

RI HCBS Settings Systemic Assessments & Remediation June 2, 2016								
RI Department	Regulation Citation	Regulation Name/Description	Web Link	Compliant/Conflict With/Silent	Proposed Remedial Action to Achieve Compliance	Start Date	End Date	Milestones
DEA	N/A	DEA Assisted Living Certification Standards	No Link	Non-Compliant Standards do not meet some of the applicable person-centered objectives for home and community-based settings.	Revise standards to include applicable HCBS Rule language for home and community-based settings.	6/30/2016	6/30/2017	See Transition Plan Matrix
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EOHHS	0398.30.05 and 0399.20.02 Facility Certification Standards Participation requirements	EOHHS Specific Waiver Programs	http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7999.pdf	"The physical plant, financial capacity, adequacy of services, and commitment to servicing low income individuals will be evaluated prior to approval for participation in program".	Rewrite certification standards for AL facilities to be a participating Facility. Possible change in wording to denote yearly monitoring.	6/30/2016	6/30/2017	See Transition Plan Matrix
EOHHS	0398.30.05 DEA Responsibilities	EOHHS Specific Waiver Programs	http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7999.pdf	Discusses availability of services plan of care	Language needs to be updated to person centered planning language	6/30/2016	6/30/2017	See Transition Plan Matrix
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EOHHS	Agency Standards	RtE @ Home Program Standards	http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Procurement%20Library/RtE.at.Home.Program.standards.final9.26.12..pdf	Non-Compliant	Program Standards and Agencies Policies and Procedures to be modified for full compliance.	6/30/2016	6/30/2017	See Transition Plan Matrix
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BHDDH	20.09-3	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add language "with the same degree of access as individuals not receiving Medicaid HCBS"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-9	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the word reasonable	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-10	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the words "all reasonable hours", add words "any time"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-11	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the words "a reasonable amount of"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.09-(b)	Participant Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the words "Every effort ..made by the DDO to give" add the words "A prospective resident ..given"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Conflict With	Strike the words "Except to the extent the residential program director determines that a limitation or a denial of any of the following rights would be in the Participant's best interest and further, unless the director documents the good cause reasons for the denial or limitations in the Participant's individual service plan"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	The Participant shall be entitled to the following Add - "unless the Participant's individual service plan reflects a need for limitation:"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(h)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add - "(h) To have access to food at any time;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(i)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add - "(i) To have control and support, when necessary, over one's own activities and schedule;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(j)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add - "(j) To have a legally enforceable written agreement detailing protections from eviction;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(k)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add - "(j) To have lockable entrance doors, with only the individual and appropriate having keys to the door;"	6/30/2016	6/30/2017	See Transition Plan Matrix
BHDDH	20.12(l)	Residential Participants' Rights	http://sos.ri.gov/documents/archives/regdocs/released/pdf/MHRH/7826.pdf	Silent	Add -"(k) To have choice of roommate, if there is a shared unit; and"	6/30/2016	6/30/2017	See Transition Plan Matrix

