

# The Office of Long-Term Living (OLTL) Heightened Scrutiny Evidentiary Information

The following table includes:

- Where the setting is located (locations that have the presumption of institutional qualities and therefore, the possibility of isolating individuals from the broader community due to the service location’s physical location),
- OLTL’s Heightened Scrutiny determination on whether the service location currently meets, or will meet, waiver and regulatory requirements to overcome the presumption of having institutional qualities,
- The HCBS Rule requirement that was measured,
- Waiver requirements specific to services funded by OLTL used to measure Home and Community Based Settings (HCBS) Rule compliance, and
- Information reviewed by OLTL to determine whether the service location currently meets, or will meet, regulatory and waiver requirements to overcome the presumption of having institutional qualities.

Service locations that OLTL determined have or will overcome the presumption of institutional qualities will be sent to the Centers for Medicare & Medicaid Services (CMS) (after public comment) for final review of compliance with the HCBS Rule.

In cases where there were modifications or additional conditions (participant restrictions) that would need to be justified in a participant’s person-centered service plan, those modifications or conditions were confirmed to be needed or justified.

### Home and Community Based Settings (HCBS) Quality Review

<b>Setting Name:</b>	Townsquare At Westminster Village
<b>Setting Region:</b>	Northeast
<b>Setting Address:</b>	2156 Hanover Ave, Allentown, PA 18109
<b>Setting Type:</b>	Adult Daily Living
<b>Brief description of setting:</b>	Townsquare at Westminster Village is an adult day center (ADC) that is in a building located on the grounds of or immediately adjacent to a public institution.
<b>Review Date:</b>	5/17/2022
<b>Number of Participants Served at Site</b>	Less than 10

<b>Reason for Category</b>	Setting is in a building located on the grounds of, or immediately adjacent to, a public institution.
<b>Overcomes the presumption of institutional qualities?</b>	Yes

<b>Evidence to support</b>	<p>Townsquare at Westminster Village is an ADC designed to assist participants in meeting at minimum, personal care, social, nutritional, and therapeutic needs in accordance with their participants' individual service plans. Adult Daily Living services are generally furnished for four or more hours per day on a regularly scheduled basis for one or more day/s per week. It should be noted that all participants in this setting have Dementia/Alzheimer's disease and require supervision during their time at the adult day center.</p> <p>It is the policy of the Adult Day Program at Westminster Village to involve the participant in the program if the individual receives therapeutic benefit from the services and structured activities offered.</p> <p>Although there is a nursing facility adjacent to the ADC, Townsquare at Westminster Village is not owned or leased by, nor affiliated directly or indirectly with the nursing facility.</p>
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<b>Expectation</b>	<b>What you might see (based on CMS suggested Exploratory Questions and the OLTL Assessment Tool)</b>	<b>Notes/Documentation to Support Expectation</b>
(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including...	N/A- please see responses to questions below.	
1. opportunities to seek employment and work in competitive integrated settings,	All participants in this setting have Dementia/Alzheimer's disease and require constant supervision.	It is a service coordinator's responsibility to assess an individual's desire to seek employment in a competitive integrated settings and assist with referrals as desired during the annual assessment.
2. engage in community life,	There are options for participants to integrate into community via picnics and other outdoor activities.	The agency has a policy specific to community events and has information posted in the center.
3. control personal resources,	N/A - Setting is an ADC and does not have access to participant funds.	

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4. and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.	All participants are involved with organized activities i.e., arts and crafts, bingo, and various other engaging opportunities.	Participants do not receive Medicaid home and community-based services in a different area of the setting from individuals not receiving Medicaid home and community-based services.
(ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting.	N/A-Not a residential setting.	
and setting options are based on the individual's needs, preferences	N/A-Not a residential setting.	
and, for residential settings, [based on the individual's] resources available for room and board.	N/A-Not a residential setting	
(iii) Ensures an individual's rights of 1. privacy,	The center delivers daily care with thoughtful behavior to ensure an individual's privacy and confidentiality are respected. Participant's rights and responsibilities are posted in a common area within the facility.	Direct observation and program policies showed that all attendees are granted privacy when needed or requested.
(iii) Ensures an individual's rights of 2. dignity and respect,	The center delivers daily care with thoughtful behavior to ensure an individual's privacy and confidentiality are respected. Participant's rights and responsibilities are posted in a common area within the facility.	The center delivers daily care with thoughtful behavior to ensure each participant is treated with dignity and receives respectful care. Participant's rights and responsibilities are posted in a common area within the facility.

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(iii) Ensures an individual's rights of 3. freedom from coercion,	Staff are monitored to ensure they treat participants appropriately and do not use coercion.	An on-site interview with staff as well as a review of the center's policy and procedures revealed that staff are trained not to use coercion. Participants and families can file complaints, including anonymous complaints, if they believe otherwise and the process is posted in common areas of the center.
(iii) Ensures an individual's rights of 4. and freedom from restraint.	Staff are monitored to ensure they treat participants appropriately and do not use restraints.	The center's Organizational Ethics policy does not allow for restraints or coercion. An on-site interview with staff did reveal that staff are trained not to use restraints. Participants and families can file complaints, including anonymous complaints, if they believe otherwise and the process is posted in common areas of the center.
(iv) The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, ~daily activities	Participants have the freedom to choose which activities they participate in.	The center holds monthly meetings with the participants to receive input as to what the participants like and don't like, and what activities they would like to see occur at the ADC.
(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, ~physical environment	Participants have the freedom to move around the setting.	Direct observation and program policies showed that all the participants have more than adequate space to be able to move around the setting autonomously and interact as desired.
(iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making	Participants have the freedom to choose when and with whom they would like to interact.	Direct observation and program policies showed that all the participants have more than adequate space to be able to

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life choices, including but not limited to, ~and with whom to interact		move around the setting autonomously and interact as desired. There is a designated area within the facility to allow visitors due to COVID.
(v) Facilitates individual choice regarding services and supports, and who provides them	Team members of the center are trained in client interactions and their care plans. They are instructed to treat clients respectfully.	Staff members are trained annually on care plans. Individual preferences are care planned, including items such as the clients' preferred names, programs, etc.