

**Waiver Survey and Certification  
Updates  
October 9, 2009**

# WS&C Updates:

- “New” Review Process
- Annual Residential Visits
- WS&C Growth Plans

# The “New” HCS Review Process

# “New” Review Process

What has changed:

- More emphasis on results of service delivery
- More time spent interviewing individuals/family members/staff
- Additional visits to day habilitation sites
- Expansion of standardized checklists

# “New” Review Process

What has remained the same:

- Sample size
- Criteria for certification
- Draft report
- Review Report Formats
- Technical assistance

# “New” Review Process

- Piloted April-June, 2009
- Little change in imposition of sanctions
- Standardized checklists
- Checklists are on DADS website

# Residential Reviews

# Legislation

As a result of the 81<sup>st</sup> Texas Legislative session:

- SB 643 required annual **unannounced** visits of all 3- and 4-person homes effective 9/1/09
- SB 1 funded FTEs to conduct annual residential reviews of all foster/companion care settings effective 9/1/09

# Residential Review Information Letter

On August 6<sup>th</sup>, 2009 DADS published Information Letter 09-99 notifying HCS providers of the residential visits. This letter can be found at:

<http://www.dads.state.tx.us/providers/communications/2009/letters/IL2009-99.pdf>

# Implementation of Residential Review Process

- Residential reviewers have been hired
- Residential reviewers are assigned specific geographic areas
- Draft tool was developed and piloted
- Standardized Checklist has been implemented

# HCS Program Providers' Responsibilities

- Verify accuracy of location information in CARE
- Notify FCC providers and residential staff to expect visits
- Keep in each FCC and 3- and 4-person home:
  - Emergency plans
  - Documentation related to emergency drills & actual emergencies
  - Copy of current fire authority inspection (4-person homes only)

# Identifying Residential Reviewers

- DADS identification badge
- Business cards
- Letter of authorization
- Introductory letter in Spanish and other languages
- Card with Web Link

# Residential Review Process

- Residential review will be conducted using a standardized residential checklist to conduct each residential visit.
- Residential reviewers will identify only problems or potential problems that affect the health, safety, and welfare of individuals receiving HCS services.
- Situations that truly warrant documentation of evidence, will be photographed (when appropriate)

# Residential Review

- Private areas of the home that are not used by individuals who receive HCS services will not be examined by the residential reviewer.
- Residential reviewers will be talking with residential staff or the foster/companion care provider to assess their knowledge and to confirm training.

# Residential Review Follow Up

- Before leaving the home or residence, reviewers will give out a pre-addressed feedback card. DADS encourages staff to complete these cards to let us know how the visit went.
- A copy of the checklist along with a cover letter explaining the results will be sent to the program provider

# Evidence of Correction

- If a residence has a score of 90% or above, unless a significant risk is identified, no follow up action is to be sent to WS&C by the program provider.
- If a residence scores below 90%, the program provider must submit **evidence of correction** (EOC) for every item marked as “no” on the residential checklist. The EOC must be sent to the administrative assistant within 14 days of receipt of the residential review results.

# Significant Risk

- Significant risk is defined as *“an endangered state that has a probability of having a major adverse effect on the health, safety or welfare of an individual including, but not limited to emotional or physical harm or death.”*

# Significant Risk

- If a residential reviewer determines an issue is a significant risk to the health, safety or welfare of one or more individuals residing in the home, the reviewer will notify a WS&C program manager and the program provider of the issue.
- The program manager determines what action will be taken by WS&C to protect the individuals in the home.

# Significant Risk and Prompt Action

If the program manager and the residential reviewer determine that prompt action is needed on the part of the provider to correct a significant risk (but no individuals need to be relocated), the residential reviewer will notify the program provider immediately of the issues which need to be corrected and provide a deadline to submit the evidence to WS&C.

# Significant Risk

- Evidence of correction for a significant risk is usually due to WS&C anywhere from 48 and 72 hours;
- Issues that will take longer to be corrected will be given a reasonable amount of time for program provider to submit evidence that the issue was corrected.
- The amount of time given to the program provider to correct the issue will be determined by the program manager and the residential reviewer before the residential reviewer leaves the residence.

# Further Actions for Significant Risks

In the event that more immediate assistance is required to protect the health and safety of the individuals, the WS&C Unit Manager or designee will contact the Director of Survey Operations to request that regionally-based staff monitor services until the additional WS&C staff can travel to the provider's location(s).

If the program manager and the residential reviewer conclude that immediate movement of one or more of the individuals from the home setting is indicated, the program manager will contact the WS&C Unit Manager.

# Abuse, Neglect and Exploitation

If a residential reviewer suspects abuse, neglect or exploitation of an individual, he or she will call DFPS immediately.

# Intermittent Reviews

- Inaccurate location information in CARE may result in an intermittent review
- Failure to submit evidence of correction within the allotted time line may result in an intermittent review.
- Failure to correct an item of significant risk within the allotted timeline may result in an intermittent review.

# WS&C Growth and Future Plans

# WS&C Growth

- 40 additional positions for FY 2010
  - Second branch in Houston
  - Branches in San Antonio & Lubbock
  - Nurse Reviewers in each branch
  - Residential Reviewers to each branch
  - Additional staff to follow-up with Abuse & Neglect
- 6 additional positions for FY 2011