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TIMOTHY "BO" A. OFFORD, JR.
Commissioner

Date: August 18, 2025

Public Comment Notice

Pursuant to the requirements of the Home and Community-Based Services (HCBS) Settings Rule regulations (CMS 2249-F/2296-F) issued by the Centers for Medicare and Medicaid Services (CMS) on March 17, 2014, the Alabama Medicaid Agency (Medicaid) is issuing this request for public review and comment on settings identified as requiring heightened scrutiny for Settings Rule compliance. HCBS waiver programs are offered as alternatives to nursing homes and intermediate care facilities; therefore, the Settings Rule requires HCBS to be provided in non-institutional settings. In brief, this public comment opportunity focuses on the Settings Rule requirements that HCBS services be delivered in non-institutional settings and addresses Medicaid's examination process of settings with characteristics presumed to be institutional in nature but, after additional review, have overcome this presumption.

The Alabama Department of Mental Health/Developmental Disabilities Division (ADMH/DDDD), in collaboration with Medicaid, has worked to identify settings potentially at risk of not complying with the Home and Community-Based Services (HCBS) Settings Rule. They reviewed and updated certification procedures and conducted assessments to ensure compliance with federal regulations. ADMH/DDDD and Medicaid implemented a plan to ensure that settings adhere to the following requirements:

- Settings must support full access to the community, including opportunities for employment, community life, and personal resource control.
- Individuals must be able to choose their settings, including options for private units in residential settings.
- Settings must ensure privacy, dignity, respect, and freedom from coercion and restraint.
- Settings should optimize individual initiative, autonomy, and independence in making life choices.
- Individuals must have the freedom to choose their services and providers.
- In provider-owned or controlled residential settings, additional conditions must be met, such as having legally enforceable agreements, privacy in living units, freedom to furnish and decorate, control over schedules and activities, access to food, and the ability to have visitors at any time. Settings must also be physically accessible.

Medicaid welcomes public comments on the State's efforts to comply with the heightened scrutiny requirements of the HCBS Settings Rule. The public is invited to review the posted Heightened Scrutiny summaries and submit written comments beginning August 19, 2025. This comment period will conclude at 11:59 p.m. CST on September 19, 2025. Comments can be emailed to PublicComment@medicaid.alabama.gov or mailed to the provided address. Comments should include the Setting Name and Provider Name.

Our Mission - to promote availability of quality and innovative health care for Alabamians through the efficient financing of services.

Alabama Medicaid Agency
ATTN: LTC Healthcare Reform Division, Specialized Waiver Unit
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Upon request, a hard copy of this public comment notice and evidentiary package can be made available for public review at Medicaid's Central Office and each District Office location. Please note that public comments submitted in response to this notice are considered public documents. Submitted public comments and Alabama's Statewide Transition Plan (STP) materials will be available for public review on the Alabama Medicaid website: [Alabama Statewide Transition Plan](#).

Overview of this request for public comment

This Report serves as an update to the original Alabama Statewide Transition Plan (STP), approved on February 21, 2017. Medicaid, in collaboration with ADMH/DDD, is seeking public comment as part of its approved STP for coming into compliance with the HCBS Settings Rule. The Settings Rule describes institutional settings that cannot be considered home and community-based as well as settings that are presumed to have institutional qualities and therefore do not meet the requirements for Medicaid home and community-based settings. These include:

- Settings in a publicly or privately operated facility that provides inpatient institutional treatment (Prong I)
- Settings in a building on the grounds of, or adjacent to, a public institution (Prong II)
- Settings with the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS (Prong III).

While Medicaid did not identify any Prong I or Prong II settings during its review and validation activities, it submitted a list of Prong III settings on September 30, 2021. These settings were believed to be remediable before the regulatory transition date of March 17, 2023. For settings presumed to have institutional qualities, Medicaid will submit evidence to CMS demonstrating that these settings do not have institutional qualities but instead have the characteristics of home and community-based settings. CMS then examines this evidence to determine if the setting meets the home and community-based requirements, a process known as "Heightened Scrutiny."

Pursuant to CMS guidance issued on March 22, 2019, and July 14, 2020, regarding the requirements and processes for heightened scrutiny, Medicaid is making available for public comment the findings of its review of settings initially determined to be institutional in nature but later found compliant due to remediation activities and evidence. This public comment request addresses Medicaid's identification of settings presumed to be institutional but, after additional review, have overcome this presumption.

The attached evidentiary packet includes the list and summaries of residential and non-residential settings that Medicaid determined to be compliant with the HCBS Settings Rule, demonstrating no institutional or isolating qualities. These packets contain the evidence collected from each setting, supporting the determination of compliance. Medicaid is presenting this evidence to the public for review and comment, seeking additional information to further supplement or dispute the information collected and evaluated by Medicaid in making its determination. This information will be compiled with Medicaid's assessment and remediation efforts and used to support the conclusion that these settings no longer isolate individuals receiving HCBS services or used to develop a remediation plan.

Home and Community-Based Services (HCBS) Settings Rule Heightened Scrutiny Review Evidentiary Package

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*Below is a list of residential and non-residential settings initially presumed to be institutional in nature (Prong III) but have since overcome the presumption of isolating individuals receiving HCBS and been determined compliant due to remediation activities.

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Setting Name	Provider Name	Page Number
Aaron III (High)	Aaron CRF, LLC	15
Lamar Haven	ARC of Fayette/Lamar/Marengo Counties	1

Region 3:

Setting Name	Provider Name	Page Number
Medical Center 2	Cahaba	33

Region 4:

Setting Name	Provider Name	Page Number
Pratt	Magnolia Wood	8
Baldwin Brook CRF	Volunteers of America (VOA)	39

Region 5:

Setting Name	Provider Name	Page Number
South Main	Altapointe	22
Violet	The Arc of Central Alabama	27
Knight	Volunteers of America	45

Setting Information – R2-86 – Lamar Haven

Provider Name:	The ARC of Fayette/Lamar/Marengo Counties		
Setting Name:	Lamar Haven		
Setting Number:	R2-86		
Number of Individuals Served at this Location Regardless of Funding:	3	Number of Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	01/16/2025		
Description of Setting:			
<p>This single-story home features six bedrooms, a respite room, and three bathrooms. The home is accessible for wheelchairs. Upon entering through the front door, a bell rings to notify the house of people seeking to enter or leave the home. Directly ahead in the home is an office space, and to the left, there is a respite room, complete with an attached bathroom. Continuing straight past the respite room leads into a long hallway, where there are six bedrooms and two bathrooms. The bathrooms are equipped with shower bars and shower benches for added safety. To the right of the front door is the living room, which then leads into the dining room. From there, you can continue straight through to the back door, which goes to the patio area. The backyard is enclosed by a small fence, and there are a few trees, and a storage shed for additional space. Outside, the front yard has a couple of medium-sized trees and bushes along the front of the building, with no connecting sidewalks. The home offers great dining and shopping options. Individuals can enjoy quick meals at Sonic Drive-In (0.5 miles), McDonald's (0.6 miles), or Jack's (1 mile), while shopping locations include Dollar General (1.1 miles), Dollar Tree (0.8 miles), and Walmart (20 miles).</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Individual's Rights:</i> Monitor observed individuals have privacy in their bedrooms when they choose. The interviewed individual was observed alone in their bedroom watching TV. The monitor observed staff knocking on the bedroom door before entering. Individuals are offered personal care in private by staff. The interviewed individual answered 'yes' that staff listen to them including respecting their likes and dislikes. The monitor observed no signs of restraint or coercion while conducting the monitoring visit. The interviewed individual indicated they knew how and where to make a complaint stating they would tell staff. There was an Advocacy flyer posted on the wall in the kitchen with toll free number to call.</p> <p>The individual signed an Understanding Your Rights Form that they understand their rights in the home and their guardian goes over the rights and tenant laws annually with the individual.</p> <p><i>Schedule and Activities Choice:</i> The monitor viewed a November and December daily log, and it showed that the interviewed individual has no set</p>

	<p>schedule. The monitor learned the interviewed individual likes going to the Day Program Monday-Friday, and outside of the Day Program, they like to go to the movies, the mall, and Guthrie Smith Park. The interviewed individual state they tell the staff if they change their mind about doing something and are able to take a nap when they choose. The interviewed individual likes to listen to country music on the radio on their bedroom and watch TV.</p>
	<p><i>Visitor Access:</i> Staff and individuals can have visitors of their choosing at times of their choice. The interviewed individual stated they can visit with their dad with privacy. Also, stated they can use the house cordless phone in their bedroom to speak in private.</p>
	<p><i>Food Access:</i> Monitor observed snacks located in the kitchen cabinets that the individual could access at any time. The interviewed individual stated they like to go to the store with staff and let them know what they like to eat.</p> <p>Per the recent monitoring visit completed in July 2025, there are no posted mealtimes or designated kitchen hours. Individuals are permitted to access the kitchen and grab a snack at any time, based on personal preference. Snack storage has been designated in the kitchen area including the refrigerator and both lower and upper cabinets out of consideration for an individual who uses a wheelchair. All individuals in the home agreed upon this arrangement and have been informed that they may store their snacks in their bedrooms if they choose to do so. Additionally, there are no locks on any of the food storage areas, supporting unrestricted access and individual choice. There is no set weekly menu in the home, which allows for greater flexibility and responsiveness to individuals' preferences. Instead of following a fixed meal plan, staff ask individuals what they would like to eat and accommodate those choices in real time. If someone wants something different from what was originally planned, staff adjust accordingly to ensure their preferences are honored. This flexible approach empowers individuals to make choices about their meals on a daily basis. It also supports their autonomy and ensures that food options align with their personal tastes. In addition, individuals provide input during grocery shopping by either accompanying staff to the store or requesting specific items in advance. Staff also take into account each person's likes and dislikes to help guide meal preparation.</p>
	<p><i>Living Unit Lease:</i> The monitor observed the lease for the interviewed individual to be up to date and include the following elements: timeframe enforced, amount due and due date, termination notice period aligned with Alabama tenant laws, stated reasons for termination, responsibilities of both the individual and the provider/landlord, and the individual's right to appeal</p> <p>A copy was observed by the monitor in the interviewed individual's passion and kept in their bedroom. is available in the individual's bedroom, as well as uploaded in the electronic case file.</p>

	<p><i>Sleep Privacy:</i> Each individual has a private bedroom with a lockable door. Individuals can close and lock their bedroom doors for privacy when they choose.</p>
	<p><i>Living Unit Locks:</i> Monitor observed bedroom doors had working locks and the individuals each had keys to their bedrooms, as well as the front door of the home. The interviewed individual kept their keys on a lanyard around their neck, and indicated they have the right to close and lock their bedroom door for privacy.</p>
	<p><i>Furnish & Decorate:</i> Monitor observed bedrooms were personalized to each of the three individuals' personal taste. The interviewed individual answered 'yes' when asked if they could decorate their bedroom as these chose.</p> <ul style="list-style-type: none"> • Individual A had tan walls, a white comforter, and a sitting chair • Individual B had a multi-color comforter, a TV mounted to the wall, a shoe organizer hanging on the closet door, and a small dresser with personal items on top. • Individual C had a Walk the Line movie poster, a hat organizer and a TV sitting on a dresser with a cable box.
	<p><i>Accessible Living Space:</i> The monitor observed the entrances to the home were accessible. This included a ramp for wheelchairs. The monitor observed wheelchairs in the home to be in working condition. There were grab bars in the restroom. The monitor observed the interviewed individual to move freely throughout the home.</p>
	<p><i>Community-Based Setting Distinction:</i> The monitor observed that the setting has a distinction based on following the HCBS rules and regulations. The home setting allows the individual to have more privacy when it comes to sitting in their bedrooms.</p>
	<p><i>Staff Distinction:</i> The monitor observed the staff know the distinction between HCBS and institutional settings. The staff mentioned the interviewed individual has rights and freedoms that they would not have in an institutional setting. The staff said that the individuals' HCBS rights give them the power to make their own choices.</p>

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Community: The interviewed individual said they like going on outings with staff. The monitor reviewed November and December logs documented outings to different places including Tractor Supply Store, Sav More, Walmart, Thrift Store, and to an Alabama vs Auburn Iron Bowl Party.

Transportation: The monitor observed transportation options available included the provider's van, and family and friends' vehicles. There are no public or for hire transportation options available in the vicinity of the setting.

Employment: The monitor noted if the interviewed individual wanted to work, they knew to speak to their support coordinator. An employment assessment was completed with ADRS, and the interviewed individual does not want to seek employment. Also, the guardian has not given permission for employment for the interviewed individual.

Personal Resources: The interviewed individual prefers to keep cash and uses their cash when they go out in the community to purchase items of their choice. They also have a bank account they have access to. The interviewed individual likes to buy handbags and backpacks and shop at Walmart.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- **The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;**
- **The setting facilitates choice regarding services and supports and who provides them; and**
- **Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.**

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Person-Centered Plan (PCP) Setting Options: Per the monitoring tool, the interviewed individual decided to attend Lamar Haven and has lived there since 2016. The PCCP documented that several choices were offered to the interviewed individual.

Per the PCAP monitoring tool, the interviewed individual was offered choice through process and chose of a non-disability setting in the community: Vernon Housing Authority, Fox Ridge Apartments, Lamar Heights, Meadowcrest Apartments in Vernon, Alabama. She was also offered a choice of residential services with Arc of Fayette/Lamar/Marengo Counties, The Arc of Walker County, and Community Options

Services and Supports Choice: The monitor tool documented the interviewed individual was offered and accepted medical services, dental services, Community Day Habilitation level 3, Residential Habilitation, and targeted case management-adults. The monitor observed documentation that the interviewed individual attended the PC planning meeting and chose not to facilitate. The legal guardian chose the support coordinator to lead the PC planning meeting.

Per updated PCAP, the interviewed individual was offered the following services: Residential Services, Day Habilitation, Community Day Habilitation, and Case Management Services. They were informed of their eligibility for Personal Care and Self-Directed Services and declined those services.

Service Provider Choice: The monitor observed the PCP documents that the interviewed individual was offered and accepted Lamar Haven as their residential provider.

Per updated PCAP, the interviewed individual was given the choice of residential services by NWAMHC, The Arc of Walker County, The Arc of Fayette, Lamar, and Marengo counties and Community Options, Inc or out of

	the county. They chose the Arc of Fayette/Lamar/Marengo counties and Striving for Success Day Habilitation program.
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Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of this report's date.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	Individuals in the home use verbal communication. The interviewed individual gave permission to the monitor for the staff to participate in the interview.
Staff	1	The staff participated in the individuals' interview.

Ongoing Remediation Activities (as applicable) Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R4-58 – Pratt

Provider Name:	Magnolia Wood		
Setting Name:	Pratt		
Setting Number:	R4-58		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	7/11/24		
Description of Setting:			
<p>The setting is a house with three bedrooms, 1 bathroom, and a patio. It is in a neighborhood with trees and greenery. The home is within walking distance of downtown Prattville and is less than a mile away from a park. There are stores nearby.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: Monitor observed that individuals exercise their rights in the home. Per monitor observation and individual interview, individuals in the home have the right to privacy. Per staff interview, individuals can have privacy in their room and in the bathroom. If staff are asked to assist with personal care, they do so in a private setting. Individuals choose which staff help them when they request assistance with a task. Per individual and staff interview, individuals can wear their hair and clothing according to their personal preferences. Monitor observed that individuals make independent life choices about meals, schedules, and outings. The interviewed individual said they are free to choose their activities and are not forced to do anything they do not want to do. The individual said they know how to file a complaint by reporting any issues to staff.

Schedule and Activities Choice: Monitor observed that there is no set schedule, and individuals create their own schedules. Per staff interview, individuals tell staff what they would like to do, and staff use this information to create a schedule. Activities going on in the community are developed monthly- the supervisor sits with each individual weekly and reads/explains

	<p>the activities for the upcoming week; once the individual chooses, it is put on the weekly agenda Attendance or refusal of activities is documented in their activity log. The interviewed individual said they choose the activities and outings they would like to participate in and who they would like to spend time with. Per the PCP, the individual enjoys gardening, watching tv, listening to the radio, using the computer, going to the park, people watching, and eating at restaurants. The individual said they tell staff if they change their mind about doing something. The individual said they sleep, wake up, and nap when they choose.</p>
	<p><i>Visitor Access:</i> The interviewed individual said they can have visitors at any time and can visit with guests and make phone calls in private if they choose using the cordless phone in the home. Per the PCP, the individual likes to talk on the phone with their brother. Staff state they know that the individuals may have visitors of their choosing and they are not limited to certain options.</p>
	<p><i>Food Access:</i> The interviewed individual said they have access to food at any time, and they choose the food they eat. The individual said the home has the items they like to eat and drink, and they have a designated place to store personal snacks. Per staff interview, each individual shares what they would like to eat to decide what will be cooked that day. If the house is going out to eat, staff said all individuals are asked what they would like to eat to accommodate all preferences. Per the PCP, if the individual does not like what is cooked, they have the option to choose a different meal.</p>
	<p><i>Living Unit Lease:</i> The updated and signed lease was observed in the home. The individual interviewed said they are aware of their lease agreement and the rights it entails. Per staff member interview, copies of lease agreements are kept in personal folders in each individual's bedroom.</p>
	<p><i>Sleep Privacy:</i> The interviewed individual said they do not feel like they have privacy in their bedroom, which they share with another individual living in the home. Since the onsite, the provider has met with the individual and they agreed to a curtain track divider in the shared bedroom to give the individual privacy. The monitor confirmed this accommodation was installed and the individual is satisfied with this solution.</p>
	<p><i>Living Unit Locks:</i> Monitor observed that each bedroom door has a working lock and a key for their room. The interviewed individual said they can lock their bedroom door for privacy when they choose, and they keep their key in a private place. Monitor observed staff assist interviewed individual with locking and unlocking their bedroom door. Individuals have keys to the house entrance and to their personal bedrooms.</p>
	<p><i>Roommate Choice:</i> The interviewed individual said they chose their roommate.</p>

	<i>Furnish & Decorate:</i> Monitor observed that all bedrooms were personalized with blue and grey linens and comforter with matching curtains. The interviewed individual said they can decorate their room to their liking. Per the PCP, the individual decorated their room with Alabama-themed items.
	<i>Accessible Living Space:</i> Entrance and exits were observed to be accessible to individuals living in the home. Individuals were observed to move freely throughout the common living areas. The interviewed individual said they can move around the home as they wish, including outdoor spaces.
	<i>Community-Based Setting Distinction:</i> Monitor observed that the home functions in line with community-based standards and reflects the wants and preferences of the individuals living in the home. Per staff interview, individuals exercise their freedom of choice in the home. The home is in a neighborhood with access to the greater community and its amenities.
	<i>Staff Distinction:</i> Monitor observed that the individual interviewed was treated with dignity and respect during the visit. The staff were observed to be attentive, and gave opportunity to voice individual opinions about things, and only assist in the conversation when needed. Per staff interview, staff knock before entering bedrooms, encourage independence before assisting with tasks, and ask for permission before aiding. Per the PCP, the individual feels the staff support them by listening to their questions and concerns and treating them how they want to be treated. The monitor observed that staff are aware of HCBS standards and facilitate community involvement.

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> Staff follow the proposed activity schedule developed by the individual- provides transportation and options for alternate activities. Per staff interview, individuals in the home like to go out to eat and go bowling. The individuals choose places to visit outside of scheduled activities. The

	<p>interviewed individual said they go out whenever they would like, accompanied by staff and sometimes other housemates. The individual said they choose to engage in community life by sitting on the swing, going out to eat, and attending baseball games. Per the PCP, the individual volunteers to help with beautification of a community park. Per the PCP, the individual is informed about scheduled activities and events, and they choose whether to participate</p>
	<p><i>Transportation:</i> Per staff interview, staff take individuals where they would like to go in the house van. There is a folder kept in the home that has bus schedules and other public/private transportation contact information.</p>
	<p><i>Employment:</i> Per staff interview, none of the individuals living in the home have a job. During the visit, the interviewed individual said they would like to work at Hardee's. The individual was given information about how to begin the employment process by talking with their support coordinator about employment options. Each individual has a work assessment completed by the support coordinator and the QDDP with the individual concerning wishes for employment.</p> <p>Per PCP, the interviewed individual would like to work at Taco Bell, and their day habilitation program will support them in learning the skills needed for this type of employment.</p>
	<p><i>Personal Resources:</i> Monitor observed that the individual has access to personal resources to purchase the things they need and want. The interviewed individual said they keep their money in a wallet. They like to buy food, snacks, and sodas at Walmart and Target. The individual said they ask staff for assistance with purchases when needed. Per the PCP, the individual has access to their money and often chooses to save their money. Per staff interview, each individual has a lockbox in their room to store money and other personal belongings. Staff indicated there are no restrictions on what individuals can purchase if they have the money to make the purchase. Staff assist with purchases only when individuals request assistance.</p>

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance: ☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Person-Centered Plan (PCP) Setting Options: Per review of the PCP, the individual communicates needs to staff and chooses services, understands how to request a change in services and supports if he wants to change them. During the PCP planning meeting the individual was offered Residential Habilitation Provider: Magnolia Wood, Settings offered: Day Habilitation Provider: Smith Center (AWE ARC)

Services and Supports Choice: The interviewed individual said they state their preferences about services and supports during their planning meeting. The individual likes the services and supports they currently receive. Per the PCP, the individual chooses their services, supports, and understands how to request a change. Per the PCP, the individual chooses to go to a day habilitation program. Per the PCP, the individual feels they have a good support system, including their support coordinator, their roommates, their brothers, and their house manager.

Service Provider Choice: Per the PCP, the individual said they like their home and have no desire to move. The interviewed individual said they like the staff that work in their home. Per PCP, the individual is aware of how to change roommates or change homes if they choose. During the PCP planning meeting the individual was offered Residential Habilitation Provider: Magnolia Wood, Settings offered: Day Habilitation Provider: Smith Center (AWE ARC)

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance: ☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:	The setting complies with HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.
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Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual said they chose to live in the home and they like living in the home. The individual said they are treated with dignity and respect, and they feel they can express their preferences in the home. The individual said they feel safe and unthreatened in the home. The monitor observed the individual expressing their preferences and concerns. The individual consented to staff being part of the interview.
Staff	1	Staff were observed to treat individuals with dignity and respect. No use of coercion or restraint was observed.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R2-119 – Aaron III (High)

Provider Name:	Aaron CRF, LLC VOA		
Setting Name:	Aaron III (High)		
Setting Number:	R2-119		
Number of Individuals Served at this Location Regardless of Funding:	2	Number Individuals Utilizing Medicaid Served at this Location:	2
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	11/8/24		
Description of Setting:			
This is a 3-bedroom, 2-bathroom surrounded by trees and shrubs. The home is in a peaceful neighborhood and has a deck and patio area in the back.			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: The monitor observed individuals are afforded the right to privacy in their bedrooms that have working locks. The monitor observed staff facilitate opportunities for private conversations in other areas of the home as needed. The interviewed individual confirmed they can have privacy when they want. Staff confirmed individuals can have privacy in their bedrooms. Staff said they knock prior to entering bedrooms. The interviewed individual and the staff member said if staff assist with personal care, they do so in a private place. Staff said they do not share personal information about individuals.

The monitor observed staff treated individuals with dignity and respect. Staff were courteous, attentive, and patient when interacting with individuals, showing consideration for individuals' needs and preferences. The interviewed individual confirmed staff listen to them and respect their preferences, including their choice of hairstyle and clothing. The monitor observed individuals freely express their preferences and choices in the home. The monitor observed individuals have independence in making life choices about schedules, meals, and outings.

	<p>The monitor did not observe the use of coercion or restraint during the onsite visit. The interviewed individual said they feel safe in the home and are not forced to do anything they do not want to do. They said they know who to contact if they have a concern about how they are treated in the home.</p>
	<p><i>Schedule and Activities Choice:</i> The monitor observed individuals do not follow one set schedule. The interviewed individual confirmed they have flexibility in their daily routine. The interviewed individual said they decide the activities they participate in and go on outings as they like. They said they like to go on a trip once per year, and they choose where they want to go. The individual said they decide who they spend time with. They said they tell staff if they change their mind about doing something. The individual said they wake up, go to bed, and take a nap whenever they choose.</p>
	<p><i>Visitor Access:</i> The individual said they can have visitors of their choosing at any time. The individual said their mother visits them each weekend. Staff said individuals have visitors whenever they choose. The interviewed individual confirmed they can meet with visitors and make phone calls in private in their bedroom. The individual has a personal cellphone.</p>
	<p><i>Food Access:</i> The monitor observed individuals have access to food at any time. The monitor observed individuals have a designated place to store personal snacks. The staff member said individuals keep snacks in the kitchen cabinet and their bedrooms. The interviewed individual said they can have a snack any time they like, and they had a cupcake prior to the monitor's arrival. They said they eat anything they want, and their favorite snack is honey buns. The individual said they tell staff what food they would like. Staff said they ask individuals what they want to eat for meals. Staff said if an individual is going out for food and the other individual wants to stay home, then a staff member will stay home with that individual.</p>
	<p><i>Living Unit Lease:</i> The monitor observed the interviewed individual's current lease includes Alabama tenant laws and HCBS-required resident rights. The monitor observed a signed copy of the interviewed individual's lease is available in their training binder and in their bedroom. The interviewed individual said they know their rights in the home, such as choosing what they eat and watching movies they like.</p>
	<p><i>Sleep Privacy:</i> Each individual has their own bedroom. Individuals can close and lock their bedroom doors for privacy.</p>
	<p><i>Living Unit Locks:</i> The monitor observed bedroom doors have working locks, ensuring privacy and security in individuals' personal spaces. The monitor observed the interviewed individual has keys to their bedroom and the front door on an Alabama-themed lanyard. The individual keeps this lanyard in a drawer in their bedroom. The interviewed individual confirmed they can lock their bedroom door when they want privacy.</p>

	<i>Roommate Choice:</i> Not applicable in this setting.
	<i>Furnish & Decorate:</i> The monitor observed bedrooms are personalized. The interviewed individual's bedroom reflects their passion for Alabama football. Their room has a large picture of Alabama stadium, a picture of Nick Saban, an Alabama-themed clock, a comforter in Alabama colors, Alabama-themed curtains, Crimson Tide stickers on the closet door, and an Alabama hat hanging on the door. They also have a leather recliner and a mounted TV. The individual said they can decorate their room however they choose, with the staff's assistance. Staff confirmed individuals can decorate their bedrooms as they like and said they help by finding out what individuals like.
	<i>Accessible Living Space:</i> The monitor observed entrances and exits are accessible to individuals living in the home, and there is a ramp leading to the home's front door. The monitor observed individuals can move freely throughout the common living areas. The monitor observed hand bars in the bathroom. The monitor observed a wheelchair and walker in the home were in good condition. The interviewed individual said they can move around the home as they like, including using outdoor spaces. They said they like to go outside in the summer.
	<i>Community-Based Setting Distinction:</i> The monitor observed the living room is furnished like a typical home, with a 6-chair dinette set, recliners, a sofa, and a mounted TV. The monitor observed the home fosters independence and personal choice, allowing individuals to make decisions about daily routines, visitors, and activities. The monitor observed that the home is integrated into the community and provides opportunities for individuals to participate in outings of their choosing. Staff said this is the individuals' home.
	<i>Staff Distinction:</i> The monitor observed staff support individuals while emphasizing independence, personal choice, and community involvement. The monitor observed staff are flexible and respect individuals' autonomy. Staff said they support independence by demonstrating how to do things and asking before assisting. The interviewed individual said they like staff because they let them do what they want.

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Community: The monitor observed individuals have access to the greater community and are supported in participating in outings based on their personal interests. The staff member said they find out what activities individuals like and research what is available in the community to plan outings based on individuals' interests. Staff said individuals like movies and going out to eat. The interviewed individual said they like going to the movies. They said they go to the movies with staff and their significant other. The PCP documents the individual goes shopping and out to eat at local shops and restaurants when they choose and the individual likes to hang out at home more than going on outings but knows their right to go out whenever and wherever they choose.

Transportation: The monitor observed transportation options listed on a board in the dining area, including the residential vehicle, bus, taxi, Uber, and Lyft. Staff said they take individuals on outings in the provider vehicle.

Employment: The monitor observed individuals have access to resources for seeking employment, including the library, home internet, and the residential vehicle. The interviewed individual said they previously shredded paper at RFI. They said they do not have a job now and are happy with that decision. They said they know who to talk to about getting a job. Staff said the individuals living in the home do not have jobs and are not interested in working.

Personal Resources: The interviewed individual said they keep money in a wallet in their bedroom. They said they decide where they shop and what they purchase, indicating they have control over their personal resources. The individual said they like to get food at the Palace and shop at the mall. Staff said individuals keep personal resources in their lockboxes. Staff said there are no restrictions on what individuals can purchase with personal funds. Staff said they would assist with transactions if needed.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, the individual was informed about other housing options in the community. The individual indicated they made the decision to live in this home.
	<i>Services and Supports Choice:</i> Per the PCP, the individual was informed about self-directed services. The individual indicated they choose the services they receive and like the support they have in the home.
	<i>Service Provider Choice:</i> PCP documentation states residential provider choices were discussed with the individual and included Aaron CRF, FCLS, VOA, Daycrest, Debrick CRF, and Edwards CRF. The individual made an informed choice from the options discussed.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual responded to the monitor's questions. The individual said they like living in this home.

Staff	1	The staff member was interviewed separately from the individual.
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Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-9 – South Main

Provider Name:	Altapointe		
Setting Name:	South Main		
Setting Number:	R5-9		
Number of Individuals Served at this Location Regardless of Funding:	8	Number Individuals Utilizing Medicaid Served at this Location:	8
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	11/13/2023		
Description of Setting:			
<p>This setting is a home in a residential neighborhood. There is a driveway for visitors to park. The neighborhood has sidewalks and is near a major road. There are restaurants nearby such as Jack's and Burger King.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

Section A: The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Individual's Rights:</i> Per observation of the monitor, individuals have privacy and participate in community activities outside of the home when they want. The individuals have control over their day-to-day lives including access to food and making shopping purchases.
	<i>Schedule and Activities Choice:</i> Individuals do not have a set schedule in the setting. Staff provide options for activities that are currently occurring in the community and the individuals decide what they want to participate in each day. There is a calendar of activities individuals can choose from. Examples of activities that individuals choose to participate in include day habilitation, volunteering, watching TV, and going to Ollie's and the Dollar Store. Individuals choose daily if they want to go by themselves or with their housemates to any activity.
	<i>Visitor Access:</i> Per staff interview, individuals can have visitors at any time. For example, one individual usually visits with their brother on the patio in

	private, or in the living room. There is a cordless phone located in the dining room that individuals can use to make phone calls.
	<i>Food Access:</i> Individuals can access food at any time and do not need permission. The individuals will sit at the table to indicate they want to eat. Snacks are stored in the kitchen cabinet. Individuals will go to the store and pick what they want for meals and snacks, or they provide a list to staff of what they want from the grocery store. Staff purchase items for individuals. For meals and snacks, individuals tell staff what they want to eat or obtain it themselves. Monitor observed individuals' preferred items in the home, including chips, crackers, popcorn, cookies, brownies, and root beer.
	<i>Living Unit Lease:</i> There is a current lease on file at the setting in the individual's bedroom. The lease includes state of Alabama tenant rights.
	<i>Sleep Privacy:</i> Individuals close and lock their doors for privacy. For individuals who share a bedroom, there is a curtain between each bed that the individual can pull closed to provide privacy.
	<i>Living Unit Locks:</i> The individual interviewed keeps their key in a drawer in their bedroom. All individuals have a key to their bedroom and the front door of the home.
	<i>Roommate Choice:</i> Roommates are selected through discussions with the individual and their support team.
	<i>Furnish & Decorate:</i> Individuals can decorate their bedrooms how they choose, and each bedroom is personalized. Two individuals have recliners in their bedroom. One individual had a vinyl CD player combination unit. Some individuals had personal artwork and sports team memorabilia displayed in their bedrooms.
	<i>Accessible Living Space:</i> Individuals have access to and move freely in the common areas and outdoor spaces of the home. Individuals do not enter each other's bedrooms without permission. The home is accessible, and individuals move without barriers.
	<i>Community-Based Setting Distinction:</i> Per the individual's person care plan (PCP), individual and legal guardian like the setting. Legal Guardian and the individual know they can speak to support coordination or staff if they would like to move. The setting is in a residential neighborhood and the individuals participate in the greater community as they choose. There is no set schedule and no posted mealtimes.

	<i>Staff Distinction:</i> Staff have learned individuals' likes and dislikes. Staff were dressed in similar fashion to the individuals. They call individuals by their preferred names. Staff were observed joking and laughing with the individuals during the visit.
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Section B: The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;
- The setting supports access to the community activities through its own transportation or coordination of transportation options;
- Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and
- Individuals can control their personal resources, including their own money.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> There is a posted calendar of events going on in the community for the month. Individuals choose what they want to participate in daily. Daily logs documented that most recently the individual went out to eat and attended a neighborhood fair. The individuals will let staff know if they want to participate in an activity.
	<i>Transportation:</i> Transportation information was on a community board in the setting. Options included Sylacauga cab company and Sylacauga transportation program.
	<i>Employment:</i> The individual interviewed is not interested in a job now. They are asked about employment at least twice a year. They know they can speak with staff or their support coordinator if they change their mind about employment.
	<i>Personal Resources:</i> The individual keeps their debit card in their bedroom dresser. Staff support the individual with using their debit card and tracking their spending. The individual likes to purchase snacks from the dollar store. Other individuals like to purchase electronics, including tablets.

Section C: The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;

<ul style="list-style-type: none"> • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan Setting Options:</i> The PCP documented setting options were discussed including living in a residential group home or a family member's home.
	<i>Services and Supports Choice:</i> Service options were documented in the PCP to have discussed, including residential services, day habilitation, and case management.
	<i>Service Provider Choice:</i> The PCP documented alternative residential provider options were discussed, including Rainbow Omega and The Learning Tree.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual does not communicate verbally. The individual nodded and provided consent for the staff to participate in their interview.
Staff	1	Staff participated in the individual's interview.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-15 – Violet

Provider Name:	The Arc of Central Alabama		
Setting Name:	Violet		
Setting Number:	R5-15		
Number of Individuals Served at this Location Regardless of Funding:	2	Number Individuals Utilizing Medicaid Served at this Location:	2
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	9/5/24		
Description of Setting:			
<p>This setting is a 3-bedroom, 1-bathroom home. There is a small front porch and a large deck at the back of the home. The home is within minutes of Applebee's, Wendy's, Sonic, Walmart Neighborhood Market, and Family Dollar.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met

☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: The monitor observed individuals had the right to privacy, as the interviewed individual spent time in their bedroom playing with their stuffed animals during the onsite visit. Staff said the individual is given privacy when they want to be alone. Staff said they check in on the individual by calling their name and knocking on the door before entering.

The monitor observed staff treat individuals with dignity and respect by talking to them and guiding them. Staff said they listen to and respect the individual by taking the time needed to assess their wants and needs. Staff said they consider the individual's preferences in everything they do. Staff said the individual picks their own clothing. Staff explained that individuals have independence in making life choices, including choosing if they want to go on an outing and choosing their meals.

No use of coercion or restraint was observed during the onsite visit. Staff said the individual is not forced to do anything they do not want to do and can communicate with staff if they have any concerns about how they are treated.

	<p><i>Schedule and Activities Choice:</i> The individuals were not observed to follow a set schedule. Per interview, the individual can do what they choose. Per interview, the individual decides the activities they participate in, and they enjoy listening to music, playing with stuffed bears, doing arts and crafts, and spending time alone in their room. Per interview, the individual decides who they spend time with, including spending time with staff and their housemate while watching TV in the living room. Staff ask individuals if they are interested in participating in an outing, and individuals decide if they want to participate. Per staff member, the individual goes out during their day program during the week, so residential staff do a few outings on the weekday evenings and more on the weekends. Per staff member, the individual is happy with the outings they go on. Per staff member, the individual can tell any staff member if they no longer want to do something. Per staff member, the individual will not get in the van if they do not want to go somewhere, and staff honor their wishes. Per staff member, the individual does not have a set bedtime and often chooses to sleep in on the weekends. Per interview, the individual can nap during the day if they choose.</p>
	<p><i>Visitor Access:</i> Individuals have visitors at any time, and they choose who visits them. This was also reflected in the provider policy. Staff said the individual can have visitors if they choose and can meet with them in a common area or in private in their bedroom. The monitor observed a cordless phone that individuals can use to make private phone calls in their bedrooms. Per the PCP, the individual speaks on the phone with their mother.</p>
	<p><i>Food Access:</i> The monitor observed individuals had access to food at any time. There was no scheduled mealtimes or snack times and no locks on the cabinet where snacks are stored. Staff said individuals do not have to ask permission to get a snack. Staff said the individual lets them know they want a snack by taking staff to the item they want, or they get a snack out of the fridge or cabinet independently. Staff said the individual chooses their food. Staff said individuals go shopping with staff to pick out the items they want at the grocery store. Per staff, if a meal is prepared and the individual does not want to eat it, they can choose to eat something else at any time of their choosing.</p>
	<p><i>Living Unit Lease:</i> The monitor observed the individual's lease is current, signed by the individual and the provider, and contains HCBS-required rights. The monitor observed a copy of the individual's lease agreement in their bedroom drawer and in the individual's binder in the closet. Staff said the individual is informed of their rights in the home and is supported to exercise them throughout the day.</p>
	<p><i>Sleep Privacy:</i> Each individual has their own private bedroom. Individuals can close and lock their bedroom doors for privacy when they choose.</p>

	<i>Living Unit Locks:</i> The monitor observed bedroom doors had working locks, and individuals had keys to their bedroom doors. The interviewed individual keeps their key in their dresser drawer. Staff said the individual can close and lock their bedroom door if they choose. Per the PCP, the individual has a key to their home and their lockbox.
	<i>Roommate Choice:</i> Not applicable in this setting.
	<i>Furnish & Decorate:</i> The monitor observed bedrooms were personalized. The individual's bedroom was colorful, and staff said they decorated the individual's bedroom based on their personality and their stuffed animals.
	<i>Accessible Living Space:</i> The monitor observed both entrances to the home are accessible to the individuals living in the home, and individuals can move freely throughout the home. The monitor observed individuals go from their bedrooms to the living room and bathroom during the onsite visit. Staff confirmed the individual can move around the home as they choose, including outdoor spaces.
	<i>Community-Based Setting Distinction:</i> The monitor observed the setting does not have policies or practices that control behavior. The home provides opportunities for community inclusion. Each individual's preferences for colors and items are reflected in the decoration of the home.
	<i>Staff Distinction:</i> The staff wore scrubs that did not have an agency logo or name on them. Staff interact with individuals in a respectful manner.

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> Per interview, the individual goes out into the community at least three times per week with staff. Per interview, the individual's housemates joins if they are also interested in the outing. Per interview, individuals go to the park, church, and to get ice cream. Per interview, the

	<p>individual enjoys shopping, eating at restaurants, car rides, and parks. Per the PCP, the individual enjoys going to the park, Dollar General, Walmart, the movies, the museum, Applebee's, McDonald's, and Wendy's.</p> <p>This home has its own social capital binder. It informs individuals of community engagements opportunities, such as volunteer opportunities and other community events. Preferred places of interest are also discussed with the individuals during their planning meetings.</p>
	<p><i>Transportation:</i> The monitor observed transportation information in a binder and posted on the wall, including phone numbers for yellow cab and Class Trans, the websites for Lyft and Uber, and a Max Transit schedule. Per interview, the individual can let staff know when they want to go out, and staff will transport them where they want to go.</p>
	<p><i>Employment:</i> The individual indicated no interest in employment during their most recent employment assessment. The individual stated they will talk to their support coordinator if they become interested in working.</p>
	<p><i>Personal Resources:</i> Per staff member, the interviewed individual has a debit card and keeps it in the lockbox in their bedroom. The individual takes their debit card with them when they go on outings. Per interview, the individual likes to purchase snacks, art supplies, and stuffed bears and enjoys shopping at Walmart, Target, Dollar General, and Dollar Tree.</p>

<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Per the PCP, the individual was given the option to select a non-disability setting, including HighPointe Apartments and Mountain Woods Apartments. Per interview, the individual chose to live in this home with their brother's assistance.</p>

	<i>Services and Supports Choice:</i> Per the PCP, the individual chose to receive residential habilitation, day habilitation, and positive behavior support. Per the PCP, the individual was informed they could also choose other services, including community experience small group, prevocational services, and specialized medical supplies.
	<i>Service Provider Choice:</i> Per the PCP, residential provider options included VOA, Infinity Group Home, Glenwood, PHP, and the Arc of Central Alabama.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	Per the PCP, the individual communicates by gesturing, vocalizing, leading, and moving. The individual was present laying in their bed in their bedroom during the interview. The monitor introduced themselves to the individual, and the individual made eye contact. The individual chose their staff to be part of the interview.
Staff	1	The staff member responded to interview questions on behalf of the individual.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R3-2 Medical Center 2

Provider Name:	Cahaba		
Setting Name:	Medical Center 2		
Setting Number:	R3-2		
Number of Individuals Served at this Location Regardless of Funding:	25	Number Individuals Utilizing Medicaid Served at this Location:	25
HCBS Provider Setting Type:			
<input checked="" type="checkbox"/> Day Habilitation <input type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	10/22/2024		
Description of Setting:			
<p>There are sidewalks near the Day Program. The building has a welcoming and accessible environment, including common areas for socialization, activity rooms for skill- building and recreation, private spaces for personal care, dining area for meals and social interaction, and accessible hallways and bathrooms to support mobility needs. There is a Walmart, mall, and flea market nearby as well as restaurants like Tally-Ho, Lannie’s BBQ, Sandbar, and Coffee shoppe.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: Individuals are afforded the right to privacy. They have access to lockable doors in the bathrooms, as well as private spaces in the outside area near the picnic tables, hallways, and in other classrooms and offices. The individuals were observed being treated with dignity and respect by staff. Staff members addressed the individuals by their preferred names.

Individuals interviewed stated that staff listen to and respect them. One individual stated they will tell staff when they do something. Individuals stated they feel safe at the Day Program.

Schedule and Activities Choice: There is no set schedule for individuals. Individual activities are documented and reflect that activities are personalized and varied based on individual preferences. Individuals interviewed each named who they each enjoyed spending time with.

- Individual A stated they enjoy cleaning up, basketball, and going into the community.
- Individual B likes cooking and playing games like bingo.

	<ul style="list-style-type: none"> • Individual C likes going to Halloween activities, playing games, and going to church. • Individual D likes to play bingo and play basketball. • Individual E likes to play bingo and go shopping at Citi Trends, Walmart, Dollar Tree, and the beauty supply store.
	<p><i>Visitor Access:</i> Two individuals interviewed have personal cell phones. Others indicated there is a phone at the Day Program that they can access when they choose.</p>
	<p><i>Food Access:</i> Staff stated that the individuals bring their lunches and snacks. Individuals can store their lunches and snacks in the fridge if they choose. They also can choose to eat out.</p> <p>Individuals interviewed stated they can get their food at any time and do not need permission from anyone to get it.</p>
	<p><i>Living Unit Lease:</i> Not applicable to the setting.</p>
	<p><i>Sleep Privacy:</i> Not applicable to the setting.</p>
	<p><i>Living Unit Locks:</i> Not applicable to the setting.</p>
	<p><i>Roommate Choice:</i> Not applicable to the setting.</p>
	<p><i>Furnish & Decorate:</i> Not applicable to the setting.</p>
	<p><i>Accessible Living Space:</i> All entrances and exits are accessible. The monitor observed individuals moving freely throughout the Day Program outside. There are ramps, grab bars, and rails out front along with hallways rails. Individuals can use the outdoor spaces as they choose.</p>
	<p><i>Community-Based Setting Distinction:</i> The Day Program prioritizes a personalized, home-like atmosphere, allowing for individual attention and support tailored to each individual's specific need.</p>
	<p><i>Staff Distinction:</i> Staff are trained in person-centered practices and prioritizing individual's identified goals and preferences. Staff were actively engaged with individuals.</p>

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Community: The monitor observed an activity calendar with a variety of community-based activities such as trips to Walmart, visits to parks, dining at local restaurants, church attendance, movies, bowling, birthday celebrations, and a Halloween party. The individuals interviewed stated they can go places to do the things they like to do.

- Individual A likes to go bowling and go shopping,
- Individual B likes to volunteer at the food bank and go fishing.
- Individual C likes to take pictures and work so they can make money.
- Individual D enjoys shopping at Walmart and eating at Zaxby's and Captain D's.
- Individual E likes to go shopping to get materials for their hair at the local beauty supply store.

Transportation: Transportation options including West Alabama Public Transportation, Alabama Tombigbee Regional Commission, and the Cahaba van, are posted on the bulletin board in the setting.

Employment: One individual is employed at Dave's Market. One individual is not interested in having a job. Two individuals are employed at the day program. These jobs are competitive employment. Alternative employment beyond the center is discussed with the two individuals and they each choose to remain employed with the center.

- *Personal Resources:* Individuals keep their money with them either in a wallet, pocket, or purse.
- Individual A keeps their money inside their wallet. They like to buy Kool-Aid packets and candy.

	<ul style="list-style-type: none"> • Individual B keeps their money and debit card in their pocket. They explained how they use their debit card. They like to buy clothes, shoes, and food. • Individual C stated they keep their own money. They like to buy clothes, stuff for tehri bed, watches, and necklaces. • Individual D showed the monitor their wallet with their money in it. They like to buy clothes, shoes, and food. • Individual E stated they keep their money in their wallet which is in their purse. They like to buy candy, shoes, and clothes.
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<p>The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:</p> <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<p><i>Person-Centered Plan (PCP) Setting Options:</i> Individuals interviewed PCP documents noted choice for setting based on each individuals' preferences and needs.</p>
	<p><i>Services and Supports Choice:</i></p> <ul style="list-style-type: none"> • Individual A PCP reflects services and supports offered including day training, case management, and in-home supports. • Individual B PCP reflects services and supports offered included day program and support services. • Individual C PCP reflects services and supports offered included support coordination and day habilitation. • Individual D PCP reflects services and supports offered including support coordination and day habilitation.
	<p><i>Service Provider Choice:</i> Review of the individuals interviewed PCP documentation noted provider choice was provided. Provider options included Dallas Day Training and Cahaba Center.</p>

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	5	All interviewed individuals gave verbal permission for staff to assist with answering questions.
Staff	1	Staff provided support in addressing the monitor's questions. They were respectful and encouraging, ensuring that each individual felt comfortable expressing themselves.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R4-105 – Baldwin Brook CRF

Provider Name:	Volunteers of America (VOA)		
Setting Name:	Baldwin Brook CRF		
Setting Number:	R4-105		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	10/16/2024		
Description of Setting:			
<p>This is a single-family home featuring 3 bedrooms and 1 full bathroom, which includes a walk-in shower. The open backyard is equipped with a patio table and chairs, and it has a privacy fence. The neighborhood has sidewalks and is conveniently located within five miles of two shopping centers that includes Walmart, Roses, Rainbow, and Dollar Tree, several restaurants (Longhorns, McDonalds, JAWS, Krystal, Honey Baked Ham, Pizza Hut), and gyms.</p>			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities identified above. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals sharing units have a choice of roommates in that setting;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: The monitor observed individuals' rights being upheld. For example, it was observed the individuals were afforded the right to privacy when meeting with the monitor, and when going to their personal bedrooms or to use the rest room. Each individual was addressed by staff by their chosen names and staff used respectful tone of voice during observed interactions. The staff regularly review with the individuals in the home their protected rights.

Schedule and Activities Choice: The staff stated to the monitor they understand individuals' rights to control over their schedules at home as well as out in the community and this control includes the right to change their mind about participating in activities. The monitor did not observe a set schedule for the individuals in the home. The interviewed individual indicated they choose who they want to be around and what activities they want to participate in at home and in the community.

Visitor Access: Staff stated during the interview they understand individuals' rights to privacy when meeting with visitors to the home. This privacy extends to phone use. The home has a cordless phone that the individuals can take to

	other areas of the home or their personal, private bedroom to take and receive phone calls without interference by others in the home.
	<i>Food Access:</i> The monitor observed individuals had food readily available to them and staff encouraged them to seek food and snacks at their leisure. Each individual also had their own personal snack basket in their bedrooms that contained snacks of their personal taste. For example, one individual liked Cheetos, ships ahoy and peanut butter crackers while another had Doritos, Fritos, and bottled water in their personal snack basket. There were no posted mealtimes in the home and individuals are offered a choice of meal options from the variety of available food in the home. When staff shop for food for the house, individuals are involved in the pre-shopping planning process,
	<i>Living Unit Lease:</i> The monitor observed the individual interviewed had a personal copy of their fully executed lease kept in a lockbox in their bedroom.
	<i>Sleep Privacy:</i> Each individual in the home has their own bedroom with a functioning door with keyed lock. The staff iterated their understanding of individuals' rights to privacy in their bedrooms.
	<i>Living Unit Locks:</i> The monitor observed each bedroom had a functioning door with working lock with keys. Each individual was observed to have their own key to their bedroom and keys were stored in places of their choosing including on their person, or in locked boxes in the respective bedrooms.
	<i>Roommate Choice:</i> Not applicable in this setting as each individual had their own private bedroom.
	<i>Furnish & Decorate:</i> The monitor was given permission by the individual interviewed to observe their bedroom. The bedroom was noted to be decorated in a personal style including butterflies and word art with a Paris-themed decor. Each of the 3 bedrooms observed was decorated with uniqueness to reflect the bedroom owner's individual design decisions. The interviewed individual demonstrated pride in their room with a broad smile in showing it off. Staff further explained their understanding of the individuals' rights to decorate their bedrooms as they choose and support the individuals as asked in making those designs happen.
	<i>Accessible Living Space:</i> The monitor observed accessibility accommodations in the home to include grab bars in the restroom
	<i>Community-Based Setting Distinction:</i> The home is integrated into the community in a local neighborhood with services and supports designed and delivered for maximum integration opportunities.
	<i>Staff Distinction:</i> Staff were dressed in clothing that aligned with the dress of the individuals residing in the home.

The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**
- **Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and**
- **Individuals are able to control their personal resources, including their own money.**

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> Community engagement occurs as much as possible within the confines of staffing availability. The individuals have control over the outings including locations and if they choose to participate. The monitor observed an activity log that documented engagement in community life. The logs documented individuals went to the AL National Fair, Woodley Park Renfoe's grocery, Penton Farms, and McDonald's. The interviewed individual indicated they liked eating out at restaurants and a few of their favorites included Jim n Nick's, McDonald's, and burger King.
	<i>Transportation:</i> There was an observed public bus schedule posted in the home.
	<i>Employment:</i> The monitor observed in the individual's record documentation of the completion of an annual employment assessment as part of the person-centered plan. The individual interviewed indicated they choose not to work and are aware of it as an option.
	<i>Personal Resources:</i> The interviewed individual receives \$20 in cash every other Friday and keeps their personal funds locked in a lockbox in their bedroom. The individuals like to buy snacks including Twix, lays and coke from Rose's and Family Dollar.

The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes:

- The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board;
- The setting facilitates choice regarding services and supports and who provides them; and
- Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan (PCP) Setting Options:</i> The person-centered care plan documented the setting was selected and documented in the plan.
	<i>Services and Supports Choice:</i> The monitor observed the person-centered plan documents several types of services and supports they can receive.
	<i>Service Provider Choice:</i> The monitor observed the PCP demonstrated provider choice was offered to the individual interviewed by presenting various settings including Montgomery County Housing Authority, Mary's legacy, PHP of AL, ANCS Gathering Place, and OuiCare LLC.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.

Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	The setting complies with HCBS Settings Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual interviewed uses alternative modes of communication including simple gestures and body language to convey their likes, dislikes, and understand of the interview questions and actively participating in the

		interview. The individual consented to the monitor the staff 's participation in the interview.
Staff	1	The individual gave permission for the staff to participate in the interview.

Ongoing Remediation Activities (as applicable) Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	

Setting Information – R5-109 - Knight

Provider Name:	Volunteers of America (VOA)		
Setting Name:	Knight		
Setting Number:	R5-109		
Number of Individuals Served at this Location Regardless of Funding:	3	Number Individuals Utilizing Medicaid Served at this Location:	3
HCBS Provider Setting Type:			
<input type="checkbox"/> Day Habilitation <input checked="" type="checkbox"/> Residential Setting			
Onsite Visit Conducted Date:	6/26/2023		
Description of Setting:			
The setting is an apartment in a residential neighborhood. The setting is in a small neighborhood and is well integrated in the community. There is a pool and sidewalks within the apartment complex. There are a variety of stores and gas stations near the home.			
Current Standing of Setting:			
<input checked="" type="checkbox"/> Currently Compliant: The setting has overcome the qualities. <input type="checkbox"/> Approved Remediation Plan: The setting has an approved remediation plan demonstrating how it will come into compliance. The approved timeline for compliance is: [x]			

Evidence the Setting is Fully Compliant or Will Be Fully Compliant

Section A: The setting optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices 42 CFR 441.301(c)(4)(iii) and 42 CFR 441.301(c)(4)(iv) and 42 CFR 441.301(c)(4)(vi)(A) – (E). This includes:

- The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint;
- The setting ensures the individual has freedom and support to control his / her own schedule and activities;
- Individuals are able to have visitors of their choosing at any time;
- Individuals have access to food at any time;
- The living unit is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services;
- Each individual has privacy in their sleeping or living unit;
- Individual living units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors;
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- The setting is physically accessible to the individual;
- The setting demonstrated meaningful operational distinction between the institution and the community-based setting; and
- There is a distinction between staff for the HCBS setting and the institutional setting.

Compliance:

☒ Met ☐ Remediation Plan demonstrating will be compliant

Summary of Evidence of Compliance:

Individual's Rights: When asked about privacy, the interviewed individual said they can go to their bedroom and close the door when they would like privacy. There is a house phone and a personal cell phone the individual uses to make calls. The individual explained that staff knock and ask to come into their room if the door is shut.

Schedule and Activities Choice: The individual said they go to bed and get up when they want. The individuals are given the option to participate in other activities, however, they do not have much interest in doing a variety of outside activities. They enjoy going to the Sno Shack and the park. Two individuals choose to attend a day habilitation program. Another individual chooses to remain home and like to spend their day watching television or going outside to sit in the sun.

	<i>Visitor Access:</i> The individual can choose to have visitors at any time. Their family will visit, and they can meet with visitors wherever they would like in the home. There is a cordless phone that individuals can use when they choose.
	<i>Food Access:</i> The individual stores snacks in the refrigerator and pantry. Individuals access food when they choose to. There are no restrictions to accessing food in the home. Staff are trained on individual rights, including access to food. Individuals help to make the grocery list. They let staff know what specific food and meals they want.
	<i>Living Unit Lease:</i> The individual interviewed has a copy of their lease behind their bedroom door. The lease is updated and included the state of Alabama tenant rights.
	<i>Sleep Privacy:</i> Each individual has their own bedroom.
	<i>Living Unit Locks:</i> The individual showed the monitor how they use their key by locking and unlocking their bedroom door, as well as the entry door to the home.
	<i>Furnish & Decorate:</i> The individual explained that they decorated their room with pictures, paintings/drawings, and their stuffed animals.
	<i>Accessible Living Space:</i> Per the observation and individual interview, individuals have access and can move freely in the common areas and outdoor spaces.
	<i>Community-Based Setting Distinction:</i> This is an apartment located in a larger residential complex. There is no set schedule, and the individuals decide how they spend their days.
	<i>Staff Distinction:</i> The monitor observed the staff dressed in casual attire. The staff appeared supportive of the individual during the monitoring interview listening closely and ensuring ample time for the individual to respond to questions.

Section B: The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS 42 CFR 441.304(c)(4)(i). This includes:

- **Individuals, to the extent they desire, have opportunities to participate in community life activities outside of the setting;**
- **The setting supports access to the community activities through its own transportation or coordination of transportation options;**

<ul style="list-style-type: none"> • Individuals, if they choose, have opportunities to seek employment and work in competitive integrated employment settings; and • Individuals are able to control their personal resources, including their own money. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Community:</i> The individuals enjoy going into the community to Walmart, target, TJ Maxx, JCPenney's, and dollar tree to shop.
	<i>Transportation:</i> There is a transportation flyer posted in the setting with information on Uber, Lyft, Taxi, or ClasTrans. The provider also provides transportation.
	<i>Employment:</i> The individual said that they did not have a job, but they wanted to work. The Support Coordinator completed an employment assessment. Most recently the individual had an interview for a job but was not selected for the position. They are continuing to explore other employment opportunities.
	<i>Personal Resources:</i> The individual showed the monitor their money that they keep in a drawer. Staff helped the individual locate their debit card. The individual explained they like to shop at Wal-Mart and Publix.

Section C: The setting is selected by the individual from among setting options, including non-disability specific settings 42 CFR 441.301(c)(4)(ii) and 42 CFR 441.301(c)(4)(v). This includes: <ul style="list-style-type: none"> • The setting options are identified and documented in the person-centered plan (PCP) and are based on the individual's needs, preferences, and resources available for room and board; • The setting facilitates choice regarding services and supports and who provides them; and • Individuals have a choice in selecting their service providers and are not reliant on services from the institution to the exclusion of other community-based options. 	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	<i>Person-Centered Plan Setting Options:</i> The PCP documented the individual and Support Coordinator discussed several other apartment complexes as setting options.
	<i>Services and Supports Choice:</i> Per PCP the services selected were day habilitation services and residential services.
	<i>Service Provider Choice:</i> The individual was offered and discussed the following providers for residential services: Progressive Health Care Providers, Glenwood, The Arc. of Central Alabama, and Volunteers of America.

Overall, the setting complies with the Home and Community-Based Setting Regulation requirements.	
Compliance:	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Remediation Plan demonstrating will be compliant
Summary of Evidence of Compliance:	This setting complies with HCBS Setting Rule requirements based on observations of the monitor, interviews with an individual, staff, and review of documentation as of the date of this report.

Input from Individuals Utilizing the Service and Paid Staff of the Setting

Role	Number of people interviewed	Summary of Interview Feedback
Individuals	1	The individual answered the monitor's questions and showed the monitor several items.
Staff	1	The staff participated in the individual's interview and provided additional information and feedback. Staff received permission from the individual before participating in the interview.

Ongoing Remediation Activities (as applicable)	
Current Standing: <input checked="" type="checkbox"/> Currently Compliant <input type="checkbox"/> Approved Remediation Plan	
Individuals Served Summary:	
Staff Summary:	