

# HCBS Self-Assessments For SADC

November 18, 2021

# New York's HCBS SADC Overview

- **HCBS Final Rule:** The CMS Final Rule effective, March 17, 2014, is intended to maximize opportunities for participants in HCBS programs to have access to the benefits in the most community integrated settings. The Final Rule requires verification that sites are compliant by March of 2023.
- **Person Centered Planning:** As a key foundation of the HCBS Final Rule, all SADC service settings are required to establish and maintain a person-centered planning process, including the development and ongoing monitoring of a person-centered plan for each participant receiving services.
- **Remediation Plans:** MLTC plans will be required to ensure that Social Adult Day Care (SADC) sites in their networks meet all applicable HCBS Final Rule requirements and implement remediation plans to assist non-complaint SADC sites.
- **Heightened Scrutiny:** If an SADC site does NOT meet the requirements set forth in the HCBS Final Rule, CMS may still allow the program to provide Medicaid HCBS services. This is determined through a heightened scrutiny process, based on information presented by the state and input from the public demonstrating that the site does, or through remediation will, meet the qualities for being home and community-based and does not have the qualities of an institution.

# SADC Self-Assessments Begin

- The Dept. of Health (DOH) will be distributing:
  - Site Self-assessment Survey Tool with embedded instructions.
  - Site Self-assessment Guiding Questions for MLTC Plan Assessors.
  - Policy Guidance & FACT Sheet.
- The self-assessments are designed to measure HCBS providers' current level of compliance with the CMS HCBS Final Rule and provide a framework for assisting those providers with the necessary steps to compliance.
- Results from the SADC site self-assessments will need to be reviewed by the plan both in aggregate for monitoring and reporting to DOH and at an individual SADC site level. Plans must also implement remediation and compliance procedures for the site to remain in the plan's network and continue to receive HCBS funding.
- SADC sites that are identified as Heightened Scrutiny and/or are found to not meet the HCBS standards will be part of a public comment requirement.

# Timeline & Key Dates (Phase 1)

Milestone	Description	Target Dates
<b>All Plan Meeting announcement</b>	DOH overview of SADC self assessment timeline, process and expectations.	<b>Mid November 2021</b>
<b>LISTSERV Notification</b>	DOH distributes SADC Site Self Assessment Tool to MLTC plans with applicable guidance and policy resources	<b>Mid November 2021</b>
<b>Self-Assessment Training Webinar</b>	DOH will host an educational training webinar with plans to review how the self-assessment should be conducted.	<b>Early December 2021</b>
<b>Plans Conduct Self-Assessments</b>	Plans will work with their SADC sites to complete self-assessments, analyze results, document remediation plans, and return results to DOH.	<b>Late December 2021</b>
<b>DOH Analysis of Self-Assessment Results</b>	DOH will analyze self-assessment results and work with plans to validate remediation plans and determine if sites will come into compliance by March 2023.	<b>January 2022 – February 2022</b>
<b>Plan Remediation Begins</b>	Plans begin remediation activities and reviews with SADC sites to bring into compliance.	<b>January 2022 – February 2022</b>

**Preliminary questions with the subject line:** HCBS 2021 SADC Site Assessments should be submitted to [HCBSSADCSiteAssessments@health.ny.gov](mailto:HCBSSADCSiteAssessments@health.ny.gov)

# Timeline & Key Dates (Phase 2 - Ongoing)

Milestone	Description	Target Dates
<b>Policies, Procedures and Heightened Scrutiny</b>	DOH will work with plans to review and/or establish policies and procedures for monitoring SADC site remediation plans and transition activities. This will also include validation of the plans heightened security steps for their SADC networks.	<b>January 2022 – February 2022</b>
<b>Site-Level Assessments</b>	DOH will work with plans to conduct SADC site-level reviews for specific SADC sites. Reviews will validate the plans monitoring and remediation activities for the specific SADC sites, as well as the overall compliance of each SADC site with the HCBS Final Rule and person-centered planning requirements.	<b>Starting in early 2022</b>
<b>Individual Experience Assessments</b>	HCBS Individual Experience Assessments are conducted in alignment to Person Centered Planning Services	<b>Spring 2022</b>
<b>Public Comment and Heightened Scrutiny Sites</b>	DOH will host public comment activities and identification of Heightened Scrutiny SADC sites.	<b>Late Spring 2022</b>
<b>Ongoing Reporting</b>	Plans will report status of ongoing SADC site compliance and remediation activities to DOH. MLTC plan and SADC site compliance will be incorporated into reporting to CMS within the NYS HCBS Transition plan timeframes.	<b>Ongoing through October 2022</b>
<b>100% compliance</b>	NYS compliance to HCBS Settings Final Rule	<b>March 2023</b>

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# SADC Self-Assessments Resources

For additional information please see the following resources:

- **CMS HCBS Final Rule:**
  - [https://www.health.ny.gov/health\\_care/medicaid/redesign/docs/hcbs\\_final\\_rule.pdf](https://www.health.ny.gov/health_care/medicaid/redesign/docs/hcbs_final_rule.pdf)
- **NYSDOH HCBS Final Rule Website:**
  - [https://www.health.ny.gov/health\\_care/medicaid/redesign/home\\_community\\_based\\_settings.htm](https://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm)
- **NYSDOH HCBS Transition Plan:**
  - [https://www.health.ny.gov/health\\_care/medicaid/redesign/hcbs/docs/2018-11-07\\_hcbs\\_final\\_rule.pdf](https://www.health.ny.gov/health_care/medicaid/redesign/hcbs/docs/2018-11-07_hcbs_final_rule.pdf)
- **NYSDOH Person-Centered Planning Library:**
  - [https://www.health.ny.gov/health\\_care/medicaid/redesign/person-centered\\_planning/index.htm](https://www.health.ny.gov/health_care/medicaid/redesign/person-centered_planning/index.htm)

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