



**Colorado Home- and Community-Based Services
 Heightened Scrutiny Evaluation**

Nonresidential Setting Summary Sheet

Heightened Scrutiny Identification Number	HS-052
Provider Name	The Roost Training Center
Setting Name	
Setting Address	Withheld, Lafayette CO 80026
Compliant as of Date	Expected to submit remaining evidence of compliance this summer, to be verified by December 31, 2021
Date of This Evaluation	May 3, 2021

Setting Type

- Adult Day Services (Not IDD Specific) Basic
- Adult Day Services (Not IDD Specific) Brain Injury Waiver
- Adult Day Services (Not IDD Specific) Specialized
- Day Habilitation for Individuals with IDD Prevocational Services
- Day Habilitation for Individuals with IDD Specialized Habilitation
- Day Habilitation for Individuals with IDD Supported Community Connections (SCC)
- Day Treatment under Brain Injury Waiver

- Supported Employment Group Supported Employment

Waivers Served

- Children's Extensive Support (CES)
- Community Mental Health Supports (CMHS) for Persons with Major Mental Illness
- Elderly, Blind and Disabled (EBD)
- Persons with Brain Injury (BI)
- Persons with Developmental Disabilities (DD)
- Supported Living Services (SLS)

Reason(s) for Heightened Scrutiny

- Located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment (such as a hospital, nursing facility, ICF/IID, or IMD);
- Located in a building on the grounds of, or adjacent to, a public institution; or
- Has the effect of isolating individuals receiving Medicaid home- and community-based services (HCBS) from the broader community of individuals not receiving Medicaid HCBS

Setting Description
The Roost Training Center is a Day Habilitation setting that currently offers Prevocational and Specialized Habilitation services for individuals with intellectual and developmental disabilities. The setting is subject to heightened scrutiny due to the effect of isolating individuals receiving services from the broader community. Individuals stay at the setting, working on creating products sold for two hours each morning from the site, including woodwork, seasonal décor, stationary and party products. The provider also engages individuals in games and other activities at the base site, as a part of their services. Opportunities for individuals to be in the community, interacting with non-disabled, non-staff persons, is very limited. The provider for this setting submitted a community integration plan, which will



be implemented once the pandemic no longer prohibits integration and individuals are safely able to access the community. State staff will schedule a visit once this plan has been implemented, to verify final compliance.



Compliance Summary

Compliant?	Federal Requirement	Summary of Evidence of Compliance
<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No	<p>The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS. 42 C.F.R. § 441.304(c)(4)(i).</p>	<p>To meet this requirement, the setting needs to ensure individuals have access to the greater community to the same degree as individuals not receiving HCBS. Based on the description and documentation submitted by the provider so far, the setting has not yet complied with community integration requirements. In the community integration description, the prevocational and specialized habilitation services have offered a variety of activities on-site at the facility. In addition, a store is also located at the provider owned and operated day program site. While bringing the community in to visit the store two hours, four days per week, offers some opportunity for certain individuals to interact with persons from the community, the setting will need to provide opportunities for individuals to leave the setting and engage with the broader community.</p>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>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. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and for residential settings, resources available for room and board. 42 CFR § 441.301(c)(4)(ii).</p>	<p>The setting options are identified and documented in the person-centered service plan and are based on the individual's needs and preferences.</p> <p>In Colorado, case management agencies are responsible for</p> <ul style="list-style-type: none"> • working with the individual to ensure that the setting is selected by the individual from among setting options including non-disability-specific settings and, where residential supports will be provided, an option for a private unit in a residential setting; • ensuring that setting options are identified and documented in the person-centered support plan and are based on the individual's needs, preferences, and for residential settings, resources available for room and board; and • supplying the person-centered support plan to provider agencies for implementation. <p>Provider agencies are responsible for implementing the person-centered support plan. They are also responsible for referring individuals to their case management agency if they want to request a different provider or setting.</p>



		As part of the site-specific verification process, the state verified that providers complied with their responsibilities relating to informed choice. This process included verifying that settings did not have compliance issues such as telling individuals that they must receive services there, even if they would prefer something else.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>The setting ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint. <i>42 CFR § 441.301(c)(4)(iii)</i></p>	The setting is working to ensure that the complete eight steps of a rights modification, including informed consent, will be followed when the provider is considering a plan to possibly need to restrain an individual. The provider has confirmed no individuals currently have any rights modifications in place.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	<p>The setting optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact. <i>42 CFR § 441.301(c)(4)(iv)</i></p>	The setting is working to ensure individuals are given autonomy when choosing their daily activities, allowing them to learn new non-job-related skills. Individuals can choose which work group they would like to participate in. The provider is working with staff and the individuals to access public transportation more often to expand additional options for community outings. The provider takes members of each work crew out into the community weekly to purchase supplies for their products. While out in the community the staff helps them interact with non-disabled community members by providing them a list of supplies and prompting them to ask an employee to assist when needed when purchasing the items. The provider holds Co-Op meetings with individuals at local coffee shops.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	<p>The setting facilitates individual choice regarding services and supports, and who provides them. <i>42 CFR § 441.301(c)(4)(v)</i></p>	Activities at the setting are primarily determined by the products made by the individuals receiving services. Individuals are able to choose the site-based activities they participate in. Some individuals are offered a choice to shop for supplies but most individual remain at the setting.
<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	<p>The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at minimum, the same responsibilities and protections from eviction that tenants have under the</p>	The setting is nonresidential, and therefore this requirement is not applicable.



	landlord-tenant law of the State, county, city or other designated entity. For settings where landlord-tenant laws do not apply, a lease, residency agreement, or other form of written agreement is in place for each HCBS participant providing protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord-tenant law. <i>42 CFR § 441.301(c)(4)(vi)(A)</i>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement. <i>42 CFR § 441.301(c)(4)(vi)(B)</i>	The setting confirmed people receiving services are able to secure their personal belongings if they choose to in a locker box. They may use their own lock or a lock may be provided.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Individuals have the freedom and support to control their schedules and activities and have access to food any time. <i>42 CFR § 441.301(c)(4)(vi)(C)</i>	The setting's choices of activities are primarily determined by the products the individuals have been making. Individuals have access to their food at any time.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Individuals are able to have visitors of their choosing at any time. <i>42 CFR § 441.301(c)(4)(vi)(D)</i>	Individuals are able to have visitors of their choosing at any time.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial	The setting is physically accessible to the individual. <i>42 CFR § 441.301(c)(4)(vi)(E)</i>	The setting is accessible to individuals.



<input type="checkbox"/> No		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	<p>Any rights modifications are supported by a specific assessed need and justified in the person-centered service plan. The following criteria are documented in the person-centered service plan:</p> <ol style="list-style-type: none"> (1) A specific and individualized assessed need. (2) The positive interventions and supports used prior to any rights modifications. (3) The less intrusive methods of meeting the need that were tried but did not work. (4) A clear description of the rights modification that is directly proportionate to the specific assessed need. (5) A plan for the regular collection and review of data to measure the ongoing effectiveness of the modification. (6) Established time limits for periodic reviews to determine whether the modification is still necessary or can be terminated. (7) The informed consent of the individual. (8) An assurance that interventions and supports will cause no harm to the individual. <p>42 CFR § 441.301(c)(4)(vi)(F)</p>	<p>The provider will ensure any proposed rights modifications, including safety control procedures, are supported by a specific assessed need and include informed consent. The provider completed a remediation plan to ensure all staff have been trained in person-centered thinking principles.</p>



Summary of Findings From Desk Review and/or Site Visit(s)

The state reviewed the Provider Transition Plan (PTP) and supporting materials submitted by the provider for this setting. Through an iterative process, the state worked with the provider to ensure that the PTP accurately identified all compliance issues and heightened scrutiny triggers and reflected resolution of all such issues (or a plan to timely finish doing so).

The state reviewed the following materials submitted by the provider:

- Rights of Persons
- Grievance/Complaint Policy
- Medication Policy
- Mistreatment Policy
- Physical Intervention Policy
- Incident Reporting Policy
- Dispute Resolution Policy
- Recent Month Calendar of Community Activities
- Community Integration Plan
- Person Centered Language Training
- Person Centered Validation Method Training
- Person Centered Activity Planning
- 2019 Summer SCC Program for June, July, and August
- The Roost Written Plan for Community Integration C1-8
- The Roost Training Center Program Schedule
- Person-centered PowerPoint presentation slide, handout, and quiz
- Safety Control Procedure
- The Roost Updated Community Integration Plan

The provider will ensure updates are made to the Resident Rights and Safety Control Procedure Policies. The provider has ensured all staff have completed training in person-centered thinking.

If the provider updated any of these materials, findings in this evaluation reflect the most recent version of each item.

Summary of individual interviews: There are no individual interviews to be summarized.

Summary of Stakeholder and Public Input; Department Responses

The Individual/Family/Advocate (IFA) survey results were reviewed, and no comments were submitted for this setting.

Remediation Plan (If Not Already Implemented) & State Oversight to Verify Implementation

As of 4/14/21, person-centered training evidence has been submitted in the form of training slides, handouts and quiz.

The community integration plan originally submitted did not meet the Settings Final Rule requirements. As of 4/23/21 a new plan was submitted. The setting will ensure support for full access to the greater community to all individuals. In addition, a store is also located at the setting. Bringing the community in to visit the store for two hours each morning offers some opportunity for a few individuals to interact with non-disabled, non-staff persons from the community. The provider will implement a new approach to services, to ensure all individuals have the opportunity to leave the setting and engage in the community outside of their typical setting, such as participating in activities at the rec center, library,



local shops and restaurants. The provider is working with local businesses to ensure more volunteer options can be available for individuals.

Additional Comments

The setting must submit evidence that their community integration plan has been implemented and meets all requirements for community integration as set forth by the Settings Final Rule.

State staff will complete verification of compliance in a future site visit.