

LIVING ARRANGEMENTS POLICY

- I. **Purpose:** It is the intent of San Andreas Regional Center to ensure that individuals have access to appropriate residential living options of high quality, in compliance with all state and federal laws, regulations, and court decisions.

- II. **Definitions:**
 - **Consumer, individual, and person served are used interchangeably in regional center policy and the Lanterman Developmental Disabilities Services Act and mean a person who has been found eligible and receives services from the regional center.**

 - *Community Care Facilities* are residential homes licensed and monitored by the Department of Social Services, Division of Community Care Licensing, and vendored by the San Andreas Regional Center. The facility may be owner-operated or staff-operated and serve children, adults, or seniors. The facility may serve from one to six individuals but no more than fifteen individuals; regional centers are prohibited from purchasing residential services from a facility with 16 or more beds unless otherwise noted in California Welfare & Institutions Code Section 4648(a)(9)(B). Regional centers are specifically prohibited from placing individuals out-of-state, without permission from the Director of Developmental Services. The majority of the facilities in the regional center area serve six residents. The facilities may be profit or non-profit. The facility is vendored to provide a specific set of services to the individuals living there.
 - Alternative Residential Model (ARM) for Community Care Facilities:
 - Level I staffing is based on a 1:6 ratio. Individuals in this level of care are independent in their personal care and are able to be unsupervised in the facility and the community.
 - Level II staffing is based on a 1:6 ratio. Individuals in this level of care are usually independent in their personal care or need minimal prompts. Individuals in this level of care usually have minimal behavioral challenges.
 - Level III staffing in the facility is provided consistent with the number of people in the home and consistent with T-17 section 56004 typically provided at a 1:3 ratio. The facilities serve individuals who have one or more of the following conditions: (1) significant deficits in self-help skills, (2) some limitations in physical coordination and mobility, (3) disruptive or self-injurious behavior.

- Level IV (a-i) staffing in the facilities is provided consistent with the number of people in the homes and consistent with T-17 section 56004 typically provided at a 1:3 or 1:2-ratio. Individuals may have one or more of the following conditions: (1) severe deficits in self-help skills; (2) severe impairment in physical coordination and mobility; (3) severe behavioral challenges.
- San Andreas Regional Center will work with all providers to meet the requirement of the Federal Final Rule.
- *Community Crisis Homes* are facilities certified and licensed by the state as adult residential facilities, providing 24-hour nonmedical care to individual receiving regional center services in need of crisis intervention services would otherwise be at risk of admission to the acute crisis centers, an out-of-state placement, a general acute hospital, an acute psychiatric hospital, or an institution for mental disease. A community crisis home shall have a maximum capacity of eight individuals.
- *Adult Residential Facilities for Persons with Special Health Care Needs (ARFPSHN)* are five-bed homes specifically designed for meeting the needs of the medically fragile individuals who meet the entrance criteria.
- *Enhanced Behavioral Support Homes* are defined by statute (W&IC 4684.80. (a)) as "a facility certified by the State Department of Developmental Services and licensed by the State Department of Social Services pursuant to Section 1567.62 of the Health and Safety Code as an adult residential facility or a group home that provides 24-hour nonmedical care to individuals with developmental disabilities who require enhanced behavioral supports, staffing, and supervision in a homelike setting."
- *Family Home Agency* is a nonprofit agency vendored by the regional center to certify private family homes to serve individuals over the age of 18. It allows for an adult with a developmental disability to live with and be a part of a family in a certified family home as a fully participating family member. Oversight is provided by the Department of Developmental Services (DDS). No more than two individuals may reside in a home. Neither the agency nor the individual home is licensed. Family Home Agencies is a service modeled after foster-family agencies for children.

- *Family Teaching Model (FTM)* is a residential model that is located in a duplex. The family lives on one side of the duplex and the individuals live on the other. They share a common door for comingling and a family environment while allowing for independence and privacy. They are certified as a Family Home Agency.
 - *Extended Family Teaching (EFT)* is a residential service modeled after the Family Teaching Model yet based in a private family home similar to a foster-family situation. They operate under the umbrella of a Family Home Agency.

- *Foster-Family Care* is placement in the private home of a family (or individual) certified by a Foster-Family Agency licensed by the Department of Social Services--Community Care Licensing and vendored by the regional center to serve children under the age of 18. Whenever possible, the child's family is expected to be actively involved with the child and his or her foster family.

- *Intermediate Care Facilities* are residential facilities licensed and monitored by the California Department of Public Health, Division of Health Care Licensing. These facilities are staff-operated and serve children, adults, or seniors. The size of the facility varies from four beds to over 100 beds. The majority of the facilities in the regional center area serve six or fewer residents. The facilities may be run on a profit or non-profit basis.
 - *Habilitation* (Intermediate Care Facility ICF-DDH). This type of Intermediate Care Facility provides habilitation services for children or adults who are developmentally disabled. Habilitation means skill building through active treatment. These are usually 6-bed "homelike" facilities that are based on a medical model with a physician, nurse, psychologist, OT/PT, etc., providing regular consultation to the direct care staff. ICFs are regulated and funded by Medi-Cal. The staff to individual ratio is 1:3 and can be 1:2 depending on census. The doctor must approve all treatment plans and visit the facility on a regular basis. A nurse (RN) and a Qualified Intellectual Disability Professional (QIDP) must be present in the facility at regular intervals.
 - *Nursing* (ICF-DDN). This type of Intermediate Care Facility provides services to children or adults with developmental disabilities who require intermittent nursing care such as injections, colostomy/ileostomy care, seizure control, frequent repositioning to prevent skin breakdown (bedsores), etc. Medi-Cal funds and

regulates as above. The staff to individuals' ratio is 1:3 and can be 1:2 depending on census. Direct care staff may be certified nursing assistants, trained nursing assistants, licensed vocational nurses, or other licensed persons. A registered nurse (RN) and a Qualified Intellectual Disability Professional (QIDP) must be present in the facility at regular intervals.

- *Skilled Nursing Facility (SNF)*. This type of facility serves qualified individuals who need 24-hour skilled nursing care and supportive care on an extended basis. SNFs are regulated and funded by Medi-Cal and Medicare.
- *Independent Living* is an unlicensed, unvendored living arrangement of the individual's choice. The individual may receive services as defined in his or her Individual Program Plan (IPP).
- *Residential Care* means a home or facility, other than the individual's home, which provides personal care, protection, supervision, assistance, and guidance in accordance with the needs of the developmentally disabled person.
- *Supported Living Service* provides an array of services and supports to enable an adult individual to live in his or her own home (apartment, house, room, etc., shared or otherwise). Supported Living Agencies are vendored by the regional center to act as the individual's agent in arranging for the services and supports. The agency may be for profit or non-profit. Neither the agency nor the individual's home is licensed.

III. **Policy:** San Andreas Regional Center will give the highest priority to the development and expansion of services and supports designed to assist families in maintaining their minor and/or adult children with developmental disabilities at home.

When it is the choice of the individual/family to find an alternative living option, the individual/family will be included in all phases of the planning and decision-making process. The regional center will afford the individual and family the services and supports that assist them in achieving the greatest self-sufficiency possible in exercising personal choice. San Andreas will ensure that persons placed out of their homes are in the most appropriate, least restrictive living arrangement and in as close proximity to their families as possible.

The regional center will have available within the catchment area a continuum of community living options that support the principles of normalization, individual choice, skill acquisition and community integration. As new residential living options are developed, San Andreas's individuals will have priority consideration for utilization.

The regional center will have a system of monitoring the quality of community living services. The regional center will ensure that residential living providers abide by the regulations set forth in the Welfare and Institutions Code, the California Code of Regulations, California Health and Safety Code and Regional Center Quality Assurance Standards.

IV. **Purchase of Service Standard:**

A. Living Arrangements for Children—Birth to 18 Years of Age

The regional center places a high priority on providing opportunities for children with developmental disabilities to live with their families. To this end, the regional center advocates for and procures or provides a comprehensive pattern of services to assist families in caring for their children at home. Interagency collaboration is integral to this effort.

With the following considerations, the regional center shall develop and purchase appropriate out-of-home residential programs for children with developmental disabilities who are unable to reside in their natural homes:

- Parents/guardians are encouraged to take an active role in the selection and planning process for out-of-home placement and must approve the placement.
- Specific parental responsibilities and opportunities for continued parental interaction with the child will be included in the placement plan.
- Parents/guardians of children in out-of-home placement must provide financial support for their children as required by the State of California.
- The regional center will ensure that children placed out of their homes are in the most appropriate, least restrictive living arrangement and in as close proximity to their families as possible.

- The regional center will assess the child to determine if the child requires a special health care plan.

The financial resources of the individual under the age of 18 could include SSI/SSA benefits, veteran benefits, trusts, railroad benefits, checking or savings accounts and other financial benefits will be applied to the costs of residential care.

B. Living Arrangements for Adults–18 Years of Age and Older

The regional center assists persons with developmental disabilities and their families to determine which of the following is most appropriate living arrangement to enhance the individual's growth.

- Remaining in the home with a specific plan to move from dependence on the parents to interdependence with them. This plan will include a mutually agreed upon day/work program and social/recreational activities to assist the individual with increased independence. The plan will also include a provision for educating the parents and individual around the issues of adult responsibilities within a household.
- Moving to an appropriate out-of-home residential program with a plan that includes a mutually agreed upon day/work program and social/recreational activities to assist the individual with increased independence. The plan will also include encouraging continued interaction between the parents and the individual.

The financial resources of the adult individuals including SSI/SSA benefits, veteran benefits, trusts, railroad benefits, checking or savings accounts and other financial benefits will be applied to the costs of residential care but only to the extent that they are liable for the costs of services, aid, insurance, or medical assistance to the individual.

The regional center will provide information and advice on the responsibilities associated with the conservatorship of adults.

- V. **Exception Process:** The executive director has full discretion to authorize purchases of service which are exceptions to the board-adopted purchase of service policies and standards.

The executive director has designated that the Director and Associate Directors of Consumer Services are authorized to grant an exception in the executive director's stead; these individuals are referred to as director's designees.

The first formal discussion of a request for service takes place at the planning team meeting. If the request falls within the service policy, the request is granted.

If the request for service is not consistent with the policy, the service coordinator starts the exception review process by exploring the basis for the request. A timeline for the director's exception review is set by agreement between the individual/family and the service coordinator but the timeline may not exceed fifteen (15) days. Within that time, another planning team meeting will be convened. In the meantime, the coordinator presents the information to the manager to determine whether a director's exception may be warranted. At the scheduled planning team meeting the decision will be made. The director's designee will attend the planning team meeting if necessary. If the exception is granted, the service coordinator amends the person-centered individual program plan, notifies the individual/family, and gives a copy of the amended plan to the individual/family.

- VI. **Notice of Action:** If the exception is not granted, the service coordinator promptly informs the individual/family that it has not been granted, informs the individual/family of their appeal rights, and sends a notice of action and a fair hearing form.

If a decision is made to deny, reduce, or cancel the service without the agreement of the individual or the individual's representative, a Notice of Action will be sent.

DDS Approved March 17, 2021
Board Adopted June 20, 2022