			RI HCBS Settings Systemic Assessments & Remediation June 2, 2016					
			Julie 2, 2010		Proceed Proceedings of Addison			
RI Department	Regulation Citation	Regulation Name/Description	Web Link	Compliant/Conflict With/Silent	Proposed Remedial Action to Achieve Compliance	Start Date	End Date	Milestones
DEA	N/A	DEA Assisted Living Certification Standards	<u>No Link</u>	Non-Compliant Standards do not meet some of the applicable person-centered objectives for home and community-based settings.	Revise standards to include applicable HCBS Rule language for home and community-based settings.	6/30/2016	6/30/2017	See Transition Plan Matrix
RI Department	Regulation Citation	Regulation Description	Web Link	Compliant/Conflict With/Silent	Proposed Remedial Action to Achieve Compliance	Start Date	End Date	Milestones
EOHHS	0398.30.05 and 0399.20.02 Facility Certification Standards Participation requirements	EOHHS Specific Waiver Programs	http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7 999.pdf	"The physical plant, financial capacity, adequacy of services, and commitment to servicing low income individuals will be evaluated prior to approval for participation in program".	Rewrite certification standards for AL facilities to be a participating Facility. Possible change in wording to denote yearly monitoring.	6/30/2016	6/30/2017	See Transition Plan Matrix
EOHHS	0398.30.05 DEA Responsibilities	EOHHS Specific Waiver Programs	http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7 999.pdf	Discusses availability of services plan of care	Language needs to be updated to person centered planning language	6/30/2016	6/30/2017	See Transition Plan Matrix
RI Department	Regulation Citation	Regulation Description	Web Link	Compliant/Conflict With/Silent	Proposed Remedial Action to Achieve Compliance	Start Date	End Date	Milestones
EOHHS	Agency Standards	RIte @ Home Program Standards	http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Procurement%20Library/Rlte.at.Home.Program.standards.final9.26.12pdf	Non-Compliant	Program Standards and Agencies Policies and Procedures to be modified for full compliance.	6/30/2016	6/30/2017	See Transition Plan Matrix
RI Department	Regulation Citation	Regulation Description	Web Link	Compliant/Conflict With/Silent	Proposed Remedial Action to Achieve Compliance	Start Date	End Date	Milestones
BHDDH	20.09-3	Participant Rights	$\frac{\text{http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/}}{2826.pdf}$	Silent	Add language "with the same degree of access as individuals not receiving Medicaid HCBS"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-9	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Conflict With	Strike the word reasonable	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-10	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Conflict With	Strike the words "all reasonable hours", add words "any time"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-11	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Conflict With	Strike the words "a reasonable amount of"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-(b)	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Conflict With	Strike the words "Every effortmade by the DDO to give" add the words "A prospective residentgiven"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the words "Except to the extent the residential program director determines that a limitation or a denial of any of the following rights would be in the Participant's best interest and further, unless the director documents the good cause reasons for the denial or limitations in the Participant's individual service plan"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Silent	The Participant shall be entitled to the following Add - ",unless the Participant's individual service plan reflects a need for limitation:"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(h)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/ MHRH/7826.pdf	Silent	Add – "(h) To have access to food at any time;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	201.12(i)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Silent	Add - "(i) To have control and support, when necessary, over one's own activities and schedule;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(j)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Silent	Add – "(i) To have a legally enforceable written agreement detailing protections from eviction;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(k)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/ 7826.pdf	Silent	Add – "(j) To have lockable entrance doors, with only the individual and appropriate having keys to the door;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(1)	Residential Participants' Rights	$\frac{\text{http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/}}{7826.pdf}$	Silent	Add -"(k) To have choice of roommate, if there is a shared unit; and"	6/30/2016	6/30/2017	See Transition Plan Matrix

BHDDH 20.13 Residented Participants Rights BHDDH 20.13.07 Residented Participants Rights BHDDH 20.13.07 Residented Participants Rights BHDDH 20.14 Residented Participants Rights BHDDH 20.15 Residented Participants Rights BHDDH 30.15 Residented Participants Rights BHDDH 30.15 Residented Participants Rights BHDDH 30.15 Residented Support Services Geneal Requirements and the services of the second resident depth MHH 75.26 off BHDDH 30.01 Residented Participants Rights BHDDH 30.01 Residented Participants Rights BHDDH 30.01 Residented Participants Rights Residented Support Services Geneal Requirements and Req									
BIIDDI	BHDDH	20.12(m)	Residential Participants' Rights		Silent		6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH 20.13.07 Residential Participants' Rights Bigs.	BHDDH	20.13	Residential Participants' Rights		Silent	Add –"or modified:"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDH 20.14 Readential Participants' Rights BHDH 20.15 Residential Participants' Rights BHDH 20.15 Residential Participants' Rights BHDH 20.15 Residential Participants' Rights BHDH 30.01 Residential Participants' Rights Residential Participants' Rights BHDH 30.01 Residential Support Services Gentral Requirements including reposition related and provide comments including reposition related and provide provide and provide comments including reposition reposition reposition reposition related and provide reposition related and provide reposition related and provide reposition related and provide reposition reposition related and provide reposition related reposition related reposition related related reposition related related reposition related related reposition related reposition related related reposition related reposition related related related reposition related related reposition related reposition related related related related related related related reposition related	вноон	20.13.07	Residential Participants' Rights		Silent	be supported by a specific assessed need and	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH 39.01 Residential Support Services Genral Requirements Signary Residential Support Services Genral Requirements Requ	вноон	20.14	Residential Participants' Rights	<u>7826.pdf</u>	Conflict With	DDO to give" add the words "A prospective	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH 39.01 Residential Support Services Genral Requirements with the properties of the process of a private room, these options will be identified and documented in the ISP.* RI Department Rhode Island General Laws Description of Statute Web Link Compliant/Conflict With/Silent Proposed Remedial Action to Achieve options will be identified and documented in the ISP.* BHDDH \$401-24.3 Division of Developmental Disabilities - Division of Develo	вноон	20.15	Residential Participants' Rights		Conflict With	Strike the word "reasonable"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-21-4.3 Division of Developmental Disabilities Definitions BHDDH \$40.1-22-13 Division of Developmental Disabilities Definitions BHDDH \$40.1-22-13 Division of Developmental Disabilities Definitions BHDDH \$40.1-26-3 Definitions BHDDH \$40.1-26-3 Definitions BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable amount of." BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable." BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable." BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable." BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable." BHDDH BHDDH BANG Compliant Amend (16) to strik "reasonable." BHDDH BANG Compliant Amend (16) to strik "reasonable	вноон	39.01			Silent	selected by the Participant from the setting options available, including non-disabled settings and options for a private room, these options will be identified and documented in the ISP."	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-21-4.3 Division of Developmental Disabilities Definitions BHDDH \$40.1-22-13 Visits http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM Non-Compliant BHDDH \$40.1-26-3 Participants' rights/Visitors BHDDH \$40.1-26-3 Participants' rights/Noney BHDDH \$40.1-26-3 Particip	RI Department	Rhode Island General Laws	Description of Statute	Web Link	Compliant/Conflict With/Silent		Start Date	End Date	Milestones
BHDDH \$40.1-22-13 Visits http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HIM Non-Compliant Community Based Services. BHDDH \$40.1-26-3 Participants' rights/Visitors http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend (10) to strike "all reasonable amount of." BHDDH \$40.1-26-3 Participants' rights/Visitors Participants' rights/Visitors Non-Compliant Amend (10) to strike "all reasonable hours" and add "at any time." BHDDH \$40.1-26-3 Participants' rights/Money See Transition Plan Mon-Compliant Amend (11) to strike "all reasonable amount of." BHDDH \$40.1-26-3 Participants' rights/Access to Newspapers, Magazines, Radio and Television Programming http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend (16) to strike "reasonable." BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend (16) to strike "reasonable." BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend (16) to strike "reasonable." BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend (16) to strike "reasonable." BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights Participants' publ	BHDDH	§ 40.1-21-4.3		http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM	Silent	Amend to include definition of Home and	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-26-3 Participants' rights/Telephone Communications http://webserver.rilin.state.ri.us/Statutes/TTLE40.1/NDE X.HTM Non-Compliant Non-Compliant Amend (9) to strike "reasonable" and add "at any time." BHDDH \$40.1-26-3 Participants' rights/Visitors Participants' rights/Visitors Non-Compliant Non-Comp	BHDDH	§ 40.1-22-13	Visits	http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM	Non-Compliant		6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-26-3 Participants' rights/Visitors XHTM Non-Compliant and add "at any time." 6/30/2016 6/30/2017 See Transition Plan M Non-Compliant Amend (11) to strike "a reasonable amount of." 6/30/2016 6/30/2017 See Transition Plan M Non-Compliant Non-Compliant Amend (16) to strike "reasonable." 6/30/2016 6/30/2017 See Transition Plan M Non-Compliant Non-Compliant Non-Compliant Amend (16) to strike "reasonable." 6/30/2016 6/30/2017 See Transition Plan M Non-Compliant Non-Co	вноон	§ 40.1-26-3		http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDEX.HTM	Non-Compliant	Amend (9) to strike "reasonable" and add "at	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-26-3 Participants' rights/Money Participants' rights/Money Non-Compliant Participants' rights/Access to Newspapers, Magazines, Radio and Television Programming BHDDH \$40.1-26-3 Participants' Rights Non-Compliant N	вноон	§ 40.1-26-3	Participants' rights/Visitors		Non-Compliant		6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-26-3 Magazines, Radio and Television Programming BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TTLE40/INDEX.HTM Non-Compliant Amend (16) to strike "reasonable." 6/30/2016 6/30/2017 See Transition Plan M On-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TTLE40/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TTLE40/INDEX.HTM Non-Compliant Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services.	BHDDH	§ 40.1-26-3	Participants' rights/Money	http://webserver.rilin.state.ri.us/Statutes/TITLE40.1/INDE	Non-Compliant		6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH \$40.1-26-3 Participants' Rights http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM Non-Compliant Non-Compliant Non-Compliant Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services. Amend to include definition of Home and Community Based Services.	BHDDH	§ 40.1-26-3	Magazines, Radio and Television		Non-Compliant	Amend (16) to strike "reasonable."	6/30/2016	6/30/2017	See Transition Plan Matrix
	BHDDH	§ 40.1-26-3		http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM	Non-Compliant	Community Based Services.	6/30/2016	6/30/2017	See Transition Plan Matrix
	вноон	§ 40.1-22-23	Emergency Medical and Surgical Care	http://webserver.rilin.state.ri.us/Statutes/TITLE40/INDEX.HTM	Non-Compliant		6/30/2016	6/30/2017	See Transition Plan Matrix
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