

HCBS Settings Rule Remediation Plan for Georgia Policies

Overall Remediation Plan

| | Remediation Task | Start Date | Completion Date |
|---|--|-----------------|-----------------|
| Regulatory Changes | | 8/1/2016 | 8/1/2018 |
| <ul style="list-style-type: none"> • Ga. Comp. R. & Regs. r. 111-8-1, Rules and Regulations for Adult Day Centers • Ga. Comp. R. & Regs. r. 111-8-31, Rules and Regulations for Home Health Agencies • Ga. Comp. R. & Regs. r. 111-8-62, Rules and Regulations for Personal Care Homes • Ga. Comp. R. & Regs. r. 111-8-65, Rules and Regulations for Private Home Care Providers • Ga. Comp. R. & Regs. r. 290-9-37, Rules and Regulations for Community Living Arrangements | Notify / discuss changes with stakeholders | 8/1/2016 | 10/1/2016 |
| | Draft new language | 10/1/2016 | 12/1/2016 |
| | DCH board / NPRM adopt language | 12/1/2016 | 5/1/2017 |
| | Open for comment | 5/1/2017 | 6/1/2017 |
| | Public Hearing | 6/1/2017 | 7/1/2017 |
| | Incorporate comment | 7/1/2017 | 10/1/2017 |
| | DCH board approves final rule | 10/1/2017 | 1/1/2018 |
| | Obtain legislative approval if necessary | 1/1/2018 | 5/1/2018 |
| | Publish Final Rule | 5/1/2018 | 8/1/2018 |
| | Manual Changes | | 1/1/2018 |
| <ul style="list-style-type: none"> • CCSP Manuals (General Services Manual, Adult Day Health Manual, Adult Living Services Manual, Personal Support Manual, Skilled Nursing Manual, Care Coordination Manual) • COMP and NOW Manuals (Part II NOW and COMP, Part III Part III COMP, Part III Now, DBHDD Manual) • ICWP Manuals (Part II ICWP, Part II ALS) • SOURCE Manual | Draft new manual language | 1/1/2018 | 3/1/2018 |
| | Get sister agency approval where necessary | 3/1/2018 | 6/1/2018 |
| | Incorporate feedback | 6/1/2018 | 7/1/2018 |
| | Edit manual | 7/1/2018 | 8/1/2018 |
| | Release changes in quarterly manual update | 8/1/2018 | 9/1/2018 |

Specific remediation plans for each regulation and manual are outlined more specifically in the charts below.

Remediation Plan for Health Facilities Regulations

Changes to Ga. Comp. R. & Regs. r. 111-8-1, Rules and Regulations for Adult Day Centers

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|---|---------------------------|--|--|-----------------|
| 111-8-1-.10 Physical Plant Health and Safety Standards (1)(a) (Telephone); 111-8-1-.12 (3) Optional Services (a) "Transportation...."; 111-8-1-.20 Transportation | 441.301 (c)(4)(i) | Add language more specific to final rule beyond access to transportation and communication. | Notify / discuss changes with stakeholders | 10/1/2016 |
| | | | Draft new rule language | 12/1/2016 |
| 111-8-1-.15 (7) Participant Agreement | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | Approved by DCH board / NPRM issued | 5/1/2017 |
| | | | Open for comment | 6/1/2017 |
| 111-8-1-.12 (2) Core Services; 111-8-1-.15 (7) Participant Agreement; 111-8-1-.17 Participant Rights | 441.301 (c)(4)(iv) | Add language more specific to final rule regarding physical environment and individual choice in deciding with whom to interact. | Public Hearing | 7/1/2017 |
| | | | Comments incorporated into final rule | 10/1/2017 |
| 111-8-1-.12 (4) Adult Day Health Services; 111-8-1-.12 (5) Individual Plan of Care; 111-8-1-.15 (7) Participant Agreement; 111-8-1-.17 Participant Rights; 111-8-1-.19 Medications | 441.301 (c)(4)(v) | Include language more specific to final rule: that patient has right to choose his providers and their services. | Final Rule approved by DCH board | 1/1/2018 |
| | | | Legislative approval obtained if necessary | 5/1/2018 |
| 111-8-1-.10 (2)(g) "An adult day center may be co-located at a licensed long-term care facility provided that both the center and the long-term care facility are meeting the needs of the adult day participants and the long-term care facility residents, maintaining their required staffing ratios, and respecting the rights of the residents of the long-term care facility to privacy and the quiet enjoyment of their residence." | 441.301 (c)(5) | This policy conflicts with the federal rule and needs to be changed to more closely follow the language of the federal rule. Otherwise, the regulation should specify that these types of facilities will be subject to "heightened scrutiny." | Final Rule published | 8/1/2018 |

Changes to Ga. Comp. R. & Regs. r. 111-8-31, Rules and Regulations for Home Health Agencies

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|---|-----------------------------------|---|---|------------------|
| <p>Ga. Comp. R. & Regs. r. 111-8-31-.06 (k) "'Home Health Services' means those items and services provided to an individual...in a place of temporary or permanent residence used as the individual's home...."</p> | <p>441.301 (c)(4)(i)</p> | <p>Add language more specific to the federal rule. The regulation needs to be clear that the individual has complete access to the community.</p> | <p>Notify / discuss changes with stakeholders</p> | <p>10/1/2016</p> |
| <p>111-8-31-.09 (d) Clinical Records</p> | <p>441.301 (c)(4)(ii)</p> | <p>Add language specific to final rule regarding choice of setting and documentation in the person-centered plan.</p> | <p>Draft new rule language</p> | <p>12/1/2016</p> |
| <p>111-8-31, et. Seq.</p> | <p>441.301 (c)(4)(iii)</p> | <p>Add a section that either references or incorporates the exact language of the federal rule regarding privacy, dignity, and freedom from coercion and restraint.</p> | <p>Approved by DCH board / NPRM issued</p> | <p>5/1/2017</p> |
| <p>111-8-31, et. Seq.</p> | <p>441.301 (c)(4)(iii)</p> | <p>Add a section that either references or incorporates the exact language of the federal rule regarding privacy, dignity, and freedom from coercion and restraint.</p> | <p>Open for comment</p> | <p>6/1/2017</p> |
| <p>111-8-31, et. Seq.</p> | <p>441.301 (c)(4)(iii)</p> | <p>Add a section that either references or incorporates the exact language of the federal rule regarding privacy, dignity, and freedom from coercion and restraint.</p> | <p>Public Hearing</p> | <p>7/1/2017</p> |
| <p>111-8-31-.06 (u) "'Plan of Treatment' means an individual plan written, signed, and reviewed at least every sixty days by the patient's physician prescribing items and services for the patient's condition."; 111-8-31-.08 (a)(1) "....A registered nurse shall...initiate the plan of treatment....", (c) "The social worker shall...participate in the development of the plan of treatment....", (d)(2) "A home health aide shall be assigned to a particular patient by a registered nurse....."; 111-8-31-.09 "....Care shall follow a written plan of treatment established and periodically reviewed by a physician...."</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add language specific to final rule regarding patient autonomy and choice.</p> | <p>Comments incorporated into final rule</p> | <p>10/1/2017</p> |
| <p>111-8-31-.09 Standards for Patient Care</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add language specific to final rule regarding patient autonomy and choice.</p> | <p>Final Rule approved by DCH board</p> | <p>1/1/2018</p> |
| <p>111-8-31-.06 (u) "'Plan of Treatment' means an individual plan written, signed, and reviewed at least every sixty days by the patient's physician prescribing items and services for the patient's condition."; 111-8-31-.08 (a)(1) "....A registered nurse shall...initiate the plan of treatment....", (c) "The social worker shall...participate in the development of the plan of treatment....", (d)(2) "A home health aide shall be assigned to a particular patient by a registered nurse....."; 111-8-31-.09 "....Care shall follow a written plan of treatment established and periodically reviewed by a physician...."</p> | <p>441.301 (c)(5)(v)</p> | <p>Add language and procedures specific to final rule: the plan and all services, as well as providers, should be based on the patient's preferences.</p> | <p>Legislative approval obtained if necessary</p> | <p>5/1/2018</p> |
| <p>111-8-31-.06 (u) "'Plan of Treatment' means an individual plan written, signed, and reviewed at least every sixty days by the patient's physician prescribing items and services for the patient's condition."; 111-8-31-.08 (a)(1) "....A registered nurse shall...initiate the plan of treatment....", (c) "The social worker shall...participate in the development of the plan of treatment....", (d)(2) "A home health aide shall be assigned to a particular patient by a registered nurse....."; 111-8-31-.09 "....Care shall follow a written plan of treatment established and periodically reviewed by a physician...."</p> | <p>441.301 (c)(5)(v)</p> | <p>Add language and procedures specific to final rule: the plan and all services, as well as providers, should be based on the patient's preferences.</p> | <p>Final Rule published</p> | <p>8/1/2018</p> |

Changes to Ga. Comp. R. & Regs. r. 111-8-62, Rules and Regulations for Personal Care Homes

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|--|-------------------------------------|---|---|---|
| <p>111-8-62-.17 (8) Resident Needs Assessment & (9) Written Care Plan; 111-8-62-.25 (1)(q) "Each resident has the right to fully participate in the planning of his or her care...."</p> | <p>441.301 (c)(4)(ii)</p> | <p>Add language more specific to final rule: that the care plan and the setting are based on the resident's preferences and not just inclusive of them.</p> | <p>Notify / discuss changes with stakeholders</p> <p>Draft new rule language</p> | <p>10/1/2016</p> <p>12/1/2016</p> |
| <p>111-8-62-.16 Admission Agreement</p> | <p>441.301 (c)(4)(vi)(A)</p> | <p>Add language more specific to final rule: that the residential agreement must convey all rights as exist under applicable state and local Landlord/Tenant law.</p> | <p>Approved by DCH board / NPRM issued</p> <p>Open for comment</p> <p>Public Hearing</p> | <p>5/1/2017</p> <p>6/1/2017</p> <p>7/1/2017</p> |
| <p>111-8-62-.12 Home Design Requirements (6)(d) and (6)(g); 111-8-62-.14 Furnishings and Fixtures (4); 111-8-62-.25 Supporting Residents' Rights (1)(d)</p> | <p>441.301 (c)(4)(vi)(B)</p> | <p>Include language more specific to final rule regarding roommates, locks, and furnishings.</p> | <p>Comments incorporated into final rule</p> | <p>10/1/2017</p> |
| <p>111-8-62-.21 Nutrition (1); 111-8-62-.25 Supporting Residents' Rights (1)(c)(2)</p> | <p>441.301 (c)(4)(vi)(C)</p> | <p>Add language more specific to the final rule, especially regarding access to food "at any time."</p> | <p>Final Rule approved by DCH board</p> <p>Legislative approval obtained if necessary</p> | <p>1/1/2018</p> <p>5/1/2018</p> |
| <p>111-8-62-.16 Admission Agreement (1)(h); 111-8-62-.25 Supporting Residents' Rights (l)</p> | <p>441.301 (c)(4)(vi)(D)</p> | <p>Include language specific to final rule and clarify that visitors are allowed "at any time."</p> | <p>Final Rule published</p> | <p>8/1/2018</p> |
| <p>111-8-62-.18 Requirements for Memory Care Services; 111-8-62-.19 Additional Requirements for Specialized Memory Care Units or Homes; 111-8-62-.24 Resident Files; 111-8-62-.26 Procedures for Change in Resident Condition; 111-8-62-.25 Variance and Waiver</p> | <p>441.301 (c)(4)(vi)(F)</p> | <p>Add language and procedures specific to final rule, especially regarding documentation to be included in the resident's file when an exception to the rules is needed.</p> | | |

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|---|------------------------------|--|------------------|-----------------|
| <p>111-8-62-.06 Permits (7) & (8); 111-8-62-.19 Additional Requirements for Specialized Memory Care Units or Homes (11)</p> | <p>441.301 (c)(5)</p> | <p>Add language more specific to final rule. Note that 111-8-62-.19, which allows a home to be for dementia, may subject the facility to "heightened scrutiny" if dementia is interpreted as a mental illness.</p> | | |

Changes to Ga. Comp. R. & Regs. r. 111-8-65, Rules and Regulations for Private Home Care Providers

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|---|---------------------|--|---|---|
| 111-8-65, et seq. | 441.301 (c)(4)(i) | Add language specific to the federal rule at an appropriate place in the regulation. The regulation needs to be clear that the individual has complete access to the community. | Notify / discuss changes with stakeholders Draft new rule language | 10/1/2016 12/1/2016 |
| 111-8-65-.09 (2) Service Agreements & (4) Record keeping; 111-8-65-.11 Services Plans | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | Approved by DCH board / NPRM issued Open for comment | 5/1/2017 6/1/2017 |
| 111-8-65-.12 Clients Rights, Responsibilities, and Complaints | 441.301 (c)(4)(iii) | Reference the federal rule at an appropriate place in this section OR include language specific to the federal rule regarding privacy, dignity, and freedom from coercion and restraint. | Public Hearing Comments incorporated into final rule Final Rule approved by DCH board | 7/1/2017 10/1/2017 1/1/2018 |
| 111-8-65-.12 Clients Rights, Responsibilities, and Complaints | 441.301 (c)(4)(iv) | Add language specific to final rule regarding patient autonomy and choice. | Legislative approval obtained if necessary | 5/1/2018 |
| 111-8-65-.12 Clients Rights, Responsibilities, and Complaints | 441.301 (c)(4)(v) | Include language more specific to final rule: that patient has right to choose his providers and their services. | Final Rule published | 8/1/2018 |

Ga. Comp. R. & Regs. r. 290-9-37, Rules and Regulations for Community Living Arrangements

| Affected Regulation | Federal Rule | Change | Remediation Task | Completion Date |
|---|------------------------------|--|--|-----------------|
| 290-3-37-.13 (2) "...The individual service plan shall contain at least the following information:..." | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | Notify / discuss changes with stakeholders | 10/1/2016 |
| 290-9-37-.17 Admission Agreement; 290-9-37-.26 (1) "Each admission agreement shall include a written procedure for handling discharge and transfer or the resident...."; 290-9-37-.27 Expedited Transfer or Discharge Planning | 441.301 (c)(4)(vi)(A) | Add language more specific to final rule: that the residential agreement must convey all rights as exist under applicable state and local Landlord/Tenant law. | Draft new rule language | 12/1/2016 |
| 290-3-37-.08 Minimum Floor Plan Requirements (8)(b) & (8)(f); 290-3-37-.09 Furnishings and Fixtures (1), (3), & (5); 290-9-37-.19 Residents Rights (4)(d) | 441.301 (c)(4)(vi)(B) | Include language more specific to final rule regarding roommates, locks, and furnishings. | Approved by DCH board / NPRM issued | 5/1/2017 |
| 290-3-37-.08 Minimum Floor Plan Requirements (4); 290-9-37-.19 Residents Rights (4)(c); 290-9-37-.23 Nutrition | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Open for comment | 6/1/2017 |
| 290-3-37-.08 Minimum Floor Plan Requirements (3); 290-9-37-.19 Residents Rights (4)(j) | 441.301 (c)(4)(vi)(D) | Include language specific to final rule and clarify that visitors are allowed "at any time." | Public Hearing | 7/1/2017 |
| 290-9-37-.13 Services (7); 290-9-37-.21 Medical Protection Devices and Adaptive Support Devices (2); 290-9-37-.22 Use of Personal Restraints and Quiet Time (1); 290-9-37-.33 Variances and Waivers | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to final rule, especially regarding documentation to be included in the resident's file when an exception to the rules is needed. | Comments incorporated into final rule | 10/1/2017 |
| | | | Final Rule approved by DCH board | 1/1/2018 |
| | | | Legislative approval obtained if necessary | 5/1/2018 |
| | | | Final Rule published | 8/1/2018 |

CCSP Remediation Plan

CCSP General Services Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|------------------------------|--|--|--|
| CCSP General Services – Ch. 600. Introduction to the Community Care Services Program, §§ 600.3 Authority; 601. Conditions of Participation, 601.1 General Conditions, D. Compliance with Rules and Regulations; 604. Member Assurances, 604.1 CCSP Member Rights and Responsibilities, 606.11 NET Services | 441.301 (c)(4)(i) | Add federal rule language to § 601; Reference federal rule in 600.3; Reference transportation stance in 606.11. | New language drafted by HCBS policy team Changes shared with / approved by other agencies (i.e. DBHDD) | 3/1/2018 6/1/2018 |
| CCSP General Services – §§ 601. Conditions of Participation, 601.1 General Conditions, R. Accepting Referrals - The provider agency must accept all appropriate referrals from CCSP care coordinators, including members who are currently Medicaid eligible or potentially Medicaid eligible; S. Member Referrals - . . . Care coordinators make referrals to enrolled providers based on member choice, rotation, and availability of CCSP funding; 603. Admissions (no discrimination based on federal law); 604. Member Assurances, 604.1 CCSP Member Rights and Responsibilities -4. The right to a choice of approved service provider(s), 5. The right to accept or refuse services | 441.301 (c)(4)(ii) | Add language to these policies more specific to federal rule regarding site selection and documentation. | Agency feedback incorporated Manual section edited Updates released in next quarterly manual version | 7/1/2018 8/1/2018 9/1/2018 |
| CCSP General Services – §§ 604. Member Assurances / 604.1 CCSP Member Rights and Responsibilities; 606.15 Service Delivery Hours | 441.301 (c)(4)(iv) | Add federal rule language to policies. | | |
| CCSP General Services – §§ 601. Conditions of Participation / 601.1 General Conditions / K. Service Contracts/Agreements - If providers require members to sign a service contract or other binding written agreement before receiving services, the service agreement will be in a format that the member can read and easily understand. The agreement may not require members to waive their legal rights. | 441.301 (c)(4)(vi)(A) | Reference this rule under contracts section; Reference corresponding ALS manual section under contracts section. | | |
| CCSP General Services – §§ 606.17C; 605.2 Provider's Initial Evaluation of the Member, E. Care Plan Changes, G. Member Inappropriate for Services or Declines; 605.3 Provider's Reevaluation of the Member; 606.1 Care Coordinator; 606.4 Clinical Records (C)(1)(b) MDS-HC V9 and Comprehensive Care Plan which includes . . . ; 606.18 Member Care Plan | 441.301 (c)(4)(vi)(F) | Add specific federal rule language and procedures; Cross-reference to ALS and Care Coordination manuals. | | |
| CCSP General Services – §§ 600. Introduction to the Community Care Services Program; 600.1 Structure and Administration of the Program; 600.2 Services of the Program; 902. Non-Covered Services; 1005 Member Exclusions | 441.301 (c)(5) | Add specific federal rule language to the beginning of the manual (Ch. 600). | | |

CCSP Adult Day Health Services Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|----------------------------------|---|---|---|
| <p>CCSP ADH – §§ 1101. Description of Adult Day Health Services: “ADH services increase opportunities for individuals to participate in multifaceted activities, including social and cultural activities” . . . (<i>service categories listed</i>); 1103. Provider Requirements Related to Adult Day Health Services, C) Adult Day /Health Services – Mobile; 1103.4 Components of Adult Day Health Services, F) Transportation</p> | <p>441.301 (c)(4)(i)</p> | <p>Add federal rule language to this section, Make connection to role of ADH services, and Address transportation stance.</p> | <p>New language drafted by HCBS policy team</p> <p>Changes shared with / approved by other agencies (i.e. DBHDD)</p> | <p>3/1/2018</p> <p>6/1/2018</p> |
| <p>CCSP ADH – §§ 1103. Provider Requirements Related to Adult Day Health Services / A) Building and Grounds Requirements; 1103.4 Components of Adult Day Health Services / D. Therapeutic Activities; 1103.10 Program Evaluation and Member Satisfaction – . . . 5) staff respect for member’s rights, choices, privacy, dignity, property and protection from harm and exploitation</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add federal rule language regarding physical environment and planning activities</p> | <p>Agency feedback incorporated</p> <p>Manual section edited</p> <p>Updates released in next quarterly manual version</p> | <p>7/1/2018</p> <p>8/1/2018</p> <p>9/1/2018</p> |
| <p>CCSP ADH – §§ 1103.3 Levels of Service, 1103.4 Components of Adult Day Health Services / D. Therapeutic Activities . . . The activities program: involves members to the maximum extent possible in planning, and implementing activities . . . ; 1103.10 Program Evaluation and Member Satisfaction – . . . appropriateness of service to the identified need and choice of the member</p> | <p>441.301 (c)(4)(v)</p> | <p>Add federal rule language to level of care / placement instrument section.</p> | <p>Updates released in next quarterly manual version</p> | <p>9/1/2018</p> |
| <p>CCSP ADH Manual (no specific section)</p> | <p>441.301 (c)(5)</p> | <p>Add federal rule language to the manual in an appropriate location or as an appendix.</p> | | |

CCSP Adult Living Services Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|-------------------------------------|---|--|---------------------------------|
| <p>CCSP ALS – §§ 1203.1 / 1253.1 Personal Care Services: “D. If a member attends a senior center, the provider informs the member’s care coordinator. If the member wishes/ needs to return to the personal care home, the provider must arrange transportation.”; 1253.2 Family-Model Subcontracting Policy and Procedures</p> | <p>441.301 (c)(4)(i)</p> | <p>Add federal rule language; Make connection to role of ALS services.</p> | <p>New language drafted by HCBS policy team</p> <p>Changes shared with / approved by other agencies (i.e. DBHDD)</p> | <p>3/1/2018</p> <p>6/1/2018</p> |
| <p>CCSP ALS – §§ 1203.10 / 1253.12 Trial Visits, Temporary Absences, Private Rooms and Facility Closings: A. Alternative Living Trial Visits from a Private Residence; 1253.2 Family-Model Subcontracting Policy and Procedures</p> | <p>441.301 (c)(4)(ii)</p> | <p>Add language more specific to federal rule to this section and in the general section of the ALS manual.</p> | <p>Agency feedback incorporated</p> <p>Manual section edited</p> | <p>7/1/2018</p> <p>8/1/2018</p> |
| <p>CCSP ALS – §§ 1203.2 /1253.4 Physical Environment, C. Residential Quality of Group Model; 1203.9 / 1253.11 Member funds; 1253.2 Family-Model Subcontracting Policy and Procedures</p> | <p>441.301 (c)(4)(iii)</p> | <p>Add federal rule language to these sections.</p> | <p>Updates released in next quarterly manual version</p> | <p>9/1/2018</p> |
| <p>CCSP ALS – §§ 1203 / 1253. Requirements Related to Member Services, 1203.1 / 1253.1 Personal Care Services; 1203.4 / 1253.6 Supervision of Member Care / E. Member Education; 1203.2 / 1253.4 Physical Environment; 1203.9 / 1253.11 Member Funds; 1253.2 Family-Model Subcontracting Policy and Procedures; 1203.12 / 1253.14 Program Evaluation and Customer Satisfaction – B. respect for member choice</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add specific federal rule language regarding schedule choice, individual initiative with member’s medical / nutritional condition, physical environment, and management of member’s own funds.</p> | | |
| <p>CCSP ALS – §§ 1203 / 1253. Requirements Related to Member Services, 1203.1 / 1253.1 Personal Care Services; 1203.12 / 1253.14 Program Evaluation and Customer Satisfaction – B. respect for member choice</p> | <p>441.301 (c)(4)(v)</p> | <p>Add language specific to federal rule to these sections.</p> | | |
| <p>CCSP ALS – §§ 1203.2 / 1253.4 Physical Environment; 1251.1 The Family-Model Program; 1253.2 Family-Model Subcontracting Policy and Procedures</p> | <p>441.301 (c)(4)(vi)(A)</p> | <p>Add federal rule language to Chs. 1203 and 1253.</p> | | |
| <p>CCSP ALS – §§ 1203.2 / 1253.4 Physical Environment, C. Residential Quality of Group Model; 1203.10 / 1253.12 Trial Visits, Temporary Absences, Private Rooms and Facility Closings; 1253.2 Family-Model Subcontracting Policy and Procedures</p> | <p>441.301 (c)(4)(vi)(B)</p> | <p>Add federal rule language to these sections.</p> | | |
| <p>CCSP ALS – §§ 1203.1 / 1253.1 Personal Care Services; 1203.2 Physical; 1203.3 / 1253.5 Hours of Operation; 1203.4 / 1253.6 Supervision of Member Care (Group Model), A. Accessibility; 1203.8 / 1253.10 Food</p> | <p>441.301 (c)(4)(vi)(C)</p> | <p>Add language specific to final rule regarding</p> | | |

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|-------------------------------|---|------------------|-----------------|
| and Nutritional Requirements; 1253.2 Family-Model Subcontracting Policy and Procedures | | control of schedule and activities; Modify to be consistent with federal rule on food access (“access to food at any time”). | | |
| CCSP ALS (No specific section) | 441.301 (c)(4)(vi) (D) | Add federal rule language to the manual in an appropriate location or as an appendix. | | |
| CCSP ALS – §§ 1203.1 / 1253.1 Personal Care Services; 1203.4 / 1253.6 Supervision of Member Care; 1203.5 / 1253.7 Clinical Records; 1253.2 Family-Model Subcontracting Policy and Procedures | 441.301 (c)(4)(vi)(F) | Add federal rule language and procedures to these sections. | | |
| CCSP ALS – §§ 1201. Description of Service, 1201.1 Alternative Living Services - Group Model | 441.301 (c)(5) | Add language more specific to final rule. | | |

CCSP Personal Support Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|----------------------------------|--|--|---|
| <p>CCSP Personal Support - §§ 1400. General: . . . provides Personal Support Services (PSS) to individuals at risk of placement in a nursing facility; 1401. Description of Personal Support Services.</p> | <p>441.301 (c)(4)(i)</p> | <p>Add applicable federal rule language to manual sections, showing how Personal Support Services can help make this happen in the home; OR Add to General Services and reference.</p> | <p>New language drafted by HCBS policy team</p> <p>Changes shared with / approved by other agencies (i.e. DBHDD)</p> <p>Agency feedback incorporated</p> | <p>3/1/2018</p> <p>6/1/2018</p> <p>7/1/2018</p> |
| <p>CCSP Personal Support – § 1404.3 Personal Support Aides / D. Duties of the Personal Support Aide include: . . . 2. encourage member to make decisions and to remain as independent as possible</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add language more specific to federal rule.</p> | <p>Manual section edited</p> <p>Updates released in next quarterly manual version</p> | <p>8/1/2018</p> <p>9/1/2018</p> |

CCSP Skilled Nursing Services Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|-----------------------------------|---|--|---|
| <p>CCSP Skilled Nursing – § 1901. Definition and Scope of Services: Skilled nursing services . . . may be provided in . . . member's home, day care center or day treatment facility.</p> | <p>441.301 (c)(4)(i)</p> | <p>Add applicable federal rule language to manual sections, showing how Skilled Nursing Services can help make this happen in the home; OR Add to General Services and reference.</p> | <p>New language drafted by HCBS policy team</p> <p>Changes shared with / approved by other agencies (i.e. DBHDD)</p> <p>Agency feedback incorporated</p> | <p>3/1/2018</p> <p>6/1/2018</p> <p>7/1/2018</p> |
| <p>CCSP Skilled Nursing – § 1905 Program Evaluation and Customer Satisfaction (<i>refers to Section 609 of the CCSP General Manual</i>).</p> | <p>441.301 (c)(4)(iii)</p> | <p>Add specific federal rule language; Put in more prominent section than § 1905.</p> | <p>Manual section edited</p> | <p>8/1/2018</p> |
| <p>CCSP Skilled Nursing – § 1903. Member Profile / A. The member requires skilled nursing intervention/monitoring in the form of: . . . 2. Health education, 3. Teaching . . . medication administration, indications for medication, possible side effects of medication . . . C. The member may need: 1. Nutritional counseling . . .</p> | <p>441.301 (c)(4)(iv)</p> | <p>Add specific federal rule language to health education and counselling sections.</p> | <p>Updates released in next quarterly manual version</p> | <p>9/1/2018</p> |

CCSP Care Coordination Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|------------------------------|--|---|-----------------|
| CCSP Care Coordination – Ch. 200: 1982 GA Community Care & Services Act | 441.301 (c)(4)(i) | Add entire federal rule language of 441.301 (c)(4)-(5). | New language drafted by HCBS policy team | 3/1/2018 |
| CCSP Care Coordination – §§ 620- Initial Assessment, 626 – Client Choice of CCSP Provider | 441.301 (c)(4)(ii) | Add federal rule language regarding setting selection and documentation in the person-centered plan. | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| CCSP Care Coordination – Client Rights and Responsibilities (form for clients to sign) | 441.301 (c)(4)(iii) | Add restraint and privacy components of federal rule to the form. | Agency feedback incorporated | 7/1/2018 |
| CCSP Care Coordination – §§ 622 – Comprehensive Care Plan, SECTION 620- Initial Assessment, SECTION 601 - Overview | 441.301 (c)(4)(iv) | Add language more specific to federal rule to these sections. | Updates released in next quarterly manual version | 8/1/2018 |
| CCSP Care Coordination – §§ 322. Service Providers (small piece on Provider Care Plan, with no mention of client involvement); Ch. 600 Care Coordination . . . Collaborating with client to determine service needs, and outcomes; 626. Client Choice of CCSP Provider | 441.301 (c)(4)(v) | Add federal rule language to Ch. 600. | | |
| CCSP Care Coordination – Ch. 600. Care Coordination, 660. Documentation. | 441.301 (c)(4)(vi)(F) | Add federal language and procedures to Ch. 600 or 626. | | |
| CCSP Care Coordination – Ch. 200: 1982 GA Community Care & Services Act | 441.301 (c)(5) | Add entire federal rule language of 441.301 (c)(4)-(5) to Ch. 200. | | |

COMP Remediation Plan

Part II NOW and COMP Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|-----------------------|--|---|-----------------|
| Part II § 1102 (D) ISP Documents | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | New language drafted by HCBS policy team | 3/1/2018 |
| Part II § 706.2 Additional Considerations in Development of the ISP | 441.301 (c)(4)(iv) | Add language more specific to the final rule. | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| Part II § 908 Termination of Participant Services Requirements; § 1102 (K)(6) | 441.301 (c)(4)(vi)(A) | Add language more specific to final rule, such as that the residential agreement must convey all rights as exist under applicable state and local Landlord/Tenant law. | Agency feedback incorporated | 7/1/2018 |
| Part II § 710.4 Participant Rights and Responsibilities (xi) "The right to have property and residence treated with respect."; § 1102 (K)(2)(d) "Individual's rooms are personalized."; Appendix Q IDD New Site Inspection Checklist "Bedrooms" | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | Manual section edited | 8/1/2018 |
| Part II § 1102 (K)(4) "Food guidelines are in place...."; Appendix Q IDD New Site Inspection Checklist "Kitchen/Laundry" | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Updates released in next quarterly manual version | 9/1/2018 |
| Part II (No specific section) | 441.301 (c)(4)(vi)(D) | Add federal rule language regarding visitors to the manual in an appropriate location or as an appendix. | | |
| Part II § 706.2 E. Behavior Support Practices | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to the final rule. | | |

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|------------------------------------|----------------|---|------------------|-----------------|
| Part II § 701 Eligibility Criteria | 441.301 (c)(5) | Add language specific to the federal rule, especially regarding settings that have the characteristics of institutions. | | |

Part III COMP Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|-----------------------|--|--|--|
| Part III Ch. 2900 Support Coordination Services; Ch. 3400 Nursing Services | 441.301 (c)(4)(v) | Include language more specific to final rule: that patient has right to choose his providers and their services. | New language drafted by HCBS policy team Changes shared with / approved by other agencies (i.e. DBHDD) | 3/1/2018 6/1/2018 |
| Part III § 2002 (8) Relocation of Participant | 441.301 (c)(4)(vi)(A) | Add language and procedures more specific to the final rule: that the terms of residential agreement must be followed. | Agency feedback incorporated Manual section edited Updates released in next quarterly manual version | 7/1/2018 8/1/2018 9/1/2018 |

DBHDD Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|------------------------------|--|---|-----------------|
| DBHDD Part II § 1, Outcomes for Persons Served | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | New language drafted by HCBS policy team | 3/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, C.I.2.d. "Individual's rooms are personalized." | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, C.I.2.d. "Individual's rooms are personalized." | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | Agency feedback incorporated | 7/1/2018 |
| DBHDD Part II § 1, Outcomes for Persons Served, C.I.4. "Food Guidelines are in place for safe food consumption and storage...." | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Manual section edited | 8/1/2018 |
| DBHDD Part II § 1, Outcomes for Persons Served, C.I.4. "Food Guidelines are in place for safe food consumption and storage...." | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Updates released in next quarterly manual version | 9/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, A.7. "The organization must have written policies and procedures regarding the visitation rights of individuals,...."; C.I.2.f. "There is sufficient space, equipment, and privacy to accommodate:....g. An area/room for visitation..." | 441.301 (c)(4)(vi)(D) | Include federal rule language regarding access to visitors "at any time." | | |
| DBHDD Part II § 2, Outcomes for Persons Served, A.7.g. "If visitation facilitates/results in problematic behaviors, reasonable restrictions may be ordered and incorporated into the Safety Plan." | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to the final rule. | | |

ICWP Remediation Plan

Part II ICWP Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|----------------------------------|--|--|---|
| <p>Part II § 604.1 (B) “Provider responsibilities include...”; § 701 "Eligible persons are those who at the time of application..."; § 902.4 (A) "The specialized medical equipment and supplies includes ...”; § 902.5 Environmental Modification; § 902.9 Adult Day Services; App C Goals for ICWP:</p> | <p>441.301 (c)(4)(iv)</p> | <p>Include language more specific to final rule, especially regarding individual choice in with whom to interact.</p> | <p>New language drafted by HCBS policy team</p> | <p>3/1/2018</p> |
| <p>Part II § 701 "Eligible persons are those who at the time of application: ... (J) [are] currently in an institution or at risk of being placed in an institutional setting."; § 706.1 "Discharge occurs when... (F) Member enters an institution (Nursing Facility, Hospital, etc.)...."</p> | <p>441.301 (c)(5)</p> | <p>Clarify language to show compliance with final rule: that services are not available in institutional settings.</p> | <p>Changes shared with / approved by other agencies (i.e. DBHDD)</p> <p>Agency feedback incorporated</p> <p>Manual section edited</p> <p>Updates released in next quarterly manual version</p> | <p>6/1/2018</p> <p>7/1/2018</p> <p>8/1/2018</p> <p>9/1/2018</p> |

Part II ALS Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Plan | Completion Date |
|--|------------------------------|---|---|--------------------------|
| ALS § 1251 Eligibility and § 1254 Requirements Related to Member Services | 441.301 (c)(4)(i) | Add language more specific to federal rule, especially regarding employment opportunities. | New language drafted by HCBS policy team Changes shared with / approved by other agencies (i.e. DBHDD) | 3/1/2018 6/1/2018 |
| ALS § 1254.2 Family Model Sub-contracting Policies and Procedures; § 1254.6 Clinical Records; § 1254.11 Fees for Services | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | Agency feedback incorporated Manual section edited | 7/1/2018 8/1/2018 |
| ALS § 1254.2 Family Model Sub-contracting Policies and Procedures; § 1254.12 Trial Visits, Temporary Absences, Private Rooms and Facility Closings; § 1254.13 Notification of Member Rights | 441.301 (c)(4)(vi)(A) | Add language and procedures specific to final rule regarding the written agreement and the protections it conveys. Protections should be equivalent of currently applicable Landlord/Tenant laws. | Updates released in next quarterly manual version | 9/1/2018 |
| ALS § 1254.12 (E) "A home may have private and semi-private rooms. If the member chooses a private room...."; § 1254.14 "Member rights recognized by the provider include:....(11) The right to have property and residence treated with respect."; § 1255.3 (C) Code of Ethics | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and freedom to decorate and furnish one’s room. | | |
| ALS § 1254.9 Food and Nutritional Requirements | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food “at any time.” | | |
| ALS Manual (no specific section) | 441.301 (c)(4)(vi)(D) | Include federal rule language regarding access to visitors “at any time” in an appropriate manual section or as an appendix. | | |

| Affected State Policy | Federal Rule | Change | Remediation Plan | Completion Date |
|--|------------------------------|--|------------------|-----------------|
| ALS § 1251 (1) "The home shall admit or retain only ambulatory residents." | 441.301 (c)(4)(vi)(E) | Add language more specific to federal rule regarding the accessibility of the facility itself. | | |
| ALS Manual (no specific section) | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to the final rule in an appropriate manual section or as an appendix. | | |
| ALS Manual (no specific section) | 441.301 (c)(5) | Add language specific to the final rule in an appropriate manual section or as an appendix. | | |

NOW Remediation Plan

Part II NOW and COMP Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|--------------------------|--|---|-----------------|
| Part II § 1102 (D) ISP Documents | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | New language drafted by HCBS policy team | 3/1/2018 |
| | | | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| Part II § 706.2 Additional Considerations in Development of the ISP | 441.301 (c)(4)(iv) | Add language more specific to the final rule. | Agency feedback incorporated | 7/1/2018 |
| Part II § 908 Termination of Participant Services Requirements; § 1102 (K)(6) | 441.301 (c)(4)(vi)(A) | Add language more specific to final rule, such as that the residential agreement must convey all rights as exist under applicable state and local Landlord/Tenant law. | Manual section edited | 8/1/2018 |
| | | | Updates released in next quarterly manual version | 9/1/2018 |
| Part II § 710.4 Participant Rights and Responsibilities (xi) "The right to have property and residence treated with respect."; § 1102 (K)(2)(d) "Individual's rooms are personalized."; Appendix Q IDD New Site Inspection Checklist "Bedrooms" | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | | |
| Part II § 1102 (K)(4) "Food guidelines are in place...."; Appendix Q IDD New Site Inspection Checklist "Kitchen/Laundry" | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | | |
| Part II (No specific section) | 441.301 (c)(4)(vi)(D) | Add federal rule language regarding visitors to the manual in an appropriate location or as an appendix. | | |
| Part II § 706.2 E. Behavior Support Practices | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to the final rule. | | |

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|------------------------------------|----------------|---|------------------|-----------------|
| Part II § 701 Eligibility Criteria | 441.301 (c)(5) | Add language specific to the federal rule, especially regarding settings that have the characteristics of institutions. | | |

Part III NOW Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|-------------------|--|---|-----------------|
| Part III Ch. 2800 Support Coordination Services; Ch. 3300 Nursing Services | 441.301 (c)(4)(v) | Include language more specific to final rule: that patient has right to choose his providers and their services. | New language drafted by HCBS policy team | 3/1/2018 |
| | | | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| | | | Agency feedback incorporated | 7/1/2018 |
| | | | Manual section edited | 8/1/2018 |
| | | | Updates released in next quarterly manual version | 9/1/2018 |

DBHDD Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|--|------------------------------|--|---|-----------------|
| DBHDD Part II § 1, Outcomes for Persons Served | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan. | New language drafted by HCBS policy team | 3/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, C.I.2.d. "Individual's rooms are personalized." | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | Changes shared with / approved by other agencies (i.e. DBHDD) | 6/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, C.I.2.d. "Individual's rooms are personalized." | 441.301 (c)(4)(vi)(B) | Add language more specific to the federal rule regarding lockable doors and choice of roommate. | Agency feedback incorporated | 7/1/2018 |
| DBHDD Part II § 1, Outcomes for Persons Served, C.I.4. "Food Guidelines are in place for safe food consumption and storage...." | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Manual section edited | 8/1/2018 |
| DBHDD Part II § 1, Outcomes for Persons Served, C.I.4. "Food Guidelines are in place for safe food consumption and storage...." | 441.301 (c)(4)(vi)(C) | Add language more specific to the final rule, especially regarding access to food "at any time." | Updates released in next quarterly manual version | 9/1/2018 |
| DBHDD Part II § 2, Outcomes for Persons Served, A.7. "The organization must have written policies and procedures regarding the visitation rights of individuals,...."; C.I.2.f. "There is sufficient space, equipment, and privacy to accommodate:...g. An area/room for visitation..." | 441.301 (c)(4)(vi)(D) | Include federal rule language regarding access to visitors "at any time." | | |
| DBHDD Part II § 2, Outcomes for Persons Served, A.7.g. "If visitation facilitates/results in problematic behaviors, reasonable restrictions may be ordered and incorporated into the Safety Plan." | 441.301 (c)(4)(vi)(F) | Add language and procedures specific to the final rule. | | |

SOURCE Remediation Plan

Part II SOURCE Manual Changes

| Affected State Policy | Federal Rule | Change | Remediation Task | Completion Date |
|---|---------------------|---|--|--|
| Part II § 903 Program Admission Procedures; § 1003 Completed Carepaths; Appendix L Housing Carepath | 441.301 (c)(4)(i) | Include language more specific to final rule, especially regarding access to employment opportunities or control of personal resources. | New language drafted by HCBS policy team Changes shared with / approved by other agencies (i.e. DBHDD) | 3/1/2018 6/1/2018 |
| Part II (No specific section) | 441.301 (c)(4)(ii) | Add language specific to final rule regarding choice of setting and documentation in the person-centered plan in an appropriate manual section or as an appendix. | Agency feedback incorporated Manual section edited Updates released in next quarterly manual version | 7/1/2018 8/1/2018 9/1/2018 |
| Part II § 606 (B) Compliance; § 1407 Confidentiality of Member Information; § 1410 HIPAA Regulations; App. D Member Rights and Responsibilities | 441.301 (c)(4)(iii) | Include language more specific to final rule and specify that abuse or similar charges should be a bar to provider enrollment. | | |
| Part II § 804 Case Management; § 904 Routine Reevaluations/Reassessments. Procedures; § 1001 Carepaths; § 1301 Scheduled Contact with Members; § 1401 Procedures; Appendix D Member Rights and Responsibilities | 441.301 (c)(4)(iv) | Include language more specific to final rule regarding daily activities, physical environment, and individual choice in with whom to interact. | | |
| Part II § 701 Exclusions "...Waivers or programs where the member would need to be enrolled as an inpatient or in an institution are excluded from SOURCE...." | 441.301 (c)(5) | Add language specific to the types of facilities listed in the federal rule. | | |