

Transforming
Lives

HCBS Integrated Settings in Supported Living Settings

Interpretation of provider-owned and provider-control



Is supported living a provider-owned or provider-controlled setting?

It depends on the home.

Provider-Ownership

- Exception-to-policy (ETP) required under Policy 4.02
 - Annual renewal
- Ownership of the supported living business and the home where people are supported by the provider
- Financial interest in the supported living business and the home where people are supported by the provider
 - May apply to third-party ownership

Subleasing

- New forms – coming soon
 - Provider attestation – understand rights
 - Renter attestation – understand responsibilities
- Requires a sublease signed by renter or their legal representative
 - Does not include co-signing
- Consider:
 - Is the sublease necessary to ensure the individual can live in the home of their choice?
 - Can the sublease be changed to a direct lease?

Provider-
Control

Provider Integrated Settings Self-Assessment In-Development

- Required of all providers
- DDA review
- Consider:
 - Does the selection of a setting limit the individual to a specific HCBS provider of service?
 - Violations of integrated settings do not mean a setting is provider-controlled (unless the provider refuses to address the situation).
- Updating other forms, training, etc.

Provider-
Control
cont'd

Ongoing Monitoring

Possible scenarios (not an exhaustive list):

- Individual is unable to return to their home after the acute concern is addressed and ready to discharge from a short-term setting
- Individual chooses to change providers but remain in their home and the current provider expects the individual to move
- Individual receives termination and eviction notices from current provider
- Too much administrative footprint in the home
- Establishment of visiting hours
- Not allowing mixed households
- Policy requiring people to ride in the back seat of the car

Next Steps

- Provider self-assessment and DDA review
- Change in provider - provider to engage in a discussion with the individual or their legal representative and their housemates:
 - Who wants to move? Who wants to stay?
 - Is there a need to break the lease? If so, what is an equitable way to pay the fee?
 - Do all the housemates want a new provider?
- Possible WAC updates
 - What does the person want in terms of privacy?

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Questions?