

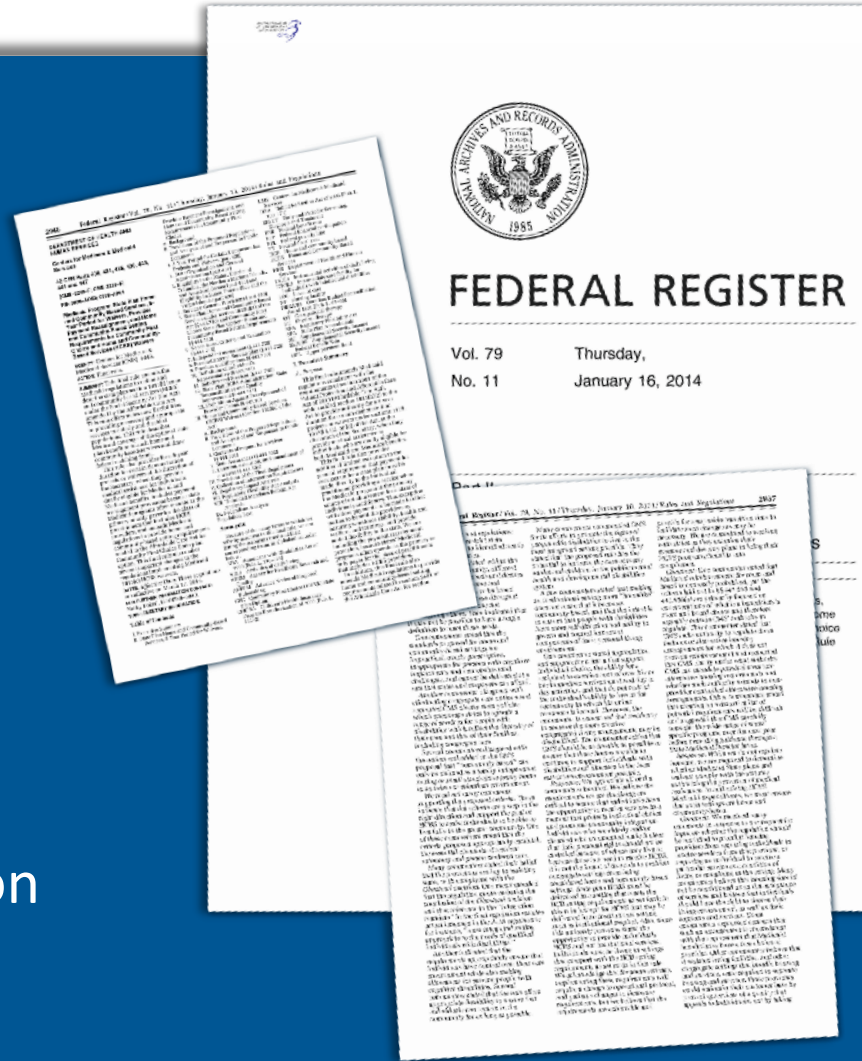
Welcome to the waiting room!

Thank you for joining us for today's webinar presentation. We will begin shortly. If you need assistance before we start, you can communicate with us using the chat/question window.



HCBS SETTINGS RULE: VISITORS

Cathy Yadamec
CQL Director of Training & Certification





Vision

A world of dignity, opportunity and community for **all** people.

Mission

CQL is dedicated to the definition, measurement and improvement of **personal** quality of life.

A white rectangular sign with a bright orange border is mounted on a white post. The sign features the text "VISITORS ALLOWED" in a bold, orange, sans-serif font, arranged in two lines. The sign is set against a background of green grass and dark soil.

**VISITORS
ALLOWED**

People
have to
be safe!



WHAT
IF ...



There
have to
be rules!







LIMITING VISITORS

CURRENT RULES





HEALTH & HUMAN SERVICES
Medicaid Services
Mail Stop 50
2025-01-27 11:24:10

- ...has privacy in their unit including lockable doors and freedom to furnish or decorate the unit;
- The individual controls his/her own schedule including a
 - **The individual can have visitors at any time; and**
 - The setting is physically accessible.

Any modification to these additional requirements for provider-owned residential settings must be supported by a specific assessed need and a care plan.

...rule excludes certain settings... settings for the... rule establishes requirements for... Medicaid home and community-based services... and 1915(k) of the Medicaid statute. Over the past five years... with stakeholders, states and federal partners about the qualities... that distinguish them from institutional settings. As part of this stakeholder... an Advanced Notice of Proposed Rule Making (ANPRM) and various proposals... community-based services authorized by different sections of the Medicaid law, ... State Plan HCBS and 1915(k) Community First Choice... based settings has benefited from and evolved



CMS RULES FOR PROVIDERS

#4 VISITORS

People can have visitors at any time.





THOUGHTS?

Type in the question or chat box, your thoughts about this part of the rule—

PEOPLE CAN HAVE VISITORS AT ANY TIME.

If you use the question box, you can submit under your name or anonymously.



THOUGHTS?

How many times have you invited someone to your home that was a—

- Terrible person
- Hurtful
- Mean
- Evil



REFLECTIONS

How many times have you invited someone to your home that was a—

- A family member
- A friend
- Fun
- Good



REFLECTIONS

We have the opportunity --

- To support people to have *lives like people without disabilities*;
- To promote *choice and self-determination*;
and,
- To recognize and honor each person's *uniqueness*.



CONSIDER

The intent of the change—

CMS aims to support people to have lives like people without disabilities.

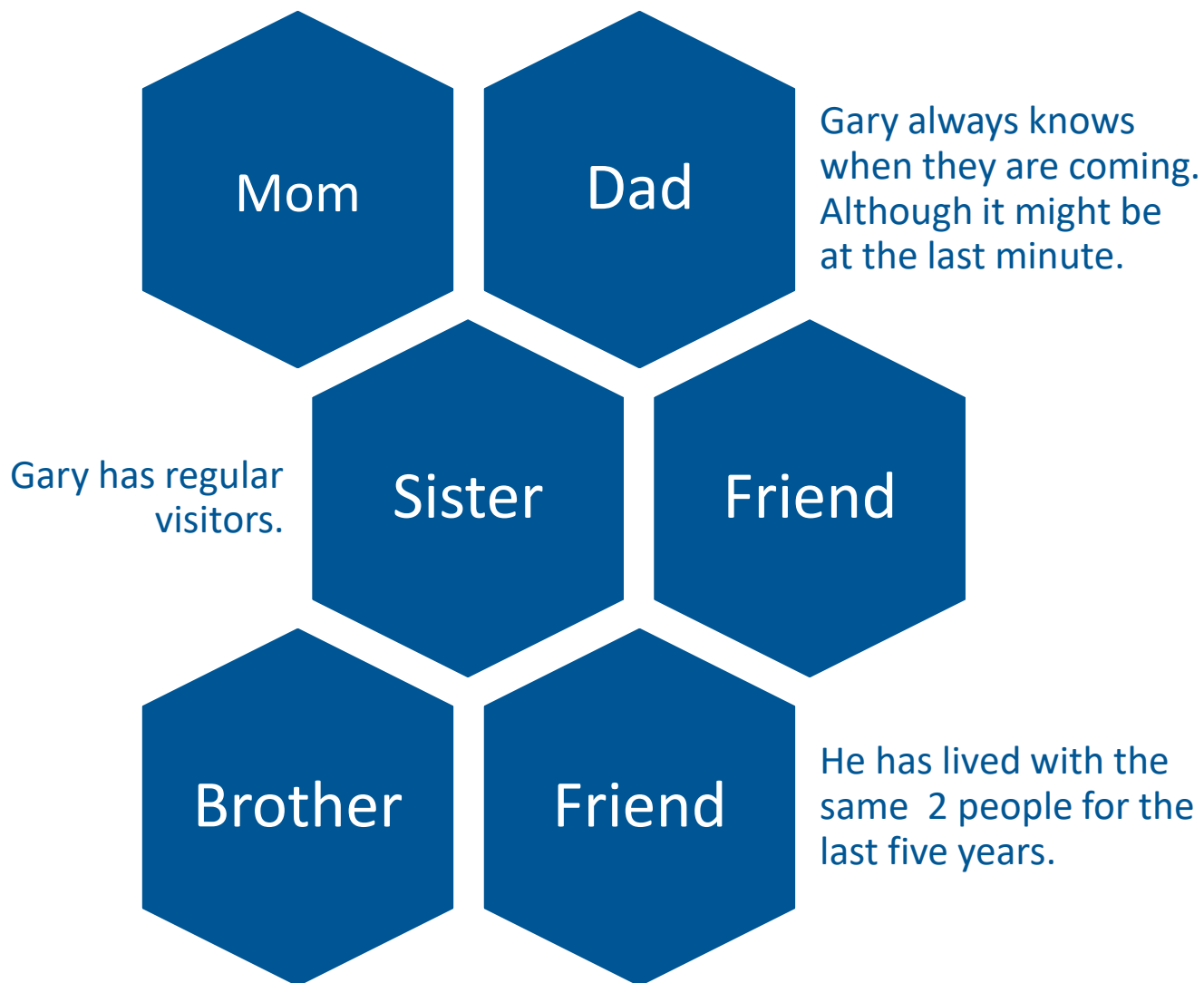
What does that mean for us—

It is an opportunity for us to explore how to make this happen.

ONE SIZE FITS ALL



GARY



TIME FOR A QUICK POLL!



- Expect people to make good decisions
- Do not assume that people need protection
- It's about individualized supports
- Use teachable moments



New

- Tina just began receiving services a month ago

Story

- She lost contact with her family and doesn't who would come to visit

Home

- Lives with 3 other people.

TIME FOR A QUICK POLL!



- Each person is different
- Support Tina to develop relationships
- Expect her to make good decisions
- Use teachable moments



DOUG

- Lives in a home with 3 other people
- For the past 3 years
- He was homeless
- He used to invite many people over and often they spent the night
- After a while, Doug maintained one strong friendship
- This friend regularly visits and sometimes spends the night
- He has an agreement with his housemates that no one can spend the night until everyone has met him or her.



TIME FOR A QUICK POLL!





DOUG

- It's different for each person
- Education, Experience, and Exposure are important
- People have choice and control
- People with shared housing can reach agreements
- People change
- There is a difference in facilitating and controlling



AND THEY DON'T ALWAYS...

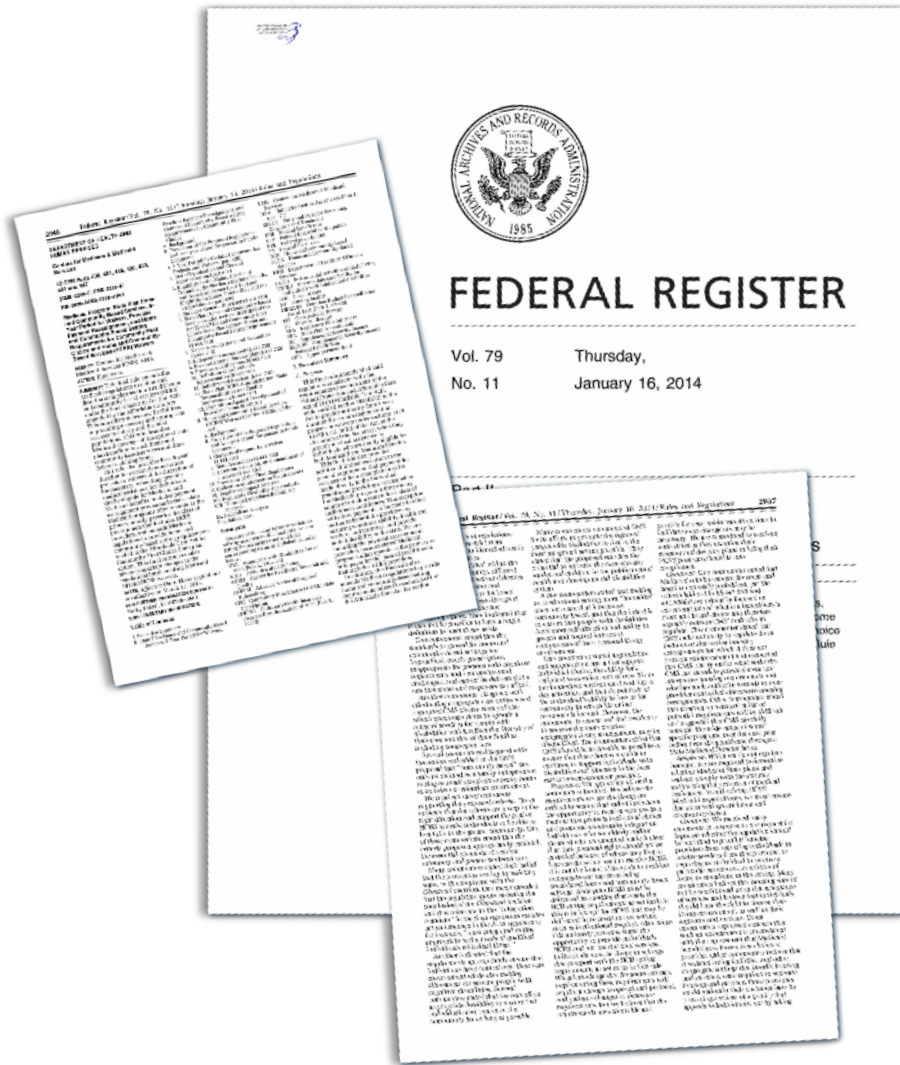
LIVE HAPPILY EVER AFTER

- People don't always make good choices.
- Sometimes the support we provide isn't enough.
- And so, there is a way to modify this rule.



THE NEW RULES

TEMPORARY RESTRICTIONS





TEMPORARY RESTRICTIONS

IF PEOPLE NEED EXTRA SUPPORT

Sometimes people need extra support and may not be able to take part in all of the freedoms the new rules provide. When that happens, CMS has set the bar high by developing very strict rules to follow:

- Base the restriction on a specific need
- Show that positive interventions have been tried but haven't worked (and document it)
- Keep measuring if the modification is effective!
- Show that any restriction is TEMPORARY
- Get informed consent!
- Show the intervention will cause no harm.



DOUG – THE EARLY YEARS

Remember when we talked about Doug when he first began receiving services in his new home?

- He had been homeless
- Invited people from the street to come to his home

What I didn't tell you—

- Doug's housemates were uncomfortable with some of the people
- Some of Doug's friends would stay for a few days at a time and staff had to ask them to leave
- This created tension

WHO

- Doug
- Housemates
- Staff

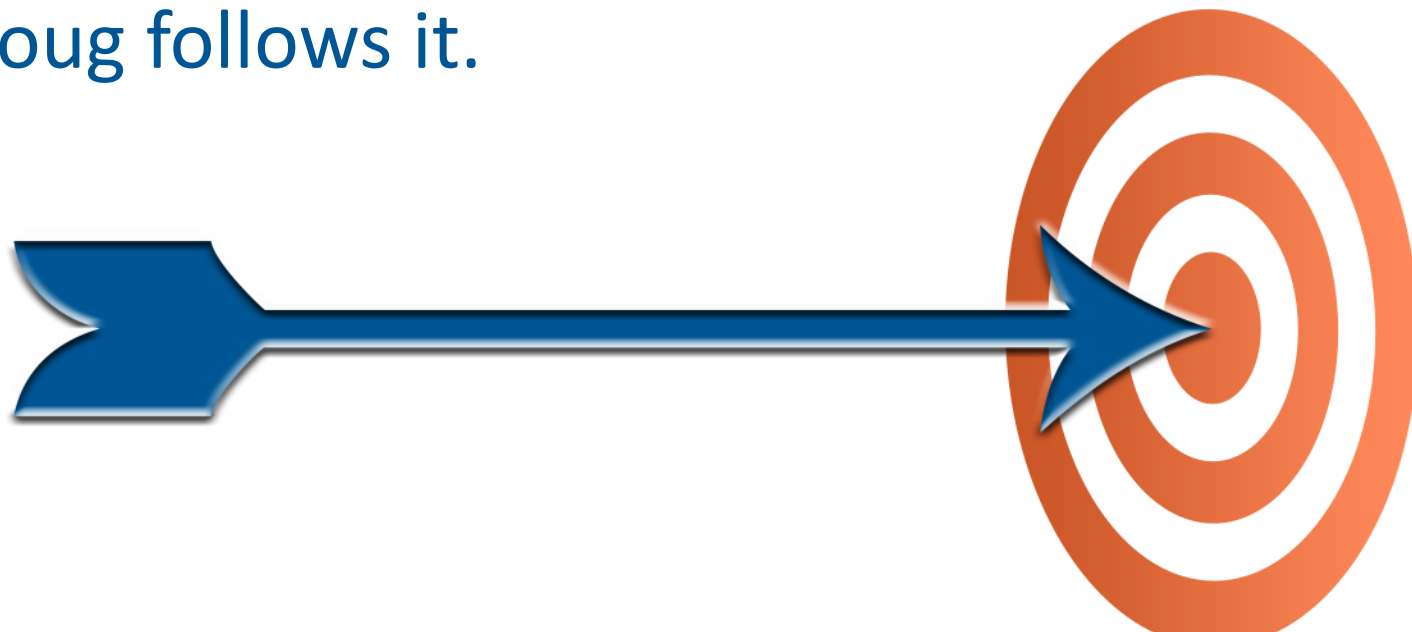
WHAT

- Discussion
- Problem-Solving
- Options



DOUG - OUTCOME

For Doug, the positive supports worked, there was not a need to modify his right to visitors. As a result of the individualized supports— Education, Experience, and Exposure, he and his housemates reached an agreement and Doug follows it.





STACY - OUTCOME

Stacy, over the past few months, had been taken advantage by giving money and things to people she thought were her friends. About three months ago, despite counseling and teaching, Stacy invited someone to her home. That person took money, food, and jewelry from Stacy and Stacy's housemates. At that time, Stacy's team met to discuss how to best support Stacy.



STACY - OUTCOME

1. Need
2. Positive Interventions
3. Measure
4. And now Stacy and her team were looking at putting in some **TEMPORARY** limitations to her right to have visitors at any times.
5. Informed Consent
6. Show the intervention will cause no harm



SUMMARY



...has privacy in their unit including lock
furnish or decorate the unit;
...ual controls his/her own schedule including
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... es authorized by different sections of the Medi
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... munity-based settings has benefited from an

- The Settings Rule clearly defines the expectation that people can have visitors at any time.
- It is aimed at supporting people to live the same lives as people without disabilities.
- Each person is unique.
- Supports are individualized.
- At times, people's rights can be temporarily limited.





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Quality and Leadership
www.c-q-l.org

Stay In Touch:

Cathy Yadamec
Director of Training & Certification
cyadamec@thecouncil.org