people can access the broader community.</p>
<p>e. Does the setting utilize transportation that allows access to the broader community and activities, including paid employment for people receiving HCBS?</p>	<p>Benchmark: The setting utilizes transportation that allows access to the broader community and activities, including paid employment for people receiving HCBS when paid employment is a service offered by the setting.</p> <p>Intent: People access the broader community including paid employment.</p>
<p>12. Does the setting assure that tasks and activities, both inside and outside the facility, are comparable to tasks and activities for people of similar ages who do not receive services?</p>	
<p>a. Does the setting provide tasks and activities inside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS?</p>	<p>Benchmark: Setting provides tasks and activities inside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS.</p> <p>Intent: People are doing the same thing in the facility as others of similar ages who do not receive HCBS.</p>

<p>b. Does the setting provide people receiving HCBS with tasks and activities outside the facility that are comparable to tasks and activities for others of similar ages who do not receive HCBS?</p>	<p>Benchmark: Setting provides tasks and activities outside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS.</p> <p>Intent: People are doing the same thing outside the facility as others of similar ages who do not receive HCBS.</p>
<p>c. Does the setting offer people receiving HCBS choices about participation in community outings at different times?</p>	<p>Benchmark: Setting offers people choices about participation in community outings at different times. Individuals are able to decline to participate in activities.</p> <p>Intent: Activities should be scheduled flexibly and take into consideration the needs and schedules of participants. Individuals are able to decline to participate in activities.</p>
<p>d. Does the setting offer people receiving HCBS choices about who they choose to participate with during outside activities?</p>	<p>Benchmark: Setting supports participant choice of whom to engage with during outside activities.</p> <p>Intent: Participants are able to choose with whom to engage with during outside activities during program hours. They should also have the choice to participate in outside activities by themselves vs in group attendance.</p>
<p>13. Does the setting afford opportunities for people to keep physical possession of their monetary resources?</p>	
<p>a. Does the setting allow people to choose where they keep their monetary resources?</p>	<p>Benchmark: Setting allows people to choose where they keep their monetary resources.</p> <p>Intent: The setting allows people to choose where they keep their monetary resources.</p>
<p>b. Does the setting have rules about possession of monetary resources for people receiving HCBS different than for people not receiving Medicaid funded HCBS?</p>	<p>Benchmark: Setting rules regarding monetary resource location choice is the same as for people not receiving HCBS.</p> <p>Intent: The setting allows individuals to have possession of their money the same as people not receiving Medicaid-funded HCBS.</p>

14. Does the setting afford opportunities for individual decision making on spending their own money?	
<p>Does the setting provide vending machines, a cafeteria, restaurant, and or shopping opportunities, etc., for people receiving HCBS to make decisions about how to spend their own money?</p>	<p>Benchmark: Setting allows people to make decisions about spending their own money either on-site or in the community. This may include provision of vending machines, a cafeteria, access to restaurants, and or shopping opportunities.</p> <p>Intent: The setting provides opportunities for individuals to make decisions.</p>
15. Does the setting provide people with flexibility in their schedule?	
<p>a. Does the setting provide people receiving HCBS with the choice of services offered in non-disability specific settings?</p>	<p>Benchmark: Setting provides people with flexibility of a schedule that will allow individuals to receive their choice of services in a non-disability specific or community-based setting.</p> <p>Intent: The setting provides people receiving HCBS with the flexibility to receive services offered in nondisability specific settings.</p>
<p>b. Is the setting able to adapt activities and schedules to the needs and preferences of people who receive HCBS?</p>	<p>Benchmark: Setting is able to adapt activities and schedules to the person’s needs and preferences upon request. This includes offering a variety of activities at various times throughout the day, using adaptive aids and technology to assist in activity participation, and other accommodations to meet the individual’s needs within the scope of your setting and responsibilities.</p> <p>Intent: The setting adapts activities and schedules to the needs and preferences of the people who receive services in the setting to the same degree it makes those accommodations for people not receiving HCBS.</p>
16. Does the setting have practices, procedures, and policies that support individualized planning and support?	
<p>a. Does the setting ensure individual needs and preferences of people receiving HCBS are taken into consideration?</p>	<p>Benchmark: Setting ensures that individual needs and preferences of people are taken into consideration.</p> <p>Intent: The setting ensures that the individual needs and preferences of people receiving HCBS are taken into consideration.</p>

<p>b. Does the setting include non-disability specific locations in providing services such as integrated employment, volunteer opportunities in the community, or engaging in integrated community activities for people receiving HCBS?</p>	<p>Benchmark: Setting includes non-disability specific locations in providing services.</p> <p>Intent: The setting includes community-based locations in providing services in order to provide integration and diminish isolation.</p>
<p>c. Does the setting require all direct-support professionals to be trained in person-centered planning strategies?</p>	<p>Benchmark: Setting ensures all direct-support professionals receive annual training in person-centered planning strategies.</p> <p>Intent: The setting requires all staff to be trained in person-centered planning strategies.</p>
<p>17. Does the setting have practices, procedures, and policies to ensure all information about people is kept private and confidential?</p>	
<p>Does the setting have practices, procedures, and policies to ensure all information about people receiving HCBS is kept private and confidential?</p>	<p>Benchmark: Setting has practices, procedures, and policies to ensure all information about individuals receiving waiver-funded HCBS services is kept private and confidential and receive training on confidentiality upon hire and annually thereafter.</p> <p>Intent: The setting has confidentiality procedures in place and people are trained on those procedures upon hire and at least annually thereafter.</p>
<p>18. Does the setting support people who need assistance with activities of daily living while ensuring the privacy of the person?</p>	
<p>Does the setting support people receiving HCBS who need assistance with their personal appearance (e.g., teeth brushing, personal care, toileting, feeding)?</p>	<p>Benchmark: Setting ensures privacy when supporting individuals who need assistance with personal care needs.</p> <p>Intent: The setting ensures privacy when supporting the personal care needs of people during the day.</p>

19. Does the setting have practices, procedures, and policies to ensure staff interacts and communicates with people respectfully and in a manner in which the person would like to be addressed at all times?	
Does the setting assure the staff addresses the person receiving HCBS in a manner in which the person would like to be addressed while providing assistance and during the regular course of daily activities?	<p>Benchmark: Setting ensures staff is respectful of people and addresses the individual in a manner in which they would like to be addressed. This includes using a person’s preferred name, nickname, or title.</p> <p>Intent: The setting ensures that staff is respectful of people and how they would like to be addressed.</p>
20. Does the setting assure that staff does not talk to other staff about the person in the presence of other persons or in the presence of the individual as if he or she was not present?	
Does the setting have policy and trainings to assure that staff does not talk to other staff about the person receiving HCBS in the presence of other persons or in the presence of the individual as if he or she were not present?	<p>Benchmark: Setting ensures discussion amongst staff is discreet. They do not talk about an individual receiving HCBS in the presence of other individuals nor do they discuss the individual as if he or she were not present.</p> <p>Intent: The setting has a policy that ensures staff are respectful of people and do not talk about others when someone else is present or in the presence of the individual as if he or she was were not present.</p>
21. Does the setting use restrictive measures, including isolation, chemical restraints, and physical restrictions? Examples may include but are not limited to: lap belts, unreasonable confinement, restrictive garments, or other devices?	
a. Does the setting use restrictive measures with people receiving HCBS?	<p>Benchmark: Setting ensures that any restraint or restrictive measures, if used, are in accordance with Wisconsin policies and only as approved by DHS, otherwise, restrictive measures are not used at all.</p> <p>Intent: If yes, then any restraints or other restrictive measures are used in accordance with Wisconsin policies and only as approved by DHS. Emergency use of restraints is reported to the waiver agency as an incident.</p>

<p>b. Does the setting’s policy mirror Wisconsin’s restrictive measure policy and procedure for people receiving HCBS?</p>	<p>Benchmark: Setting’s policies match state restrictive measure policies when they provide services to someone who has approved restrictive measures.</p> <p>Intent: The setting’s policies match state restrictive measure policies when they provide services to someone who has approved restrictive measures.</p>
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22. Do the setting’s practices, procedures, and policies ensure responsiveness to each person’s needs, as defined in their plan?

<p>Do the setting’s practices, procedures, and policies ensure responsiveness to the needs of each person who receives HCBS, as defined in their plan?</p>	<p>Benchmark: Setting’s practices, procedures, and policies ensure responsiveness to the needs of each person (as defined in their plan).</p> <p>Intent: The setting has practices and policies in place to ensure that staff responds to people’s needs in a timely manner.</p>
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23. Does the setting ensure that one person’s behavior supports do not impede the rights of other people?

<p>Does the setting ensure that one person’s behavior supports do not impede the rights of other people?</p>	<p>Benchmark: Setting ensures behavior support plans are specific to the person and implemented in such a way as to not impede the rights of other individuals or restrict others from setting activities.</p> <p>Intent: Behavior support plans must be individualized and implemented in such a way that others are not restricted from activities in the setting.</p>
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24. Do the setting’s practices, procedures, and policies ensure that each person’s supports and plans to address behavioral needs are specific to the person and not the same as everyone else in the setting?

<p>Do the setting’s practices, procedures, and policies ensure that each person receiving HCBS has supports and plans that address behavioral needs specific to the person and not the same as everyone else in the setting?</p>	<p>Benchmark: Setting ensures behavior support plans are individualized specific to the person and not generalized to everyone else in the setting.</p> <p>Intent: The setting’s practices and policies support individualized behavior supports that are specific to the person and, if there is a behavior support plan, they are not the same for every person.</p>
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25. Does the setting offer a secure place for the person to store personal belongings?	
<p>Does the setting offer a secure place for the person receiving HCBS to store personal belongings? (Note: secure does not necessarily mean locked)</p>	<p>Benchmark: Setting provides a secure place for the person receiving HCBS to store personal belongings.</p> <p>Intent: The setting offers a secure place for people to keep their belongings.</p>
26. Does the setting have any of the following barriers preventing people’s movement?	
<p>Is the movement of those who receive HCBS restricted by the physical environment differently than for people not receiving Medicaid-funded HCBS?</p> <p>Movement is restricted by: Check all that apply:</p> <ul style="list-style-type: none"> ● Gates ● Locked doors ● Other ● Fences ● Cluttered areas ● Narrow hallways ● Limited lighting 	<p>Benchmark: Setting ensures that people who receive HCBS funding can move around in their physical environment like anyone who is not receiving HCBS. Any approved restrictions must be documented in individual plans.</p> <p>Intent: People who receive HCBS funding can move around in their physical environment like anyone who is not receiving Medicaid-funded HCBS.</p>
27. Does the setting afford a variety of meaningful non-work activities that are responsive to the goals, interests, and needs of people?	
<p>Do people who receive HCBS make meaningful choices in their daily non-work activities?</p>	<p>Benchmark: Setting ensures that people who receive HCBS make meaningful choices in their daily non-work activities, which align with their personal goals, interests, and needs, while not engaged in paid work. Meaningful choices may be made in a variety of ways, including person-centered assessments, formal interviews or informal discussion with person, and consideration of input from parent, guardian or family.</p> <p>Intent: Setting provides meaningful choices of non-work activities to people in response to the person’s goals, interests, and needs.</p>

28. Does the setting offer any of the following options to meet physical environment goals and needs?	
<p>Does the setting offer any of the following options to meet physical environment goals and needs for people receiving HCBS?</p>	<p>Benchmark: Setting offers a variety of places in the physical environment to meet an individual’s goals and needs. Activities cannot all take place in the same room, but rather a variety of at least two environment options, with at least one to allow for privacy. Options include indoor gathering space, outdoor gathering space, large group activity area, small group activity area, private space, calm activities area, stimulating activities area, or other.</p> <p>Intent: The setting offers people a variety of places in the physical environment to meet their goals and needs. Activities cannot all take place in the same room.</p>
29. Does the setting afford the opportunity for tasks and activities matched to people’s age, skills, abilities, desires, or goals?	
<p>Does the setting afford people who receive HCBS the opportunity for tasks and activities matched to their age, skills, abilities, desires, and goals?</p>	<p>Benchmark: Setting matches tasks and activities to the person’s goals, age, skills, abilities and desires. Settings provide an array of different activities and the flexibility to adjust those activities and tasks. Settings must:</p> <ol style="list-style-type: none"> 1. Provide comparable tasks and activities for individuals of similar ages, skills, and abilities. 2. Provide comparable assessment tools for individuals of similar age, skills, and abilities. 3. Ensure that staff uses communication approaches that are the same for individuals of similar age, skills, and abilities. <p>Intent: The setting matches tasks and activities to the person’s age, skills, abilities, goals, and desires.</p>
30. Does the setting post or provide information on individual rights?	
<p>Does the setting post and provide information on individual rights for people receiving HCBS?</p>	<p>Benchmark: Setting provides and posts information about individual rights.</p> <p>Intent: All settings must provide and post information about individual rights.</p>

31. Is the setting accessible per the Americans with Disabilities Act?	
Is the setting accessible per the Americans with Disabilities Act?	<p>Benchmark: Setting is accessible per the Americans with Disabilities Act (ADA). Setting should have in place policies and procedures on reasonable accommodations.</p> <p>Intent: The setting is accessible per the Americans with Disabilities Act.</p>
32. Does the setting have practices, procedures, and policies to ensure dignity is afforded to people in an age-appropriate manner while dining?	
Does the setting have practices, procedures, and policies to ensure dignity is afforded to people receiving HCBS in an age-appropriate manner while dining?	<p>Benchmark: Setting ensures dignity to people in an age-appropriate way when they are dining. This includes approach to assistance, pace, refusal of food items, food sequence, and choice of dining alone or with others.</p> <p>Intent: The setting ensures dignity to people in an age-appropriate way when they are dining.</p>
33. Does the setting provide for an alternative meal if requested by the person?	
Does the setting provide for an alternative meal if requested by the person receiving HCBS?	<p>Benchmark: If setting provides meals, they will provide an alternative meal if requested.</p> <p>Intent: If setting provides meals, they will provide an alternative meal, if requested.</p>
34. Does the setting provide opportunities for private dining if requested by the person?	
Does the setting provide opportunities for private dining if requested by the person receiving HCBS?	<p>Benchmark: Setting offers an opportunity for private dining, if the person requests it.</p> <p>Intent: The setting offers an opportunity for private dining, if the person requests it.</p>

35. Do people have access to food at any time consistent with people in similar and or the same setting who are not receiving services?	
a. Does the setting allow for people receiving HCBS to have a meal or snack at the time and place of their choosing?	<p>Benchmark: Setting allows snacks or meals for people receiving HCBS like others in a similar setting.</p> <p>Intent: The setting allows snacks or meals for people receiving HCBS like others in a similar setting.</p>
b. Does the setting afford people receiving HCBS full access to dining areas with comfortable seating and opportunity to converse with others during break or meal times?	<p>Benchmark: Setting provides a meal setting where people can move about, talk to others, and be comfortable.</p> <p>Intent: The setting provides a meal setting where people can move about, talk to others, and be comfortable.</p>
36. Does the setting allow people to choose with whom they spend their time while in the setting?	
a. Does the setting allow people receiving HCBS to choose whom they spend time with, including who they sit by at lunch, break, or free time, to the same extent as people not receiving HCBS?	<p>Benchmark: Setting does not restrict whom a person socializes or spends time with during free time (mutual).</p> <p>Intent: The setting does not restrict or have rules for who a person socializes or spends time with during free time, assuming mutual desire.</p>
b. Does the setting allow people receiving HCBS to spend the desired amount of time with whomever they choose?	<p>Benchmark: Setting does not restrict social interactions with others and allows people to spend as much time as they like with whomever they choose as appropriate for the setting (mutual).</p> <p>Intent: The setting does not restrict social interactions with others and allows people to spend as much time as they like with whomever they choose as appropriate for the setting, assuming mutual desire.</p>
c. Does the setting impose limits on whom people receiving HCBS can talk to and spend time with while in the setting (assume mutual desire)?	<p>Benchmark: Setting does not set limits on who people can talk to and spend time with while in the setting that may be considered different than for people not receiving HCBS (mutual).</p> <p>Intent: The setting does not impose limits on who people can talk to and spend time with in the setting, assuming mutual desire.</p>

37. Does the setting allow people to choose with whom they spend their time while outside the setting? (During service hours)	
Does the setting allow people receiving HCBS to choose with whom they spend their time while outside the setting? (During service hours)	<p>Benchmark: Setting allows people to choose with whom they spend time with while outside the setting (mutual), during services hours.</p> <p>Intent: The setting allows people receiving HCBS to choose with whom they spend their time while outside the setting, during service hours.</p>
38. Does the setting ensure people are supported to make informed decisions and exercise autonomy to the greatest extent possible?	
a. Does the setting policy ensure the informed choice and autonomy of the person receiving HCBS?	<p>Benchmark: Setting provides informed choice for people to make their own decisions and be as autonomous as possible.</p> <p>Intent: The setting provides informed choice for people to make their own decisions and be as autonomous as possible.</p>
b. Does the setting provide training and support to people receiving HCBS about informed decision-making and autonomy?	<p>Benchmark: Setting provides opportunities for people to practice informed choice, decision-making, and autonomy.</p> <p>Intent: The setting provides training and support to people receiving HCBS about informed decision-making and autonomy.</p>
Question 39 intentionally omitted	
40. Does the setting allow people to choose which of the setting's employees provide his or her services?	
Does the setting allow people receiving HCBS to choose which of the setting's employees provide his or her services?	<p>Benchmark: Setting allows flexibility for people to choose which staff they would like to work with, within reason, and does not negatively impact the quality of services being provided to others in the setting.</p> <p>Intent: People should be able to choose which staff they would like to work with, within reason. This staff choice can only happen if it does not negatively impact the quality of services being provided to others in the setting.</p>

41. Does the setting allow prospective participants the opportunity to tour the setting?	
Does the setting allow prospective participants the opportunity to tour the setting?	<p>Benchmark: Setting allows prospective participants the opportunity to tour the setting.</p> <p>Intent: The setting allows prospective participants the opportunity to tour the setting.</p>
42. Does the setting afford people the opportunity to regularly and periodically update or change their daily activities?	
Does the setting afford people receiving HCBS the opportunity to regularly and periodically update or change their daily activities?	<p>Benchmark: Setting offers people opportunities to update and change their daily schedules upon request and at six-month review.</p> <p>Intent: The setting offers people receiving HCBS opportunities to update and change their daily schedules upon request.</p>
43. Does the setting afford specific opportunities to explore, seek, and work in competitive integrated employment settings?	
Does the setting afford specific opportunities to explore, seek, and work in competitive integrated employment settings?	<p>Benchmark: Setting affords individuals specific opportunities to explore, seek, and work in competitive integrated employment settings or when setting appropriate, provide employment-related information.</p> <p>Intent: All settings must provide specific opportunities to explore, seek, and work in competitive integrated employment settings for people receiving HCBS. In adult day care, provide employment-related information.</p>
44. Does the setting have practices, procedures, and policies to ensure the person is supported in developing setting-specific plans to support their needs and preferences?	
Does the setting have practices, procedures, and policies to ensure the person receiving HCBS is supported in developing setting-specific plans to support his or her needs and preferences?	<p>Benchmark: Setting has policies and practices to ensure the person is supported and involved in developing person-centered, setting-specific plans to support their needs and preferences. This should be documented in practices, policies and procedures.</p> <p>Intent: The setting has policies and practices to ensure the person receiving HCBS is supported and involved in developing person-centered, setting-specific plans to support their needs and preferences.</p>

45. Does the setting ensure staff is knowledgeable about the capabilities, interests, preferences, and needs of people?	
<p>Does the setting ensure staff is knowledgeable about the capabilities, interests, preferences, and needs of people receiving HCBS?</p>	<p>Benchmark: Setting ensures staff is knowledgeable about the capabilities, interests, preferences, and needs of individuals receiving HCBS. Staff is trained in the communication styles of the people they support, including appropriate technology, and staff is trained in working with the target population.</p> <p>Intent: The setting ensures all staff is knowledgeable and understands the target population they are working with in the setting.</p>
46. Does the setting post or provide information to people about how to make a request for additional services or accommodations, or changes to their setting-specific plans?	
<p>Does the setting post or provide information to people receiving HCBS, including their families or guardians, about how to make a request for additional services or accommodations, or changes to their setting-specific plans?</p>	<p>Benchmark: Setting provides information via posts or informs individuals about how to make a request for additional services, accommodations, or changes to their setting-specific plans.</p> <p>Intent: The setting provides information to people receiving HCBS, including their families or guardians, about how to make a request for additional services or accommodations, or changes to their setting-specific plans.</p>