

HCBS Settings Assessment Guide

- All provider owned/controlled settings will be evaluated by DDD. This will include all level 1 and level 2 funded residential settings and day services settings.
- It is optimal to complete these settings assessments when participants are at the residential or day setting.
- DDD Program Specialists will enter settings assessments into SMART
 - Providers will be required to respond and remediate all citations
 - Providers will be given 10 days to respond. The program specialist reviewing the setting has 20 days to remediate the citations
- If there are deficiencies identified, remediation will be validated by DDD through a follow up visit to the setting

Settings Assessment Question Guide:

The optimal answer for all questions is yes. If any question is answered with “no” the setting is not in compliance. The numbering of this guidance aligns with the numbers of the assessment questions.

1. If the setting is a group home, is the home located in a neighborhood with other houses? If the setting is used for day services, is it located among other businesses in a location that promotes community access?
2. Are there any signs that identify the location as either a home or day program specifically serving people with disabilities? If HUD or RD signs are present, mark that in SMART. If the HUD or RD sign is on an apartment complex that serves the entire community, there shouldn't be an issue. If the HUD or RD sign is a group home, this needs to be documented.
3. Participants should be allowed to have visitors whenever they please. There should not be prescribed “visitation hours.” If a participant is not allowed to have visitors, this needs to have gone through due process as described in ARSD 46:11:03:08. If the apartment building has regulations on visitors, this needs to be documented in the lease and apply to all individuals who have apartments there, not just participants.
4. Staff offices and medication rooms can be off limits. Food should not be stored in locked areas. If the participant uses a wheelchair and cannot access a portion of the house like the basement, this should be identified as a rights restriction.
5. Can participants access the fridge whenever they want? Can they choose to eat meals whenever they want? Are they allowed to eat meals or snacks in their room? If not, due process must have been afforded as described in ARSD 46:11:03:08. Participants should have access to resources to get whatever food they please within reason.
6. Can participants come and go as they please? Are they able to choose if they want to attend day services? Can they go home if they don't feel well? It is important to differentiate between provider resources and staffing and individual choice.
7. Do participants know how to access information on community activities? These should not just be activities held by the CSP and specific to the CHOICES population. Information on community activities should be posted in a location accessible to participants.
8. Grievance notice should be posted in a location that is accessible to all participants. This does not have to be in an openly visible location, it could be behind a cupboard or in a closet, as long as all participants know where it is located.

9. Participants who are interested in working must be afforded the opportunity to pursue employment. This should be documented in their ISP.
10. Participants who are not interested in working must be afforded the opportunity to participate in integrated community activities, including the opportunity to attend events and engage in their community outside of the day services location. The supports needed to facilitate a participant's engagement in the community should be documented in their ISP.
11. Participants should be informed of their right to request a new provider and/or change services in a way that is accessible to them.
12. All participants must have a legally enforceable agreement for the unit they reside and at a minimum have the same responsibilities and protections from eviction that all tenants have under the landlord/tenant law of the State? DDD will review signed lease agreements for each setting and will ensure that participants are afforded the same general protections as all tenants in the state of South Dakota and that no undo burden will be placed upon a participant due to his or her disability.
13. It is best practice that all participants are given their own room. However, if a participant is required to share a bedroom, it must be documented in their ISP that they were afforded a choice of roommate. If a participant was not given a choice of roommate, due process must have been afforded as described in ARSD 46:11:03:08.
14. Participants must have privacy in their sleeping or living unit and have entrance doors that are lockable by the participant. If it has been identified that a participant cannot have a lock on their bedroom door, due process must have been afforded as described in ARSD 46:11:03:08.
15. All participants must have a key to the property. If it has been identified that a participant cannot have that access, due process must have been afforded as described in ARSD 46:11:03:08. If the property has a door lock with a code, participants need to know the code. If a participant is unable to enter the code to access the property, alternative options must be identified.
16. Participants must be allowed to decorate their own living/sleeping area as they please. A lease agreement can reasonably limit a participant's ability to decorate (i.e. no painting, no holes in the wall) but participants should be able to decorate their personal space within reason.
17. Health information and schedules about PT, OT, medication administration, diet, etc. should be kept in a locked office or file cabinet. Schedules that include the participant's name should not be seen.
18. All participant should have access to all home appliances (stoves, refrigerators, washers and dryers, microwaves). If access to any appliances or household items is restricted, due process must have been afforded as described in ARSD 46:11:03:08