

## 1230-C - COMMUNITY RESIDENTIAL SETTINGS

EFFECTIVE DATES: 02/14/96, 12/11/19, 01/25/23, UPON PUBLISHING<sup>1</sup>

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01/04/23, 08/26/24<sup>2</sup>

### I. PURPOSE

This Policy applies to the DES DDD (DDD) Contractors<sup>3</sup>. This Policy establishes requirements for Alternative Home and Community Based Services (HCBS) Settings known as Community Residential Settings.

### II. DEFINITIONS

For purposes of this Policy the following terms are defined as:

#### ADULT DEVELOPMENTAL HOME

A residential setting in a family home in which the care, physical custody and supervision of the adult client are the responsibility, under a twenty-four-hour care model, of the licensee who, in that capacity, is not an employee of the division or of a service provider and the home provides the following services for a group of siblings or up to three adults with developmental disabilities:

1. Room and board,
2. Habilitation,
3. Appropriate personal care, and
4. Appropriate supervision.

<sup>1</sup> Date changes are effective

<sup>2</sup> Date Policy is approved

<sup>3</sup> Made singular as there is only one DDD Contractor

**ALTERNATIVE HOME AND COMMUNITY BASED SERVICES (HCBS) SETTING**

A living arrangement where a member may reside and receive HCBS. The setting shall be approved by the director, and either,

1. Licensed or certified by a regulatory agency of the State, or
2. Operated by the IHS, an Indian tribe or tribal organization, or an urban Indian organization, and has met all the applicable standards for State licensure, regardless of whether it has actually obtained the license (AAC R9-28-101).

The possible types of settings include:

1. For an individual with an intellectual/developmental disability:
  - a. Community residential setting,
  - b. Group home,
  - c. State-operated group homes,
  - d. Group foster homes,
  - e. Adult Behavioral Health Therapeutic Homes (ABHTH), and
  - f. Behavioral health respite homes.
2. For an individual who is Elderly and Physically Disabled (E/PD):
  - a. Adult foster care homes,
  - b. Assisted living homes or assisted living centers, units only,
  - c. Adult Behavioral Health Therapeutic Homes, and
  - d. Behavioral health respite homes.

**ARIZONA DEPARTMENT OF HEALTH SERVICES (ADHS)**

The State agency that has the powers and duties set forth in ARS 36-104 and ARS Title 36, Chapters 5 and 34.

**CHILD DEVELOPMENTAL HOME**

A residential setting in a family home in which the care and supervision of the child are the responsibility, under a twenty-four-hour care model, of the licensee who serves as the developmental home provider of the child in the home setting and who, in that capacity, is not an employee of the division or of a service provider and the home provides the following services for a group of siblings or up to three children with developmental disabilities:

1. Room and board,
2. Habilitation,
3. Appropriate personal care, and
- ~~1.~~4. Appropriate supervision

**GROUP HOME**

A community residential setting for not more than six persons with developmental disabilities that is operated by a service provider under contract with the department that provides room and board and daily habilitation and other assessed medically necessary services and supports to meet the needs of each person. It does not include an adult developmental home, a child development home, a behavioral-supported group home, a nursing-supported group home, or an intermediate care facility for individuals with intellectual disabilities.<sup>4</sup>

**ROOM AND BOARD (R&B)**

The amount paid for food and/or shelter. Medicaid funds can be expended for room and board when an individual lives in an institutional setting [e.g., Nursing Facility (NF), Intermediate Care Facility (ICF)]. Medicaid funds cannot be expended for room and board when a member resides in an Alternative Home and Community Based Service (HCBS) Setting [e.g., Assisted Living Facility (ALF), Behavioral Health Residential Facility (BHRF)] or an apartment like setting that may provide meals.

Definitions are located on the AHCCCS website at: AHCCCS Contract and Policy Dictionary.

**III. POLICY**

Members may receive services in Alternative Home and Community Based Services (HCBS) Settings as defined in AAC R9-28-101. Members are to live in the most integrated and least restrictive setting and have full access to the benefits of community living.<sup>5</sup> Community Residential Settings<sup>6</sup> are licensed by the Arizona Department of Health Services (ADHS)<sup>7</sup> and Department of Economic Security, Division of Developmental Disabilities (DES DDD) ~~(DES)~~.

The following are Community Residential Settings are licensed by ADHS:

1. Group Homes and Behavioral Supported Group Homes
2. Nursing Supported Group Homes

The following are Community Residential Settings licensed by DDD:

1. Child Developmental Homes
2. Adult Development Homes

<sup>4</sup> Added definition per language from ARS 36-551

<sup>5</sup> Added language for consistency with the Assisted Living Facility policy.

<sup>6</sup> Capitalize due to being in Definition Table

<sup>7</sup> Added ADHS licensure reference for new authority for certain sub-classes of DDD settings

The settings are responsible to promote the physical, emotional, and mental well-being of the member enabling them to acquire knowledge and skills to participate in their community based upon their choices; increase their self-help, socialization and adaptive skills; form positive relationships with others; have opportunities to interact with others in the community and achieve/maintain a quality of life that promotes the members vision for the future and priorities.<sup>8</sup> ~~to provide a safe, homelike family atmosphere that meets the physical and emotional needs of DDD members who cannot physically or functionally live independently in the community.~~

Community Residential Settings shall maintain compliance with the Home and Community Based Settings Rule under section 1915 of the Social Security Act [42 CFR 438.3(o); 42 CFR 441.301(c)(4)].<sup>9</sup>

ALTCS covers services, which are provided to members residing in these facilities with the exception of Room and Board (R&B)<sup>10</sup>. Habilitation and personal care services ~~may are also be~~ provided in these settings ~~and shall be provided~~ according to the member's service plan. The ~~R & B room and board~~ amount is determined by DDD and shall be the responsibility of the member as specified in a residency agreement. It is also permissible for someone to pay ~~R&B room and board~~ on behalf of the member.

Members in a Community Residential Setting may receive physical health or behavioral health services, by other providers, when those services are not included in the scope of services provided by the Community Residential Setting.

<sup>8</sup> Incorporated language from DDD scope of work on the roles and responsibilities of these settings

<sup>9</sup> Added the Home and Community Based Settings (HCBS) Rules regulation compliance.

<sup>10</sup> Added acronym per C&P Dictionary