



## Division of Developmental Disabilities

### **Closure of State-Operated Group Homes ("SOGHs") at the Arizona Training Program in Coolidge ("ATPC")**

#### **1. Why is the Department of Economic Security ("Department") closing the SOGHs at ATPC?**

The Centers for Medicare and Medicaid Services have adopted new home and community-based services (HCBS) rules that do not allow for Medicaid funding of group homes located on the campus of or adjacent to an institution that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals receiving Medicaid HCBS. The Department of Economic Security and its Division of Developmental Disabilities (DES/DDD) conducted research and explored options for maintain Medicaid funding and possibly keeping the group homes on the campus of ATPC. After multiple meetings with the group home members, their friends, family, and AHCCCS, it has been determined that continuing operation of the group home on the campus of ATPC is no longer an option.

#### **2. What are the CMS HCBS Rule requirements?**

The new CMS HCBS Rules establish requirements for both residential and non-residential settings to ensure that individuals receiving services are integrated into their communities and have full access to the benefits of community living. The HCBS Rules do not apply to the Intermediate Care Facility (ICF) on the ATPC campus because it is not a Home and Community Based Service. However, the HCBS Rules do apply to the group homes on the ATPC campus. States have five years to come into compliance with the HCBS Rules. Thereafter, only settings that comply with the HCBS Rules can be paid with Medicaid dollars.

CMS identified settings that are presumed to have qualities of an institution and not to meet the compliance standards of the HCBS Rules, including settings that:

- Are located in a building on the grounds of, or immediately adjacent to, a public institution
- Have the effect of isolating individuals receiving Medicaid services from the broader community of individuals not receiving Medicaid services

Examples of institutional qualities exhibited by the ATPC group homes include the fact that the ICF and group homes are operationally interrelated. Furthermore, the setting is designed to provide members with multiple services and activities on-site. Lastly, the member's interaction with the broader community is limited.

#### **3. Is the AHCCCS going to request "heightened scrutiny" from CMS for the SOGHs on the ATPC campus?**

No. The Department has conducted research and explored options for maintaining Medicaid funding and possibly keeping the group homes on the campus of ATPC. After multiple meetings with the group home members, their friends, family, consulting with industry experts and AHCCCS, it has been determined that continuing operation of the group home on the campus of ATPC is no longer an option.

CMS uses a process called “heightened scrutiny” to make a determination, based upon evidence submitted by the state, on whether or not a setting presumed institutional in nature is compliant with the HCBS Rules. The evidence submitted by states is required to include a detailed assessment of rules, policy, contracts and training requirements governing the settings’ operations and staff. Additionally, the process involves an onsite evaluation and interviews with staff and members.

**4. How long will it take the Department to close the SOGHs at ATPC?**

In order to develop a comprehensive plan regarding each individual’s support needs, DES/DDD has contracted with the Sonoran University Center for Excellence in Developmental Disabilities (UCEDD) to provide trained facilitators to conduct person centered plans for each member residing in a group home at ATPC. These planning meetings will begin in February 2018. The group homes are projected to be closed over the next two years.

**5. What other living options will be available for the members being transitioned out of the SOGHs at ATPC?**

There will be a variety of living options available for members transitioning out of the SOGHs at ATPC based on the preferences and needs of the members, guardians and families. These options include group homes, adult developmental homes, moving into the family home with in-home supports, and remain on campus and reside in an intermediate care facility (ICF) as long as the plan demonstrates an ICF is medically necessary for the member and the guardian would like this option .

**6. If members want to live with their current housemates/roommates, is this an option?**

Yes. The Department will search for existing group homes or adult developmental homes with the capacity and ability to meet the roommates’ preferences and needs. The Department may also develop new group home or adult developmental home settings to accommodate members who want to continue living together.

**7. What are the next steps to ensure a safe and smooth transition?**

The Department will conduct Person Centered Planning meetings with each member, their guardian(s) and any other individuals that the member or guardian want to be part of the process. Based on the member’s Person Centered Plan, a residential option will be selected by the guardian and the team. Once a residential option has been selected, an individualized transition plan will be created for the member’s transition. This plan will include strategies on the best way to introduce the member to the new residence and the types and frequency of visits between the member and the staff of the new residential setting in order for them to meet each other and establish a relationship. The Department will evaluate each member for consideration of additional services to help ensure a safe transition. The Department has contracted with the Sonoran UCEDD to conduct a minimum of three monitoring visits within the first 30 days and not to exceed six months of each member following the transition. The Department will also perform enhanced monitoring of the member at their new residence after the transition to make certain their preferences and needs are being met.



**8. Will members have appeal rights if there is a disagreement over new residential services?**

If the member's guardian requests a placement and/or services at the Person Centered Planning meeting that the Department determines is not medically necessary or cost effective, DDD will issue a notice of action (NOA) advising the member's guardians of the member's appeal rights. The appeal process will occur if the member's guardian appeals the decision in the NOA.

**9. If a member or guardian has questions about the closure of the SOGHs at ATPC, who do they contact?**

They may call the DDD's Family and Consumer Resources Unit at:

- (602) 542-0419
- (866) 229-5553 (toll free)