

Statewide Transition Plan: Appendix B
Companion Documents for Compliance Demonstration with Home and Community-Based (HCBS) Setting Requirements

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**New Jersey Residential Home and Community-Based Setting Crosswalk for N.J.A.C. 8:36 --
Standards for Licensure of Assisted Living (AL) Residences, Comprehensive Personal Care Homes and AL Programs**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	No/not applicable to assisted living residences, comprehensive personal care homes and assisted living programs. There are no assisted living facilities attached to county nursing homes, which can be considered public institutions.	Not applicable to this licensed health care facility category -not referenced in the rule
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	No/not applicable to assisted living residences, comprehensive personal care homes and assisted living programs.	N.J.A.C. 8:36-1.2; 1.3; 4.1(A) NJS 10:5-12.2 N.J.A.C. 8:33H-1.15 N.J.A.C. 8:85-1.9 A resident of a licensed healthcare facility cannot be discriminated against by reason of payer source
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	No/not applicable to assisted living residences, comprehensive personal care homes and assisted living programs.	Not applicable to this licensed healthcare facility category Not referenced in the rule
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	No/not applicable to assisted living residences, comprehensive personal care homes and assisted living programs.	Not applicable to this licensed healthcare facility category Not referenced in the rule

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5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	No/not applicable to assisted living residences, comprehensive personal care homes and assisted living programs.	Not applicable to this licensed healthcare facility category Not referenced in the rule
section b: integration with the community code of federal register (cfr) citations all refer to title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Yes	N.J.A.C. 8:36-1.3 8:36-4.1(a)2,13, 31, and 34
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	yes	N.J.A.C. 8:36-5.8(b)
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	yes	Not specifically addressed in the rule. Usually addressed in facility policies & procedures
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.) in integrated community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?	yes a) yes b) yes c) yes	N.J.A.C. 8:36-4.1 (A) RESIDENT RIGHTS (B)N.J.A.C. 8:36-5.8(B) N.J.A.C. 8:36-1.3 8:36-4.1(a) c) not specifically addressed in the rule -not applicable to this population
5	§441.301(c)(4)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the	yes	N.J.A.C. 8:36-4.1 (a) resident

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	§441.710(a)(1)(i)	broader community?		rights
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS live/receive services the setting live apart from individuals not receiving Medicaid HCBS?	No	N.J.A.C. 8:36-4.1 (a) resident rights; (a) 23
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residence and retail businesses?	Unknown; ownership choice and zoning restrictions apply and are involved in setting selection	Not referenced in the rule
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	Explain how visitors are handled in the setting: a) Are visitors restricted to specified visiting hours? b) Are visiting hours posted? c) Is there evidence that visitors have been present at regular frequencies? d) Are there restricted visitor's meeting areas?	a) No b) yes c) yes d) No, unless resident's condition or physician orders require restricted visitor's areas in the best interests of the resident.	N.J.A.C. 8:36-4.1 (a) 26,30,33 8:36-4.1(a) 30 – while a resident has this right, it is in accordance with the facility's policies and procedures. The visitation policy is left to the facility's discretion.
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a schedule return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?	a) yes b) yes c) no d) yes e) unknown if buses are nearby a specific facility/facility or resident will call for taxi service f) yes	(a) N.J.A.C. 8:36-4.1(a) (b)N.J.A.C. 8:36-12.1 c)N.J.A.C. 8:36-4.1(a) (d) N.J.A.C. 8:36-5.8 (f) N.J.A.C. 8:36-5.8 (a), (b)
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the	a) public transportation schedules are available in the facility, not necessarily posted b) not applicable to this	(a) not required to be posted by rule

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		broader community?	population group c) yes/ licensed assisted living facilities have vehicles or are responsible for transportation arrangements for the resident	(b)not required or referenced in the rule c) N.J.A.C. 8:36-5.8 (b)
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual’s person-centered plan?	yes	N.J.A.C. 8:36-4.1(a) 13
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	yes	N.J.A.C. 8:36-4.1(a) 13
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	yes	N.J.A.C.8:36-7.1, 2, 3, 4, 5
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting’s written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	a) yes b) yes	N.J.A.C. 8:36-5.16 (a)N.J.A.C. 8:36-5.16. (b)N.J.A.C. 8:36-5.16.
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Yes	N.J.A.C. 8:36-5.18 (a) (b) (c)
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Yes	N.J.A.C. 8:36-7.1, 7.2, 7.3.
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	Yes	N.J.A.C. 8:36-4.1(a) N.J.A.C. 8:36-6.1i
Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice?	yes	N.J.A.C. 8:36-1.3

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	§441.710(a)(1)(vi)	<ul style="list-style-type: none"> a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change? 	<ul style="list-style-type: none"> a) yes/where situation permits, individual resident may choose roommate. Facility determines placement when resident has no requests. changes can always be made b) yes c) yes 	(a)N.J.A.C. 8:36-1.3 8:36-4.1(a)-23
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?</p> <ul style="list-style-type: none"> a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual’s schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience? 	<ul style="list-style-type: none"> yes a) yes b) yes c) yes 	(a) N.J.A.C. 8:36-1.3 8:36-4.1(a)1,2,3,5
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual controls his/her personal resources?</p> <ul style="list-style-type: none"> a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider? 	<ul style="list-style-type: none"> yes a) yes b) yes c) yes 	N.J.A.C. 8:36-4.1(a) 11, 12, 18, 19, 20, 21, N.J.A.C. 8:36-6.3
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Describe the dining experience:</p> <ul style="list-style-type: none"> a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? 	<ul style="list-style-type: none"> a) yes b) yes c) yes d))no e) yes f) yes 	N.J.A.C.8:36-4.1(a) 2, 3, 4, 5, 34

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		g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?	g) yes	N.J.A.C. 8:36-10.5 Dining policies are according to the facility's policies.
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual's preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals' rooms have a telephone jack, WI-FI or ETHERNET jack?	yes a) yes b) yes c) yes	N.J.A.C. 8:36-16.17 N.J.A.C.8:36-4.1 (a) 29 N.J.A.C. 8:36-4.1 (a) 29 N.J.A.C. 8:36-16.17
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	Yes a) yes b) yes c) c) yes	N.J.A.C. 8:36-17.3 (a); 8:1.3 N.J.A.C. 8:36-1.3 8:36-16; 16.14

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7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual have full access in the setting?</p> <p>a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals' entrance to or exit from certain areas of the setting?</p> <p>b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site?</p> <p>c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction?</p>	<p>Yes</p> <p>a) Yes. in assisted living facilities with Alzheimer's /dementia units, controlled ingress and egress are necessary for resident safety.</p> <p>b) yes</p> <p>c) yes</p>	<p>N.J.A.C. 8:36-4.1 (a)16, 17 8:36-17.1, 3 (a)(b)</p> <p>N.J.A.C. 8:36-17.1(b) 8:36-17.5, 17.7</p>
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the physical environment meet the needs of those individuals who require supports?</p> <p>a) Are appliances accessible to individuals (e.g. the washer/dryer are "front loading" for individuals in wheelchairs)?</p> <p>b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.?</p> <p>c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?</p>	<p>yes</p> <p>a) yes</p> <p>b) yes</p> <p>c) yes</p>	<p>(a) N.J.A.C. 8:36-4.1(a) N.J.A.C. 8:36-16; 16-14 N.J.A.C. 8:36-17.8 (f) (g)</p> <p>(b) N.J.A.C. 8:36-16.9(b) N.J.A.C. 8:36-17.7</p>

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				C) N.J.A.C. 8:36-16.9
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual’s needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	yes a) yes b) yes c) yes d) yes	N.J.A.C. 8:36-1.3 8:36-4.1(a) 6, 22 N.J.A.C. 8:36-16.c N.J.A.C. 8:36-4.1(a)3, 4, 5, 6
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	Yes a) yes	N.J.A.C. 8:36-1.3 8:36-4.1(a) 8:36-16.11, 8:36-16.14
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals’ personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual’s personal choices? c) Can individuals’ living areas reflect their interests and hobbies?	Yes a) yes b) yes c) yes	N.J.A.C. 8:36-1.3 8:36-4.1(a) 8:36-16.11, 8:36-16.14
section e: resident rights				
code of federal register (cfr) citations all refer to title 42.				
	Federal Rule	CMS Guidance	compliance demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	yes a) yes b) yes c) yes	N.J.A.C. 8:36-4.1(a) 5 (a) N.J.A.C. 8:36-4.1(a) 1, 5

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				C) N.J.A.C. 8:36-4.1(a) 1, 5
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual's right to dignity and privacy respected? a) Is an individual's health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	Yes a) yes b) no c) yes	N.J.A.C. 8:36-4.1(a) 1, 3, 4, 6 N.J.A.C. 8:36-15.1, 15.3 N.J.A.C. 8:36-4.1(a) 1
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	yes a) yes b) yes c) yes	(a) N.J.A.C. 8:36-4.1 (a) 4 (b) N.J.A.C. 8:36-4.1 (a)1, 4 8:36-5.6 (C)) N.J.A.C. 8:36-4.1 (a) 1, 4
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint?	yes a) yes b) yes c) yes	N.J.A.C. 8:36-4.1 (a) 16 (a) N.J.A.C. 8:36-4.1(a) 35 (b) N.J.A.C. 8:36-4.1(a) 40 (C) N.J.A.C. 8:36-4.1(a) 40
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement?	Yes a) yes b) b) yes	N.J.A.C. 8:36-2.2; 2.3; 2.4; 4.1(a)10; 5.14;

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		b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?		(a) N.J.A.C. 8:36-4.1 (a) 19, 36, 37 (b) N.J.A.C. 8:36-4.1 (a) 36, 37
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	yes	N.J.A.C. 8:36-4.1 (a) 10
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey's landlord tenant laws?	yes a) yes b) yes	(a) N.J.A.C. 8:36-4.1 (a) 36, 37

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44A
Standards for Community Residences for Individuals with Developmental Disabilities**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?		Not referenced in regulation
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?		Not referenced in regulation
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	No programs licensed under this rule are so located.	<ul style="list-style-type: none"> N.J.A.C.10:44A-1.3
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	Programs of this type/model are not regulated under this rule.	Not referenced in regulation N.J.A.C. 10:47 “Private Licensed Facilities For Persons With Developmental Disabilities”
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?		Not referenced in regulation
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Service Plan (SP) Level of Service (LOS) assessed Activity Schedules Monthly Reports Progress Notes	<ul style="list-style-type: none"> N.J.A.C. 10:44A-2.2 Agency Policy & Procedure required to assure community integration and access
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	SP and LOS Activity Schedules Monthly Reports Progress Notes	<ul style="list-style-type: none"> Agency Policy & Procedure required to assure community integration and access.
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	Activity schedules House meetings to plan outings/events Agency required to assure	<ul style="list-style-type: none"> N.J.A.C.10:44A-3.2 (d)

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Standards for Community Residences for Individuals with Developmental Disabilities**

			community integration and access. Staff shall assist the individuals with setting the schedules and agendas for house meetings.	
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.) in integrated community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?	SP and LOS Services and supports are carried out with a minimum of limitation, intrusion, disruption, or departure from commonly accepted patterns of living. Inter Disciplinary Team (IDT) assures needed and requested services and supports are addressed in SP.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • N.J.A.C. 10:44A-4.3 • Division Circular #35 "Service Plan"
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Program settings are located within the general community.	<ul style="list-style-type: none"> • N.J.A.C. 10:44A 1.3 Definition of Community Residence
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS services in the setting live apart from individuals not receiving Medicaid HCBS?	Program settings are located within the general community.	<ul style="list-style-type: none"> • N.J.A.C. 10:44A 1.3 Definition of Community Residence
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residences and retail businesses?	All settings are located in residential areas.	Not referenced in regulation

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44A
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8	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Explain how visitors are handled in the setting:</p> <p>a) Are visitors restricted to specified visiting hours?</p> <p>b) Are visiting hours posted?</p> <p>c) Is there evidence that visitors have been present at regular frequencies?</p> <p>d) Are there restricted visitor's meeting areas?</p>	<p>Residents and program manager develop house rules identify visiting hours .</p> <p>Hours are not posted as this is not in keeping with a home-like setting.</p> <p>Communication log Monthly Report documents visitors</p> <p>Other residents' bedrooms are restricted.</p>	<ul style="list-style-type: none"> • N.J.A.C. 10:44A 3.1(a), 3.1(b)1, 3.2(a) • Division's Right's Document
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Describe the level of access individuals have to the community:</p> <p>a) Do individuals come and go at will?</p> <p>b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door?</p> <p>c) Is there a curfew or other requirement for a scheduled return to the setting?</p> <p>d) Do individuals in the setting have access to public transportation?</p> <p>e) Are there bus stops nearby or are taxis available in the area?</p> <p>f) Is an accessible van available to bring individuals to appointments, shopping, etc.?</p>	<p>IDT process</p> <p>SP and is LOS Specific Commensurate with assessed level of capability and IDT approval individuals may set their own schedules.</p> <p>Individuals through the House Rules would agree upon a curfew</p> <p>Access to Public transportation where it is available.</p> <p>All licensed programs have vehicles sufficient for the individuals to access the community.</p>	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 "Service Plan" • N.J.A.C. 10:44A -3.2(a)

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10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	Transportation needs are identified through SP and are LOS specific All licensed programs have vehicles.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 "Service Plan" • N.J.A.C. 10:44A -3.2(a)
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual's person-centered plan?	Individual and/or their chosen representative are a member of the IDT Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • N.J.A.C. 10:44A-4.3 • Division Circular #35 "Service Plan" • Rights Document
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Individual and/or their chosen representative are a member of the IDT Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • N.J.A.C. 10:44A-4.3 • Division Circular #35 "Service Plan" • Rights Document
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Individual and/or their chosen representative are a member of the IDT. Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • N.J.A.C. 10:44A-4.3 • Division Circular #35 "Service Plan" • Rights Document
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting's written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Required by Regulation, Policy and Procedure. IDT and Agency are	<ul style="list-style-type: none"> • N.J.A.C. 10:44A-3.1 (a),(b), (c) • Division's Rights Document

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			responsible to assure information is conveyed in a language or manner the individual understands.	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Division policy and procedure, Provider Grievance Policy is mandatory.	<ul style="list-style-type: none"> • N.J.A.C. 10:48 “Appeal Procedure” • Division Circular #37
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Division Case Manager or contracted agency provides assistance to the individual and coordinates gaining access to the array of services needed for state plan , medical, social, educational and other services.	<ul style="list-style-type: none"> • Division Circular#4 NJAC10:40 • Division Circular #41 “Informed Consent” • Division Circular #35 “Service Plan”
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	IDT convenes at the individual’s request.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • N.J.A.C. 10:44A-4.3 • Division Circular #35 “Service Plan” • Division’s Rights Document
Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Married individuals may share a room. Case Management assists with requests.	Not referenced in regulation
2	§441.301(c)(4)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a	Individual establishes his/her	<ul style="list-style-type: none"> • Division Circular #35

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	§441.710(a)(1)(vi)	<p>person-centered plan?</p> <p>a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.?</p> <p>b) Can an individual's schedule vary from others in the same setting?</p> <p>c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?</p>	<p>schedule with the supporting agency through the IDT process.</p> <p>a) Yes b) Yes c) Yes</p>	<p>"Service Plan"</p>
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual control his/her personal resources?</p> <p>a) Is the individual able to have a checking or savings account or other means to control his/her funds?</p> <p>b) Does an individual have access to his/her funds?</p> <p>c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?</p>	<p>Individual shall have the right to manage their personal funds consistent with abilities as documented in SP.</p> <p>All funds entrusted to the licensee, shall have records and receipts of all transactions.</p> <p>Upon admission and any subsequent request the licensee shall provide the individual the DD rights document, and advocate contact information to assist the individual in understanding and enforcing their rights.</p>	<ul style="list-style-type: none"> • N.J.A.C. 10:44A-2.10 Individual financial records: individual funds • N.J.A.C. 10:44A-3 Advocacy and Rights

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4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?	Individuals are assured three nutritionally balanced meals, and snacks , varietal in nature, with reasonable adjustments to individual preferences, habits, customs and appetites. In group homes residents make the decision through the house rules process.	<ul style="list-style-type: none"> • N.J.A.C. 10:44A-5.5 Food et seq, 5.5(d)2, and 5.5(i) • N.J.A.C 10:44A-3.2 Rules governing a residence
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual’s preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals’ rooms have a telephone jack, WI-FI or ETHERNET jack?	Each individual receiving service shall have access to a telephone. Individuals may have personal communications devices/internet access of their choice in the home or in their room. If not available, by request.	<ul style="list-style-type: none"> • N.J.A.C.10:44A-6.6 • N.J.A.C.10:44A-3.2 • Division’s Rights Document
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	The licensee shall make accommodations to ensure maximum physical accessibility feasible for entrance to and movement within the residence based	<ul style="list-style-type: none"> • N.J.A.C.10:44A -6.6(g), - 5.6(c),

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			<p>upon individual characteristics.</p> <p>Staff are required to assure</p> <p>a) Yes</p> <p>Agency is required to assure conveyance to the individual in a language or manner the individual understands.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44A-3.1(c)
7	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Does the individual have full access in the setting?</p> <p>a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals' entrance to or exit from certain areas of the setting?</p> <p>b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site?</p> <p>c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting, or if they are present, are there environmental adaptations such as a stair lift or elevator to fix the obstruction?</p>	<p>IDT, Behavior Management and Human Rights Committee approval required for environmental modifications.</p> <p>Individuals may access any and all amenities available; supporting agency required to facilitate.</p> <p>The licensee shall make accommodations to ensure maximum physical accessibility feasible for entrance to and movement within the residence based upon individual characteristics.</p>	<ul style="list-style-type: none"> • DC# 5 Human Rights Committee, • DC#18 Behavior Management Committee, • DC# 34 Behavior Modification Programming • N.J.A.C.10:44A-6.6(a)

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44A
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8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the physical environment meet the needs of those individuals who require supports?</p> <p>a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)?</p> <p>b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.?</p> <p>c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?</p>	<p>For residences housing individuals with physical disabilities, the licensee shall make accommodations to ensure maximum physical accessibility feasible for entrance to and movement within the residence based upon individual characteristics.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44A-6.6(a)
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have privacy in their sleeping space and bathroom?</p> <p>a) Is the furniture able to be arranged to suit the individual’s needs and preferences?</p> <p>b) Can the individual close and lock the bathroom door?</p> <p>c) Can the individual close and lock the bedroom door?</p> <p>d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?</p>	<p>Bathroom doors shall be equipped with standard hardware which provides a privacy lock and which can be readily opened from the outside in an emergency.</p> <p>Individuals shall be treated in a respectful manner by anyone who manages or works in DDD’s residential programs.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44A-6.14 Bathrooms • NJAC10:44A-3.1 (e)
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have comfortable places for private visits with family and friends?</p> <p>a) Is the furniture arranged to support small group conversations?</p>	<p>Residences licensed under this rule are home settings and are arranged as the individual’s desire.</p> <p>Individuals have reasonable opportunities to visit or communicate privately without having to tell anybody first, and to associate with people</p>	<ul style="list-style-type: none"> • Divisions Rights Document

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			of their choice.	
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals' personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual's personal choices? c) Can individuals' living areas reflect their interests and hobbies?	Each individual shall be provided with bedroom furnishings, in good repair, the style of which is consistent with his or her preference unless otherwise specified by the IDT. Individuals may choose to decorate their bedrooms according to individual taste and preference.	<ul style="list-style-type: none"> • N.J.A.C.10:44A-6.13, (f), (g)
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Division policies assure that each individual who receives services participates in the development and completion of an annual Division approved Service Plan, a tool for the planning and implementation of generic and specialized services designed to achieve personal outcomes that are appropriate to the individual's interests, strengths, needs and preferences. House meetings shall include the individual as much as possible.	<ul style="list-style-type: none"> • DC# 35 Service Plan • N.J.A.C.10:44A-3 Advocacy and Rights • N.J.A.C.10:44A-3.2(d)

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			Staff shall assist the individuals with setting the schedules and agendas for house meetings.	
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual's right to dignity and privacy respected? a) Is an individual's health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	Agency required policy and procedures must assure practices comply with HIPPA. All needed services and supports are identified in the individuals SP.	<ul style="list-style-type: none"> • HIPPA, N.J.A.C. 10:41-2, • N.J.A.C.10:44A-2.2(b)12, and 3.1(e) • DC#35 Service Plan
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Individuals have the right to be treated in a respectful manner by anyone who manages or works in a DDD residential program.	<ul style="list-style-type: none"> • Division's Personal Rights Document
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint?	Division's Rights Document advises individuals to talk to the person in charge and if not satisfied to talk to a DDD case manager. Advised upon admission of contact information for Advocacy, Licensing, Guardianship, Case Management, DCF, Ombudsman, and Community Health Law.	<ul style="list-style-type: none"> • Division's Rights Document • N.J.A.C.10:44A-3.1(b) • N.J.A.C.10:44A-4.1e(4)

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44A
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			Licensee's grievance procedure The DDD hotline is posted	<ul style="list-style-type: none"> N.J.A.C.10:44A-5.4 Emergency telephone numbers
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?	Present where appropriate. Support agency required to assure.	Not referenced in regulation
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	New Jersey Statute assures all ID/DD individuals are afforded all constitutional, civil and legal rights.	<ul style="list-style-type: none"> N.J.S.A. 30:6D-2
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey's landlord tenant laws?	Agency required to provide appropriate information to assure informed decision are possible. LOS appeal	<p>Not referenced in regulation</p> <ul style="list-style-type: none"> N.J.A.C. 10:48 Division Circular #37 "Appeals"

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
Standards for Community Care Residences**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	CCRs are private family homes in the community.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-1.3
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Individuals reside in the licensed family home in the broader community as any other citizen would.	
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	CCRs are private family homes in the community.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-1.3
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	CCRs are private family homes in the community.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-1.3
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	The licensed home (domicile) shall be the primary, permanent, established residence of the licensee.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-1.4(b)
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice. As identified in the Service	<ul style="list-style-type: none"> • 10:44B-3.1 (e) • DC#35 “Service Plan”

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			Plan (SP).	
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	<p>Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice.</p> <p>As identified in the SP Documented in Monthly report</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B-3.1 (e) • DC#35 “Service Plan”
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	<p>Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice.</p> <p>The licensee shall provide or make arrangements to facilitate the individual’s participation in all such community involvement.</p>	<ul style="list-style-type: none"> • 10:44B-3.1 (e),(e)1.

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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4	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Are individuals able to participate regularly in non-work activities (dining, shopping, etc.?) in integrated community settings when they want?</p> <p>a) Can the individual come and go when he or she wants?</p> <p>b) Is the individual able work or stay active in the community outside of the setting?</p> <p>c) If the individual wants to work, is there a way to ensure the option is pursued?</p>	<p>There shall be no restrictions on the individual’s movement or access to any area inside or outside of the home that is commonly used by the licensee and the occupants of the home, other than those areas that are not routinely used by all the members of the household, such as the licensee or family member’s personal bedrooms.</p> <p>Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice.</p> <p>The licensee shall provide or make arrangements to facilitate the individual’s participation in all such community involvement.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B -3.1(d), (e)
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?</p>	<p>CCRs are private family homes in the community. Individuals reside in the licensed family home in the broader community as any</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B -3.1

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			other citizen would.	
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS services the setting live apart from individuals not receiving Medicaid HCBS?	CCRs are private family homes in the community. Individuals reside in the licensed family home in the broader community as any other citizen would.	<ul style="list-style-type: none"> • N.J.A.C.10:44B -3.1
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residences and retail businesses?	CCRs are private family homes in the community. Individuals reside in the licensed family home in the broader community as any other citizen would.	<ul style="list-style-type: none"> • N.J.A.C.10:44B -3.1
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Explain how visitors are handled in the setting:</p> <p>a) Are visitors restricted to specified visiting hours?</p> <p>b) Are visiting hours posted?</p> <p>c) Is there evidence that visitors have been present at regular frequencies?</p> <p>d) Are there restricted visitors' meeting areas?</p>	<p>Licensees shall assure that individuals are permitted to exercise those rights outlined in the Division "Personal Rights," document; have visitors of their choice during reasonable set time. Posting Visiting hours is not in keeping with a home setting.</p> <p>Complete privacy shall be afforded to individuals during visits with their guests.</p> <p>Visitors are documented in the Licensee's Monthly Report.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B -3.1(b)1, 8., (c)4.

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			Visitors are restricted from access to other individual's bedrooms.	
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a schedule return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?	Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice. The licensee facilitates the individual's participation in the community. The licensee may establish reasonable house rules, which shall not infringe on the rights of the individuals and shall include provisions to assure that individuals exercise their rights in such a way as to not infringe upon the rights of or endanger others. The licensee shall avoid any unreasonable schedule concerning the hours at which individuals shall rise or retire.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-3.1(e), (e)1., • N.J.A.C.10:44B-6.5

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			Accessible transportation when required shall be made available. (Access Link)	
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	Transportation needs are identified provided as identified in the SP. Where public transportation is unavailable the Licensee is required to assure community access.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-3.1(e), (e)1., • N.J.S.A.30:6D-10 et seq. • Division Circular #35 "Service Plan"
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual's person-centered plan?	Individuals and/or their representatives share in developing their service plan designed specifically for them and to help decide what kinds of programs would be best for them in that plan.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • NJAC 10:44B-3.1(b)11 • Division Circular #35 "Service Plan"
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	IDT Process Service Plan	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 "Service Plan"
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Required by Policy	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 "Service Plan"
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting's written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Required by Regulation, Policy and Procedure. IDT and Licensee are	

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			responsible to assure information is conveyed in a language or manner the individual understands.	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Licensee is required to be in compliance with all applicable Division policies.	<ul style="list-style-type: none"> • N.J.A.C. 10:48 Division Circular #37 “Appeals”
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	<p>Division Case Manager or contracted agency provides assistance to the individual and coordinates gaining access to the array of services needed for state plan, medical, social, educational and other services.</p> <p>Licensee/Provider agreement stipulates the services and supports.</p>	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • DC #41 Informed Consent
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	IDT convenes at the individual’s request.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 “Service Plan” • Division’s Rights Document •

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Case Management assists with requests.	<ul style="list-style-type: none"> Division's Rights Document
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual's schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?	Individual establishes their schedule with their licensee through the IDT process. Individuals shall have the right to access the community for recreation, education, shopping, employment, and to participate in social, religious, advocacy, or other groups of their choice.	<ul style="list-style-type: none"> N.J.A.C.10:44B-3.1(e), (e)1.,
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual control his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	Within their capability, as determined by the IDT. For all personal funds that the individual is not capable of managing, the licensee shall maintain an accurate record of all transactions. As determined by the IDT	<ul style="list-style-type: none"> NJAC10:44B-3.2, (e), (f) 1. Division's Rights Document
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired?	Individuals dine with the licensee's family, unless the individual expresses a desire	<ul style="list-style-type: none"> N.J.A.C.10:44B-3.4

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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		<p>c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?</p>	<p>to dine elsewhere, IDT and guardian approved and recorded in the service plan.</p> <p>Individuals shall have full, unrestricted access to food in the home unless otherwise directed in writing by a physician or determined by the IDT and documented in the service plan.</p> <p>The licensee shall make a reasonable attempt to comply with food preferences and snacks requested by the individual, without charge to the individual.</p> <p>There are no assigned seats.</p> <p>There shall be sufficient seating and room at the dining table to accommodate all occupants of the household so that they may dine together.</p>	
5	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Does the individual have access to make private telephone calls/text/email at the individual’s preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals’ rooms have a telephone jack, WI-FI or ETHERNET jack?</p>	<p>Individuals shall have access to a telephone for incoming and outgoing calls, and shall be afforded privacy during these conversations.</p> <p>Assistance shall be provided by the licensee if requested</p>	<ul style="list-style-type: none"> • N.J.A.C.1-:44B-3.1(g), 3.1(b)6,

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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			by the individual.	
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Is the setting an environment that supports individual comfort, independence and preferences?</p> <p>a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas?</p> <p>b) Is informal (written or oral) communication conducted in a language that the individual understands?</p> <p>c) Is assistance provided in private, as appropriate, when needed?</p>	<p>There shall be no restrictions on the individual's movement or access to any area inside or outside of the home that is commonly used by the licensee and the occupants of the home.</p> <p>There shall be no restrictions on the individual's use of any household appliance or device in any area inside or outside of the home commonly used by the licensee and the occupants of the home, except as necessary for the safety of the individual as determined by the IDT and recorded in the service plan.</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B- 3.1(d), (f), 3.2(h)8, 3.4(e)16.1(b)1-8, ,
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual have full access in the setting?</p> <p>a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals' entrance to or exit from certain areas of the setting?</p> <p>b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site?</p> <p>c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction?</p>	<p>There shall be no restrictions on the individual's movement or access to any area inside or outside of the home that is commonly used by the licensee and the occupants of the home, unless rights restrictions have been approved by the IDT, Human Rights and Behavior</p>	<ul style="list-style-type: none"> • N.J.A.C.10:44B- 3.1(d) • N.J.A.C. 10:44B-6 Physical Plant Safety

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
Standards for Community Care Residences**

			Management Committees. The home shall incorporate barrier-free design, as necessary, for individuals in the home with physical disabilities.	<ul style="list-style-type: none"> • N.J.A.C. 10:44B-6.1(z)
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the physical environment meet the needs of those individuals who require supports? a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)? b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?	The home shall incorporate barrier-free design, as necessary, for individuals in the home with physical disabilities.	<ul style="list-style-type: none"> • N.J.A.C. 10:44B-6.1(z)
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual’s needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	The licensee must assure the individuals rights are not prohibited, included are the right to privacy and to have visitors of their choice during reasonable set times. Complete privacy shall be afforded to individuals during visits with their guests. All bedroom doors are equipped with privacy locks, unless IDT, Human Rights and	<ul style="list-style-type: none"> • 10:44B-3.1(A) 1 • N.J.A.C.10:44B-6.4 Individual bedrooms, • 6.4(o)

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
Standards for Community Care Residences**

			Behavior Management Committee have determine/approved their removal.	
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	The licensee must assure the individuals rights are not prohibited, included are the right to privacy and to have visitors of their choice during reasonable set times. Complete privacy shall be afforded to individuals during visits with their guests.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-3.1(A) 1, and(b)8
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals' personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual's personal choices? c) Can individuals' living areas reflect their interests and hobbies?	The licensee shall assist an individual in maintaining or decorating his or her room according to the individual's personal taste and preference.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-6.4(o)
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Individuals shall share in developing their service plan designed specifically for them and to help decide what kinds of programs would be best for them in that plan.	<ul style="list-style-type: none"> • NJAC10:44B -3.1(b)11. • DC #35 Service Plan

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	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual's right to dignity and privacy respected? a) Is an individual's health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	Individuals are afforded privacy, health information is kept confidential and individuals receive all assistance needed, desired as identified in their service plan.	<ul style="list-style-type: none"> • HIPPA, N.J.A.C. 10:41-2 • Agency Policy • DC#35 Service Plan
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Does staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Individuals shall be treated in an age appropriate manner with regard to communication,... or any other aspect of daily living, taking into consideration the individual's personal preferences.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-3.1(k)
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint?	Posted material is not appropriate for a family home setting. The telephone number of the Division hotline shall be readily accessible by the primary telephone.	<ul style="list-style-type: none"> • N.J.A.C.10:44B-6.1(i)1
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?	These are privately owned homes.	

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44B
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6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	Any major change in the individual’s residential service should be included in the Individual Habilitation Plan.	<ul style="list-style-type: none"> • Not referenced in regulation • DC#36 Transfer or Discharge From a Contracted Provider • N.J.S.A. 30:6D-2 affords all IDD all constitutional, civil and legal rights. • N.J.A.C. 10:48 Division Circular #37“Appeals”
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals know their rights regarding housing and when they could be required to relocate?</p> <p>a) Do individuals know how to relocate and request new housing?</p> <p>b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey’s landlord tenant laws?</p>	<p>If an individual’s physical, emotional, mental or spiritual needs cannot be met, the individual shall not be maintained in the residence after consultation between the licensee and the placing agency representative.</p> <p>Case Management assists individual with requests to relocate.</p>	<ul style="list-style-type: none"> • N.J.A.C. 10:48 • Division Circular #37 “Appeals”

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	Setting is a community residential facility which includes : group homes, halfway houses, supervised apartment living arrangements, and hostels. Such a residence shall not be considered a health care facility.	10:44C-1.3 Definitions "Community residence for persons with head injuries"
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Individuals participate in mainstream community; maintain social relationships with family members, peers, and others in the community who do not have head injuries. They have equal access to and full participation in community resources and activities available to the general public.	10:44C-1.3
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured "community" for people with disabilities?	No settings are gated/secured.	Not referenced in regulation
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	No settings are also schools.	Not referenced in regulation
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?		Not referenced in regulation

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Persons served maintain social relationships with family members, peers, and others in the community who do not have head injuries.	10:44C-1.3
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Individuals participate in mainstream community; maintain social relationships with family members, peers, and others in the community who do not have head injuries. They have equal access to and full participation in community resources and activities available to the general public.	10:44C-1.3 10:44C-5.8
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	Persons served are assisted to access benefits, privileges, and community resources that are equal to those that are available to other citizens.	10:44C-1.3 (b)113iii
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.) in integrated community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?	Individuals participate in mainstream community; maintain social relationships with family members, peers, and others in the community who do not have head injuries. They have equal access to and full	10:44C-1.3 10:44C-5.8

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

			<p>participation in community resources and activities available to the general public. Within identified capabilities they may come and go and work as they want.</p> <p>Yes/ Trans-disciplinary Team (TDT) is responsible</p>	
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Yes, individuals participate in mainstream community; maintain social relationships with family members, peers, and others in the community who do not have head injuries. They have equal access to and full participation in community resources and activities available to the general public.	10:44C-1.3
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS services in the setting live apart from individuals not receiving Medicaid HCBS?	No	
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residences and retail businesses?	Yes	
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Explain how visitors are handled in the setting:</p> <p>a) Are visitors restricted to specified visiting hours?</p> <p>b) Are visiting hours posted?</p> <p>c) Is there evidence that visitors have been present at regular frequencies?</p>	The licensee may establish reasonable rules that govern the conduct of persons in a particular residence,	3.1(a), 3.4(b)11 says “at set times”.

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

		<p>d) Are there restricted visitors' meeting areas?</p>	<p>including, but not limited to, rules regarding smoking, pets and visitors, provided:</p> <ol style="list-style-type: none"> 1. The rules are commensurate with the abilities and rights of the persons served; 2. Persons served and their guardians, where applicable, are informed of the rules governing a residence prior to their admission; 3. The persons served affected by such rules are consulted whenever a revision is considered, and there is evidence the rules are necessary to promote order and to benefit the collective group; 4. The rules include provisions to ensure that a person served exercising his or her rights does so in such a way so as to not infringe upon the rights of, or endanger, others. <p>Individuals may have visitors of their choice during set times.</p> <p>Visits may be documented in the communication log, or individual's monthly report.</p>	
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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

10	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Describe the level of access individuals have to the community:</p> <ul style="list-style-type: none"> a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a scheduled return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.? 	<p>Individuals participate in mainstream community; maintain social relationships with family members, peers, and others in the community who do not have head injuries. They have equal access to and full participation in community resources and activities available to the general public. Based on assessed level of need they may come and go at will, or have an established schedule.</p> <p>All transportation available to the public is available to program participants. Programs are required to have accessible vehicles where necessary.</p>	
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Describe the level of access which an individual has to access public transportation:</p> <ul style="list-style-type: none"> a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community? 	<p>As identified through LOS , TDT and Service Plan</p> <p>Yes, when needed by Individuals served</p> <p>Yes ,</p> <p>Yes, all licensed programs are required to have vehicles.</p>	Not referenced in regulation

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual’s person-centered plan?	<p>The individual shall share in developing his or her “Individual Treatment Plan” (ITP) designed specifically for him or her and to help decide what kinds of programs would be best for him or her in that plan;</p> <p>An advocate from a local, State or private agency may be requested to assist the person served. Family members may be requested to assist in making decisions with and for the person served, if the person served so desires.</p>	<p>10:44C-3.4(b)15</p> <p>3.5 (k) and (l) and 4.211(b)i</p> <p>10:44C-4.2 Individual treatment plan</p>
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Persons served shall receive training and support in order to understand options, make choices and exercise rights and responsibilities.	<p>NJAC10:44C- 3.1(e)</p> <p>3.5 (k) and (l), and 4.211(b)i</p>
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	The individual shall share in developing his or her “Individual Treatment Plan” (ITP)	10:44C-3.4(b)15
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting’s written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	The licensed provider is required to make reasonable accommodations which include a qualified reader or interpreter.	10:44C-1.3 and 3.1(c)

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Provider Grievance Policy is Required: on resolving complaints and grievances of persons served or decisions of the TDT Division's appeals process	N.J.A.C.10:44C-2.2(b)9. N.J.A.C. 10:48 Division Circular #37 "Appeals"
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	The provision of a range of choices, with full respect and consideration to personal preference, self-determination and "dignity of risk;" Persons served shall receive training and support in order to understand options, make choices and exercise rights and responsibilities.	N.J.A.C.10:44C-3.1 Advocacy and Rights et seq N.J.A.C.10:44C-3.5
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	Yes, the ITP shall be reviewed and modified on a regular and as-needed basis, but no less than annually. The ITP may be appealed in accordance with licensee procedure.	

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Married individuals may share a room. Yes, individuals are advised their case manager is responsible to assist.	Not referenced in regulation
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual's schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?	Individual establishes their schedule with their supporting agency through the TDT process. Yes. Staff shall assist the persons served with setting their schedules and agendas. Yes, At service initiation, evaluations covering recreation and leisure are completed with input from the person served, of preferences, goals and needs. Yes	10:44C-3.3 10:44C-4.2 (b)11.ix.
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual controls his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	Individual shall have the right to manage their personal funds consistent with their abilities as determined by the treatment team.	2.10 Funds and Financial Records

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

			<p>All funds entrusted to the licensee, shall have records and receipts of all transactions.</p> <p>Yes, as determined by the TDT</p> <p>c) Yes</p>	
4	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Describe the dining experience:</p> <p>a) Does the individual have a meal at the time and place of his/her choosing?</p> <p>b) Can the individual request an alternative meal if desired?</p> <p>c) Are snacks accessible and available anytime?</p> <p>d) Is the individual required to sit at an assigned seat in a dining area?</p> <p>e) If the individual desires to eat privately, can s/he do so?</p> <p>f) Is the individual able to choose with whom to eat—or to eat alone?</p> <p>g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?</p>	<p>No, in GH. Yes, in SA & SLP</p> <p>Yes, Persons served shall be afforded the choice of dining with other persons or dining by themselves.</p> <p>The licensee shall make reasonable adjustments to personal preferences, habits, customs and appetites.</p> <p>If a person served decides to dine alone, such choice shall be documented in his or her ITP.</p> <p>Food shall be readily accessible to persons served unless limitations have been approved by the TDT</p>	<p>5.5 Food</p> <p>5.5 (h)</p> <p>5.5(e)</p> <p>5.5(d)1.vi</p> <p>5.5(c)</p> <p>5.5(e)</p> <p>5.1(g)</p> <p>5.5(e), (e)1</p> <p>5.5(b, f)</p>
5	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Does the individual have access to make private telephone calls/text/email at the individual's preference and convenience?</p>	<p>Each person served shall be afforded the right to make or</p>	<p>6.6(d)</p>

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

		<p>a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time?</p> <p>b) Is the telephone or other technology device in a location that has space around it to ensure privacy?</p> <p>c) Do individuals' rooms have a telephone jack, WI-FI or ETHERNET jack?</p>	<p>receive private telephone calls during set times, unless the person served has a personal telephone, in which private telephone calls shall not be restricted unless otherwise determined by the TDT;</p> <p>Yes</p> <p>If they choose/can afford it.</p>	3.4(b)8
6	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Is the setting an environment that supports individual comfort, independence and preferences?</p> <p>a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas?</p> <p>b) Is informal (written or oral) communication conducted in a language that the individual understands?</p> <p>c) Is assistance provided in private, as appropriate, when needed?</p>	<p>The licensee shall provide laundry facilities without additional charge to persons served.</p> <p>Laundry may be at a centralized location.</p> <p>Agency shall assist the person served to understand materials, policies, and procedures; providing qualified readers or interpreters.</p> <p>Yes</p>	<p>5.6(c), 6.6(g)</p> <p>3.4 Enumeration of Rights</p>
7	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Does the individual have full access in the setting?</p> <p>a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals' entrance to or exit</p>	<p>The licensee shall make the existing facilities readily</p>	<p>NJAC 5:23-7 Barrier-Free Sub code.</p>

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

		<p>from certain areas of the setting?</p> <p>b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site?</p> <p>c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction?</p>	<p>accessible to and usable by people with disabilities</p> <p>No restrictions unless approved by TDT and Human Rights Committee.</p> <p>Yes, through TDT</p> <p>Yes. For residences housing persons served with physical disabilities, the licensee shall make accommodations to ensure maximum physical accessibility feasible for entrance to and movement within the residence based upon personal characteristics.</p> <p>Any necessary modifications shall conform to the requirements contained in the Barrier-Free Subcode, N.J.A.C. 5:23-7.</p>	<p>10:44C-1.3</p> <p>10:44C-6.6(a)</p>
8	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Does the physical environment meet the needs of those individuals who require supports?</p> <p>a) Are appliances accessible to individuals (e.g. the washer/dryer are "front loading" for individuals in wheelchairs)?</p> <p>b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.?</p> <p>c) Are tables and chairs at a convenient height and location so that individuals can access and use the</p>	<p>The licensee shall make the existing facilities readily accessible to and usable by people with disabilities</p> <p>Yes where needed/available</p>	<p>NJAC 5:23-7 Barrier-Free Sub code.</p>

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

		furniture comfortably?	For residences housing persons served with physical disabilities, the licensee shall make accommodations to ensure maximum physical accessibility feasible for entrance to and movement within the residence based upon personal characteristics.	10:44C-6.6(a)
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual's needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	Yes Yes. Yes Yes	6.14(d) 10:44C-3.4 Enumeration of rights
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	Yes Arranged as individuals desire.	Not referenced in regulation
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals' personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual's personal choices? c) Can individuals' living areas reflect their interests and hobbies?	Individuals may choose to decorate their bedrooms according to personal taste and preference.	10:44C-6.13(g) and (h)

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Yes a) Yes , The provider must assure a range of choices, with personal preference, self-determination and dignity of risk receiving full respect and consideration; b) Yes. c) Yes	DC #35 Service Plan 3.2(d), 6.13(f)7, (g) 3.1(b)1, 2i-x, 3, 4i-iv, (e) 3.4(f), 3.3(a-d)
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual’s right to dignity and privacy respected? a) Is an individual’s health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	All health information is kept private, agency policies are required to assure HIPPA compliance. Individual schedules are not posted Yes, as identified in their ITP.	Not referenced in regulation HIPPA, N.J.A.C. 10:41-2, N.J.A.C.10:44C-1.3, 2.2(b)12, 3.4(b)16 DC#35 Service Plan
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Support agency required to ensuring that the rights of a person served are not ignored or infringed upon. This affirmation and protection is reflected in all aspects of the service process.	10:44C-1.3
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint?	Yes. Upon admission to the program and upon subsequent request, the	N.J.A.C.10:44C- 3.1(b)4, (c), (c)1, 4.1(d)4

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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

		<p>c) Can the individual file an anonymous complaint?</p>	<p>licensee shall provide the person served and his or her guardian, where applicable, with the following:</p> <ol style="list-style-type: none"> 1. A copy of the list of rights of persons served, as specified at N.J.A.C. 10:44C-3.4(b); 2. The names, addresses and telephone numbers of advocates available to assist the person served in understanding and enforcing these rights, to include, at a minimum: <ol style="list-style-type: none"> i. Disability Rights New Jersey; ii. Community Health Law Project; iii. Brain Injury Association of New Jersey (1-800-669-4323); iv. Office of Licensing; v. Special Response Unit; vi. Bureau of Guardianship, if applicable; vii. Office of the Public Guardian; viii. His or her case manager; ix. Department of Children and Families State Central Registry at 1-877-NJ-ABUSE (1-877-652-2873), if applicable; and x. Office of the Ombudsman (1-877-582-6995), if applicable; 	<p>N.J.A.C.10:44C- 3.1(b)2i-vii</p> <p>N.J.A.C.10:44C- 3.1(b)2i-x</p> <p>10:44C-3.5(k)</p>
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**New Jersey Residential Home and Community-Based Setting Crosswalk for 10:44C
Community Residences for Persons with Head Injuries**

			An advocate from a local, State or private agency may be requested to assist the person served Yes. Yes.	
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?	Yes, in SA's and SLP's. b) Support agency required to assure.	Not referenced in regulation
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	Yes, New Jersey Statute assures all ID/DD individuals are afforded all constitutional, civil and legal rights.	Not referenced in regulation N.J.S.A. 30:6D-2
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey's landlord tenant laws?	Support agency required to ensuring that the rights of a person served are not ignored or infringed upon. This affirmation and protection is reflected in all aspects of the service process, from service initiation to discharge and follow up.	Not referenced in regulation

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**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	Not referenced in STCs	
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Not referenced in STCs	
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	Not referenced in STCs	
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	Not referenced in STCs	
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	Not referenced in STCs	
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Yes: STC 46f requires that enrollees be provided an opportunity to make decisions about their day to day activities in their home and community. STC 46g requires that enrollees are allowed to choose how and when to spend their free time, and have opportunities to participate in community activities of their choosing.	STC 46 f and g
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Not referenced in STCs	
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	Not referenced in STCs	
4	§441.301(c)(4)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.) in integrated	Not referenced in STCs	

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**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

	§441.710(a)(1)(i)	community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?		
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Not referenced in STCs	
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS live/receive services the setting live apart from individuals not receiving Medicaid HCBS?	Not referenced in STCs	
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residence and retail businesses?	Not referenced in STCs	
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	Explain how visitors are handled in the setting: a) Are visitors restricted to specified visiting hours? b) Are visiting hours posted? c) Is there evidence that visitors have been present at regular frequencies? d) Are there restricted visitor's meeting areas?	Yes: STC 46d requires common living areas a common space for interaction between participants, their guests and other residents. STC 46f requires that enrollees be provided with an opportunity to make decisions about their day to day activities including visitors. STC 46g requires that enrollees have privacy to visit with friends and family.	STC46 d, f, and g
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a schedule return to the setting?	Not referenced in STCs	

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**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

		d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?		
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	Not referenced in STCs	
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual's person-centered plan?	Yes: STC 52a requires team based Person-Centered planning, which takes into account the person's abilities and preferences.	STC 52a.
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Yes: STC 52 requires that the necessary information is offered to the individual so that they may direct their plan of care as much as possible.	STC 52
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Yes: STC 52c requires meetings related to the participant's PoC are held at a location, date, and time that is convenient for the participant.	STC 52c
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting's written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Not referenced in STCs	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including	Yes: STC 72 requires	STC 72

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**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

		clear conflict-of-interest guidelines for all planning participants?	integrated care coordination for physical health and MLTSS will be provided by the MCOs in a manner that is “conflict-free” and includes a CMS approved process to ensure “conflict-free” care coordination.	
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Yes: STC 52g requires that participants have the choice of participating providers within the plan network as well as access to non-participating providers when the appropriate provider type is not in the MCO network. STC 52a requires participation by the enrollee when developing the plan of care.	STC 52a & g
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	Yes: STC 52i requires a yearly review of the Plan of Care, or more often if requested by the participant/representative.	STC 52i
Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Yes: STC 46a requires the individual be allowed to make decisions associated with sharing a bedroom.	STC 46a

*In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual's schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?	Yes: STC 46f requires the opportunity to make decisions about their day to day activities including visitors, when and what to eat, in their home and in the community.	STC 46f
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual controls his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	Not referenced in STCs	
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?	Yes: STC 46e affords that the participant has access to food storage or a food pantry at all times. STC 46f requires that the participant can chose when and what to eat. STC 46g requires the participant is treated with respect at all times.	STC 46e, f and g
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual's preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals' rooms have a telephone jack, WI-FI or ETHERNET jack?	Yes: STC 46g requires that the participant have the ability to make private telephone calls and have a private space for their personal items.	STC 46g
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	Yes: STC 46e requires enrollees have access to a food storage or food pantry at all times.	STC 46e

***In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.**

**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have full access in the setting? a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals' entrance to or exit from certain areas of the setting? b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site? c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals' mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction?	Not referenced in STCs	
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the physical environment meet the needs of those individuals who require supports? a) Are appliances accessible to individuals (e.g. the washer/dryer are "front loading" for individuals in wheelchairs)? b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?	Not referenced in STCs	
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual's needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	Yes: STC 46a requires private or semi-private bedrooms including decisions associated with sharing a bedroom. STC 46c requires private or semi-private bathrooms that include provisions for privacy.	STC 46 a and c
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	Yes: STC 46g requires enrollees to have privacy to visit with friends and family.	STC 46g
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals' personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual's personal choices?	Yes: STC 46g requires enrollees to be treated with respect and have private space for their	STC 46g

***In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.**

**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

		c) Can individuals' living areas reflect their interests and hobbies?	personal items.	
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Not referenced in STCs	
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual's right to dignity and privacy respected? a) Is an individual's health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	Yes: STC 46g requires enrollees be treated with respect.	STC 46g
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Yes: STC 46g requires enrollees be treated with respect.	STC 46g
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint?	Yes: STC 72 requires integrated care coordination for physical health and MLTSS will be provided by the MCOs in a manner that is "conflict-free" and includes a CMS approved process to ensure "conflict-free" care coordination.	STC 72
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement?	Not referenced in STCs	

*In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
NJ Comprehensive Medicaid Waiver: Special Terms and Conditions**

		b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?		
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	Not referenced in STCs	
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey’s landlord tenant laws?	Not referenced in STCs	

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**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	Not referenced in Service Dictionary	Note: The MLTSS Service Dictionary is a high level description of the services offered in MLTSS and the majority of the descriptions do not include information on what would be required of the provider to be considered in compliance with the HCBS Settings Rule. That is done in licensing and regulations. Based on this document, the state is in compliance and does not need remediation.
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Not referenced in Service Dictionary	
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	Not referenced in Service Dictionary	
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	Not referenced in Service Dictionary	
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	Not referenced in Service Dictionary	
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Not referenced in Service Dictionary	
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Not referenced in Service Dictionary	
3	§441.301(c)(4)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities	Not referenced in Service	

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

	§441.710(a)(1)(i)	taking place outside of the setting?	Dictionary	
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.) in integrated community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?	Not referenced in Service Dictionary	
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Not referenced in Service Dictionary	
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS live/receive services the setting live apart from individuals not receiving Medicaid HCBS?	Not referenced in Service Dictionary	
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residence and retail businesses?	Not referenced in Service Dictionary	
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	Explain how visitors are handled in the setting: a) Are visitors restricted to specified visiting hours? b) Are visiting hours posted? c) Is there evidence that visitors have been present at regular frequencies? d) Are there restricted visitor's meeting areas?	Not referenced in Service Dictionary	
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a schedule return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?	Not referenced in Service Dictionary	
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated?	Not referenced in Service Dictionary	

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

		c) Where public transportation is limited, are other resources provided for the individual to access the broader community?		
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual’s person-centered plan?	Yes.	MLTSS Service Dictionary – Social Adult Day Care
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Not referenced in Service Dictionary	
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Not referenced in Service Dictionary	
4	§441.301(c)(1)(iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting’s written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Not referenced in Service Dictionary	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Not referenced in Service Dictionary	
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Not referenced in Service Dictionary	
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	Not referenced in Service Dictionary	
Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Not referenced in Service Dictionary	
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual’s schedule vary from others in the same setting?	Yes.	MLTSS Service Dictionary – Assisted Living Services

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

		c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?		
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual controls his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	Not referenced in Service Dictionary	
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?	Yes.	MLTSS Services Dictionary – Assisted Living Services
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual’s preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals’ rooms have a telephone jack, WI-FI or ETHERNET jack?	Not referenced in Service Dictionary	
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	Yes.	MLTSS Services Dictionary – Assisted Living Services
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have full access in the setting? a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals’ entrance to or exit from certain areas of the setting? b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site? c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals’ mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction?	Not referenced in Service Dictionary	

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**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the physical environment meet the needs of those individuals who require supports? a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)? b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?	Not referenced in Service Dictionary	
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual’s needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	Yes:	MLTSS Services Dictionary – Assisted Living Services
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	Not referenced in Service Dictionary	
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals’ personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual’s personal choices? c) Can individuals’ living areas reflect their interests and hobbies?	Yes.	MLTSS Services Dictionary- Assisted Living Services
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Yes.	MLTSS Services Dictionary- Assisted Living Services
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual’s right to dignity and privacy respected? a) Is an individual’s health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view?	Not referenced in Service Dictionary	

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
Service Dictionary for Managed Long Term Services and Supports (MLTSS)**

		c) Are individuals, who need assistance with grooming, groomed as they desire?		
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Yes.	MLTSS Services Dictionary – Assisted Living Services
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint?	Not referenced in Service Dictionary	
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is there a legally enforceable agreement for the unit or dwelling where the individual resides? a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?	Not referenced in Service Dictionary	
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	Not referenced in Service Dictionary	
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey’s landlord tenant laws?	Not referenced in Service Dictionary	

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
MCO Contract, Article 9 for Managed Long Term Services and Supports (MLTSS)**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	Not referenced in contract	
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its residents receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Not referenced in contract	
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	Not referenced in contract	
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	Not referenced in contract	
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	Not referenced in contract	
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Not referenced in contract	
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Not referenced in contract	
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she has access to information and materials to know of activities taking place outside of the setting?	Not referenced in contract	
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.?) in integrated community settings when they want? a) Can the individual come and go when he or she wants? b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?	Not referenced in contract	
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Not referenced in contract	
6	§441.301(c)(4)(i)	Do individuals receiving HCBS live/receive services the setting live apart from individuals not receiving	Not referenced in contract	

In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Residential Home and Community-Based Setting Crosswalk
MCO Contract, Article 9 for Managed Long Term Services and Supports (MLTSS)**

	§441.710(a)(1)(i)	Medicaid HCBS?		
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residences and retail businesses?	Not referenced in contract	
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	Explain how visitors are handled in the setting: a) Are visitors restricted to specified visiting hours? b) Are visiting hours posted? c) Is there evidence that visitors have been present at regular frequencies? d) Are there restricted visitor meeting areas?	Not referenced in contract	
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a scheduled return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?	Not referenced in contract	
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access which an individual has to access public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	Not referenced in contract	
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual's person-centered plan?	Yes: 9.6.2.A requires the member must be present for, and be included in, the on-site visit that is done when completing the Plan of Care. The on-site visit is done at the member's residence. If	9.6.2.A

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			the member is unable to participate in the development of the Plan of Care, then the member's authorized representative, parent, or legal guardian will participate on their behalf.	
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Yes: 9.6.3 requires the care managers to use a person-centered approach and provide adequate information and guidance to assist the member/family to make informed decisions and choices.	9.6.3
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Yes: 9.6.2.A1 and 2 The on-site visit for the Plan of Care is done face-to-face with the member present.	9.6.2.A1 and 2
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting's written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Yes: The MCO contract requires the MCO be trained and also train providers to provide for the different cultural and linguistic needs of their members. They are required to have written materials that are culturally and linguistically sensitive and a hotline that serves the cultural and linguistic needs of the members. The Plans of Care are required to take into consideration any cultural	4.2.9 4.6.5 5.1.4l 5.7 5.8.1 5.8.2 5.9.1 5.14 6.3 Article 9

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			and linguistic services needed by the member.	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Yes: The MCO Contract provides for Grievances and Appeals process that the member may go through should they feel that they are not receiving adequate care.	5.15
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Yes: 9.6.3 offers the member the ability to be flexible and creative with service delivery options.	9.6.3
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	Yes: 9.6.6E allows for the Care Manager to make required changes to the plan of care at request of the member or a person chosen by the member should an urgent/emergent need arise.	9.6.6E

Section D: Choice and Independence

Code of Federal Register (CFR) Citations all refer to Title 42.

	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	Not referenced in contract	
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual's schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?	Not referenced in contract	
3	§441.301(c)(4)(vi)	Does the individual controls his/her personal resources?	Not referenced in contract	

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	§441.710(a)(1)(vi)	<ul style="list-style-type: none"> a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider? 		
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Describe the dining experience:</p> <ul style="list-style-type: none"> a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups? 	Not referenced in contract	
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual have access to make private telephone calls/text/email at the individual’s preference and convenience?</p> <ul style="list-style-type: none"> a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals’ rooms have a telephone jack, WI-FI or ETHERNET jack? 	Not referenced in contract	
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Is the setting an environment that supports individual comfort, independence and preferences?</p> <ul style="list-style-type: none"> a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed? 	Not referenced in contract	
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the individual have full access in the setting?</p> <ul style="list-style-type: none"> a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals’ entrance to or exit from certain areas of the setting? b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site? c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals’ mobility in the setting or if they are present are there environmental adaptations such as a stair lift or elevator to fix the obstruction? 	Not referenced in contract	
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the physical environment meet the needs of those individuals who require supports?</p> <ul style="list-style-type: none"> a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)? 	Not referenced in contract	

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		<ul style="list-style-type: none"> b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably? 		
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have privacy in their sleeping space and bathroom?</p> <ul style="list-style-type: none"> a) Is the furniture able to be arranged to suit the individual's needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom? 	Not referenced in contract	
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have comfortable places for private visits with family and friends?</p> <ul style="list-style-type: none"> a) Is the furniture arranged to support small group conversations? 	Not referenced in contract	
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Are individuals able to furnish and decorate their sleeping and/or living units as they wish?</p> <ul style="list-style-type: none"> a) Are the individuals' personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual's personal choices? c) Can individuals' living areas reflect their interests and hobbies? 	Not referenced in contract	
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Are individual choices incorporated into the services and supports received?</p> <ul style="list-style-type: none"> a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions? 	Yes: 9.6.5B requires the Care Manager ensure that members are placed and/or maintained in the most integrated/least restrictive setting based on the assessed needs of the member; taking into consideration member preferences as discussed in the face-to-face visit.	9.6.5B
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Is an individual's right to dignity and privacy respected?</p> <ul style="list-style-type: none"> a) Is an individual's health information kept private? 	Yes: Appendix B 4.14 Std X requires the MCOs to have a	Appendix B 4.14 Std X

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		<ul style="list-style-type: none"> b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire? 	written policy on MLTSS members' rights, which include the right to be treated with respect, dignity and need for privacy.	
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does staff communicate with individuals in a dignified manner?</p> <ul style="list-style-type: none"> a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed? 	Yes: Appendix B 4.14 Std X requires the MCOs to have a written policy on MLTSS members' rights, which include the right to be treated with respect, dignity and need for privacy.	Appendix B 4.14 Std X
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Are individuals free from coercion?</p> <ul style="list-style-type: none"> a) Is information about filing a complaint posted in an obvious location and in an understandable format? b) Does the individual know the person to contact or the process to make an anonymous complaint? c) Can the individual file an anonymous complaint? 	Yes: The MCOs have a Grievances and Appeals process if the member feels they are dissatisfied with their care, and they are also required to give the member written documents on notifying their care manager if any problems occur with a provider or service per Appendix B 4.14 Std X.	5.15 and Appendix B4.14 Std X
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Is there a legally enforceable agreement for the unit or dwelling where the individual resides?</p> <ul style="list-style-type: none"> a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement? b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate? 	Not referenced in contract	
6	§441.710(a)(1)(vi) §441.301(c)(4)(vi)	Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?	Not referenced in contract	
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals know their rights regarding housing and when they could be required to relocate?</p> <ul style="list-style-type: none"> a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey's landlord tenant laws? 	Not referenced in contract	

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Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	Yes: STC 52a requires team based person-centered planning, which takes into account the person’s abilities and preferences.	STC 52a
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process to the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	Yes: STC 52 requires that the necessary information is offered to the individual so that they may direct their plan of care as much as possible.	STC 52
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for you?	STC 52c requires meetings related to the participant’s PoC are held at a location, date, and time that is convenient for the participant.	STC 52c
4.	§441.301(c)(1)(iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient.	a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process?	Not referenced in STCs	
5.	§441.301(c)(1)(v)	The PCP process includes strategies for solving conflict or disagreement	a) Did you feel you could discuss your concerns during the care planning process?	STC 72 requires integrated care coordination for physical	STC 72

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		within the process, including clear conflict-of-interest guidelines for all planning participants.	<ul style="list-style-type: none"> b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint? 	health and MLTSS will be provided by the MCOs in a manner that is “conflict-free” and includes a CMS approved process to ensure “conflict-free” care coordination.	
6.	§441.301(c)(1)(vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	<ul style="list-style-type: none"> a) Did your care manager/care manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care? 	STC 52g requires that participants have the choice of participating providers within the plan network as well as access to non-participating providers when the appropriate provider type is not in the MCO network. STC 52a requires participation by the enrollee when developing the plan of care.	STC52g and 52a
7.	§441.301(c)(1)(viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	<ul style="list-style-type: none"> a) Do you know how to go about asking your care manager/care manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the plan during the care planning process? 	Not referenced in STCs	
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	<ul style="list-style-type: none"> a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option? 	Not referenced in STCs	
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	<ul style="list-style-type: none"> a) Does your plan of care include the things you want to do? 	Yes: STC52a requires that each member’s Plan of Care is developed based on his/her needs and preferences.	STC 52a

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10.	441.301(c)(2) (iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	<ul style="list-style-type: none"> a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual’s clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative (s)? 	Yes: STC 69 requires the NJ Choice tool be conducted for all members in need of MLTSS.	STC 69
11.	441.301(c)(2) (v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	<ul style="list-style-type: none"> a) Does your plan of care include all the help that you already receive besides what included in this plan? b) Are there are organizations and people who are part of your support network in the community? 	Not referenced in STCs	
12.	441.301(c)(2) (vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed.	<ul style="list-style-type: none"> a) Do you understand the risks associated with your plan of care? b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn’t show up? e) Do you feel prepared to handle an emergency? 	Yes: STC 52d requires a back-up plan be developed and incorporated into the plan of care that is developed with the member in the event that any regular services or supports are temporarily unavailable.	STC 52d
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English	<ul style="list-style-type: none"> a) Is the care plan easy for you to understand? 	Not referenced in STCs	

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		proficiency.			
14.	441.301(c)(2)(viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	a) Do you know who to contact if you want to speak to someone about the plan of care?	Not referenced in STCs	
15.	441.301(c)(2)(ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by all individuals and providers responsible for its implementation.	a) Did you have enough time to review your plan of care once it was finalized for your approval? b) Did you get to sign the final plan of care? c) Did everyone involved in your care plan sign off on it?	Not referenced in STCs	
16.	441.301(c)(2)(x)	The PCP is distributed to the individual and other people involved in the plan.	a) Did you get a copy of the final plan of care?	Not referenced in STCs	
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed?	Yes: STC 52i requires each enrollee's Plan of Care be reviewed annually at a minimum, or more frequently with individual circumstances as warranted.	STC 52i
Section B: Individual Experience Assessment – Integration with the Greater Community					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Yes: STC 46f requires the opportunity to make decisions about their day to day activities including visitors, when and what to eat, in their home and in the community.	STC 46f
2.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	The individual is able to regularly access the greater community outside of the setting.	a) Are you able to regularly engage in activities in the community if you want to?	Yes: STC 46f requires the opportunity to make decisions about their day to day activities including visitors, when and what to eat, in their home and in the	STC 46f

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				community.	
3.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	The individual is aware of and has access to information and materials to know of activities taking place outside of the setting.	a) Do you have regular access to information and materials about activities taking place in the community?	Not referenced in STCs	
4.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	The individual can shop, attend religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	a) Can you come and go when you want? b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you look for a job?	Not referenced in STCs	
5.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Not referenced in STCs	
6.	§441.301(c)(4)(i)) §441.710(a)(1)(i))	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?		
Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Yes: STC 46a requires the individual be allowed to make decisions associated with sharing a bedroom.	STC 46a
2.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience?	Yes: STC 46f requires the opportunity to make decisions about their day to day activities including visitors, when and what to	STC 46f

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			d) Does your neighbor have to have the same schedule as you?	eat, in their home and in the community.	
3.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Not referenced in STCs	
4.	§441.301(c)(4)(i) §441.710(a)(1)(i))	This sub-section refers to the dining section.	a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area? e) Can you eat privately if you request it? f) Are you able to choose with whom you want to eat or alone if that is what you want?	Yes: STC 46e affords that the participant has access to food storage or a food pantry at all times. STC 46f requires that the participant can chose when and what to eat. STC 46g requires the participant is treated with respect at all times.	STC 46e, f, and g
5.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The individual can make private telephone calls/text/email at the individual's preference and convenience.	a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack?	Yes: STC 46g requires that the participant have the ability to make private telephone calls and have a private space for their personal items.	STC 46g
6.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The setting is an environment that supports individual comfort, independence and preferences.	a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do? c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance?	Yes: STC 46e requires enrollees have access to a food storage or food pantry at all times.	STC 46e
7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	a) Are you able to move about easily where you live and come and go as you please?	Not referenced in STCs	

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)		<ul style="list-style-type: none"> b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility? 		
8.	§441.301(c)(4)(i) §441.710(a)(1)(i))	The physical environment meets the needs of individuals who require supports.	<ul style="list-style-type: none"> a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably? 	Not referenced in STCs	
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(v i)	The individual has privacy in their sleeping or living unit.	<ul style="list-style-type: none"> a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom? 	Not referenced in STCs	
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	<ul style="list-style-type: none"> a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings? 	Not referenced in STCs	
11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units?	<ul style="list-style-type: none"> a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want? 	Yes: STC 46g requires enrollees to be treated with respect and have private space for their personal items.	STC 46g
Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(v i)	The individual’s right to dignity and privacy is respected.	<ul style="list-style-type: none"> a) Do you feel like you are treated with respect in the setting? b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? 	STC 46g requires enrollees be treated with respect.	STC 46g

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**New Jersey Person Center Planning Crosswalk
New Jersey Comprehensive Medical Waiver: Special Terms and Conditions**

			d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private?		
2.	§441.301(c)(4)(v i)	The individual is communicated with in a dignified manner.	a) Is the staff friendly to you? b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed?	STC 46g requires enrollees be treated with respect.	STC 46g
3.	§441.301(c)(4)(v i)	The individual is free from coercion.	a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an anonymous basis?	STC 72 requires integrated care coordination for physical health and MLTSS will be provided by the MCOs in a manner that is “conflict-free” and includes a CMS approved process to ensure “conflict-free” care coordination.	STC 72
4.	§441.301(c)(4)(v i)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction?	Not referenced in STCs	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	Social Adult Day Care requires an individualized plan of care that is developed jointly with the client and family.	MLTSS Service Dictionary – Social Adult Day Care
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	Not referenced in Service Dictionary	Note: The MLTSS Service Dictionary is a high level description of the services offered in MLTSS and the majority of the descriptions do not include information on what would be required of the provider to be considered in compliance with the HCBS Settings Rule. Based on this document we are in compliance and do not need remediation.
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for you?	Not referenced in Service Dictionary	
4.	§441.301(c)(1)(iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to	a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background?	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

		individuals with disabilities and persons who are limited English proficient.	d) Were your special cultural needs addressed during the care planning process?		
5.	§441.301(c)(1)(v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	a) Did you feel you could discuss your concerns during the care planning process? b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint?	Not referenced in Service Dictionary	
6.	§441.301(c)(1)(vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care?	Not referenced in Service Dictionary	
7.	§441.301(c)(1)(viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	a) Do you know how to go about asking your care manager/case manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the plan during the care planning process?	Not referenced in Service Dictionary	
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option?	Not referenced in Service Dictionary	
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	a) Does your plan of care include the things you want to do? b) Does your plan of care	Not referenced in Service Dictionary	
10	441.301(c)(2)(iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual's clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative (s)?	Not referenced in Service Dictionary	
11	441.301(c)(2)(v)	The PCP reflects the services and supports (paid and unpaid) that will	a) Does your plan of care include all the help that you already receive besides what included in this plan?	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

		assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	b) Are there are organizations and people who are part of your support network in the community?		
12	441.301(c)(2) (vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed.	a) Do you understand the risks associated with your plan of care? b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn't show up? e) Do you feel prepared to handle an emergency?	Not referenced in Service Dictionary	
13	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient.	a) Is the care plan easy for you to understand?	Not referenced in Service Dictionary	
14	441.301(c)(2) (viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	a) Do you know who to contact if you want to speak to someone about the plan of care? b) Do you know who to contact if you want to speak to someone about the plan of care?	Not referenced in Service Dictionary	
15	441.301(c)(2) (ix)	The PCP is finalized and agreed to, with the informed consent of the	a) Did you have enough time to review your plan of care once it was finalized for your approval?	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

		individual in writing, and signed by all individuals and providers responsible for its implementation.	b) Did you get to sign the final plan of care? c) Did everyone involved in your care plan sign off on it?		
16	441.301(c)(2) (x)	The PCP is distributed to the individual and other people involved in the plan.	a) Did you get a copy of the final plan of care?	Not referenced in Service Dictionary	
17	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed?	Not referenced in Service Dictionary	
Section B: Individual Experience Assessment – Integration with the Greater Community					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Assisted Living promotes self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	MLTSS Service Dictionary – Assisted Living Services
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to regularly access the greater community outside of the setting.	a) Are you able to regularly engage in activities in the community if you want to?	Assisted Living promotes self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	MLTSS Service Dictionary – Assisted Living Services
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is aware of and has access to information and materials to know of activities taking place outside of the	a) Do you have regular access to information and materials about activities taking place in the community?	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

		setting.			
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can shop, attend religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	a) Can you come and go when you want? b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you need to look for a job?	Not referenced in Service Dictionary	
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Not referenced in Service Dictionary	
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?	Not referenced in Service Dictionary	
Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Not referenced in Service Dictionary	
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience? d) Does your neighbor have to have the same schedule as you?	Assisted Living promotes self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	MLTSS Service Dictionary – Assisted Living Services
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the dining section.	<ul style="list-style-type: none"> a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area? e) Can you eat privately if you request it? f) Are you able to choose with whom you want to eat or alone if that is what you want? 	Assisted Living Services – Residents in ALRs have access to their own living unit’s kitchen 24/7 and to facility food and beverages 24/7. Residents in CPCHs have access to facility food and beverages 24/7 and, if equipped, access to their own unit’s food preparation area.	MLTSS Services Dictionary – Assisted Living Services
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can make private telephone calls/text/email at the individual’s preference and convenience.	<ul style="list-style-type: none"> a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack? 	Not referenced in Service Dictionary	
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The setting is an environment that supports individual comfort, independence and preferences.	<ul style="list-style-type: none"> a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do? c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance? 	Assisted Living promotes self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	MLTSS Services Dictionary – Assisted Living Services
7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	<ul style="list-style-type: none"> a) Are you able to move about easily where you live and come and go as you please? b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility? 	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

8.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The physical environment meets the needs of individuals who require supports.	a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?	Not referenced in Service Dictionary	
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(vi)	The individual has privacy in their sleeping or living unit.	a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom?	Assisted Living Services – Apartment units at a minimum provide one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.	MLTSS Services Dictionary – Assisted Living Services
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings?	Not referenced in Service Dictionary	
11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units?	a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want?	Assisted Living promotes self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	MLTSS Services Dictionary- Assisted Living Services
Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(vi)	The individual’s right to dignity and privacy is respected.	a) Do you feel like you are treated with respect in the setting? b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private?	Not referenced in Service Dictionary	
2.	§441.301(c)(4)(vi)	The individual is communicated	a) Is the staff friendly to you?	Assisted Living promotes self-	MLTSS Services Dictionary –

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**New Jersey Person Center Planning Crosswalk
MLTSS Service Dictionary**

		with in a dignified manner.	<ul style="list-style-type: none"> b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed? 	direction and participation in decisions that emphasize independence, individuality, privacy, dignity and homelike surroundings.	Assisted Living Services
3.	§441.301(c)(4)(vi)	The individual is free from coercion.	<ul style="list-style-type: none"> a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an anonymous basis? 	Not referenced in Service Dictionary	
4.	§441.301(c)(4)(vi)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	<ul style="list-style-type: none"> a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction? 	Not referenced in Service Dictionary	

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**New Jersey Person Center Planning Crosswalk
MCO Contract, Chapter 9**

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	Yes: 9.6.2.A requires the member must be present for, and be included in, the on-site visit that is done when completing the Plan of Care. The on-site visit is done at the member’s residence. If the member is unable to participate in the development of the Plan of Care, then the member’s authorized representative, parent, or legal guardian will participate on their behalf.	9.6.2A
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	Yes: 9.6.3 requires the care managers to use a person centered approach and provide adequate information and guidance to assist the member/family to make informed decisions and choices.	9.6.3
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for you?	Yes: 9.6.2.A1 and 2 The on-site visit for the Plan of Care is done face-to-face with the member present.	9.6.2A 1 and 2
4.	§441.301(c)(1)	The PCP process reflects cultural	a) Could you understand all the information you were given when your	Yes: The MCO contract	4.2.9

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**New Jersey Person Center Planning Crosswalk
MCO Contract, Chapter 9**

	(iv)	considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient.	care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process?	requires the MCO be trained and also train providers to provide for the different cultural and linguistic needs of their members. They are required to have written materials that are culturally and linguistically sensitive and a hotline that serves the cultural and linguistic needs of the members. The Plans of Care are required to take into consideration any cultural and linguistic services needed by the member.	4.6.5 5.1.4I 5.7 5.8.1 5.8.2 5.9.1 5.14 6.3 9.6.5C
5.	§441.301(c)(1) (v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	a) Did you feel you could discuss your concerns during the care planning process? b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint?	Yes: The MCO Contract provides for a Grievances and Appeals process that the member may go through should they feel that they are not receiving adequate care.	5.15
6.	§441.301(c)(1) (vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care?	Yes: 9.6.3 offers the member the ability to be flexible and creative with service delivery options.	9.6.3
7.	§441.301(c)(1) (viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	a) Do you know how to go about asking your care manager/case manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the	Yes: 9.6.6E allows for the Care Manager to make required changes to the plan of care at request of the member or a person chosen by the member should an	9.6.6E

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**New Jersey Person Center Planning Crosswalk
MCO Contract, Chapter 9**

			plan during the care planning process?	urgent/emergent need arise. The Care Manager is to review the member's plan of care on an ongoing basis to ensure that the member is receiving adequate services and review the plan of care with the member at a minimum of every 90 or 180 days dependent on setting.	
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option?	Yes: 9.6.5C requires that the Care Manager respect the member's preference for placement determining the most appropriate service placement for the member.	9.6.5C
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	a) Does your plan of care include the things you want to do? b) Does your plan of care	Yes: 9.6.3B and C identifies takes into account the member's strengths and preferences when developing the plan of care.	9.6.3B and C
10.	441.301(c)(2)(iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual's clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative (s)?	Yes: 9.6.1 requires the MCO or the State to complete a comprehensive and standardized clinical assessment that is used when formulating the Plan of Care. 9.6.3C requires that the Plan of Care is informed by the clinical and support needs identified in the NJ Choice	9.6.1 and 9.6.3C

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**New Jersey Person Center Planning Crosswalk
MCO Contract, Chapter 9**

				assessment.	
11.	441.301(c)(2) (v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	<ul style="list-style-type: none"> a) Does your plan of care include all the help that you already receive besides what included in this plan? b) Are there are organizations and people who are part of your support network in the community? 	Yes: 9.6.3C Uses the existing support system to inform the Plan of Care.	9.6.3C
12.	441.301(c)(2) (vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed.	<ul style="list-style-type: none"> a) Do you understand the risks associated with your plan of care? b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn't show up? e) Do you feel prepared to handle an emergency? 	<p>Yes: 9.6.3.G requires that before the Plan of Care is put in place that the Care manager goes over the Plan of Care and has the member sign off that they understand the risks, and that a back-up plan will be put in place if need be.</p> <p>9.6.5 Requires that the member receives counseling on the risks associated with their care, what to do in case of emergency and their back up plan.</p>	9.6.3G and 9.6.5
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a	<ul style="list-style-type: none"> a) Is the care plan easy for you to understand? 	Yes: 9.6.5C The Options Counseling process requires the care manager take into consideration the cultural and linguistic needs of the member to ensure that they understand the Plan of Care.	9.6.5C

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**New Jersey Person Center Planning Crosswalk
MCO Contract, Chapter 9**

		manner that is accessible to individuals with disabilities and persons who are limited English proficient.			
14.	441.301(c)(2) (viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	<ul style="list-style-type: none"> a) Do you know who to contact if you want to speak to someone about the plan of care? b) Do you know who to contact if you want to speak to someone about the plan of care? 	Yes: 9.5.4 requires that the member be given their care manager's direct contact information and direct access to the Care Management department upon enrollment into MLTSS.	9.5.4
15.	441.301(c)(2) (ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by all individuals and providers responsible for its implementation.	<ul style="list-style-type: none"> a) Did you have enough time to review your plan of care once it was finalized for your approval? b) Did you get to sign the final plan of care? c) Did everyone involved in your care plan sign off on it? 	<p>9.6.3G requires the signature of the member and/or authorized representative after the Plan of Care is developed with their input.</p> <p>*The contract does not indicate if the providers responsible for its implementation sign off on the plan of care.</p>	9.6.3G
16.	441.301(c)(2) (x)	The PCP is distributed to the individual and other people involved in the plan.	<ul style="list-style-type: none"> a) Did you get a copy of the final plan of care? 	Yes: 9.6.3G Requires that the member received a copy of the approved Plan of Care within 30 days of the date it is signed by the member or the member's representative.	9.6.3G
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change	<ul style="list-style-type: none"> a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed? 	Yes: 9.6.6E allows for the Care Manager to make required changes to the plan of care at request of the member or a person chosen	9.6.1E and 9.6.6E

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		significantly, or at the request of the individual.		by the member should an urgent/emergent need arise. The Care Manager is to review the member's plan of care on an ongoing basis to ensure that the member is receiving adequate services and review the plan of care with the member at a minimum of every 90 or 180 days dependent on setting. 9.6.1E requires that clinical eligibility reassessments are done annually.	
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Section B: Individual Experience Assessment – Integration with the Greater Community

	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Not referenced in contract	
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to regularly access the greater community outside of the setting.	a) Are you able to regularly engage in activities in the community if you want to?	Not referenced in contract	
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is aware of and has access to information and materials to know of activities taking place outside of the setting.	a) Do you have regular access to information and materials about activities taking place in the community?	Not referenced in contract	
4.	§441.301(c)(4)(i)	The individual can shop, attend	a) Can you come and go when you want?	Not referenced in contract	

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	§441.710(a)(1)(i)	religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you need to look for a job?		
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Not referenced in contract	
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?	Not referenced in contract	
Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Not referenced in contract	
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience? d) Does your neighbor have to have the same schedule as you?	Not referenced in contract	
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Not referenced in contract	
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the dining section.	a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area?	Not referenced in contract	

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			<ul style="list-style-type: none"> e) Can you eat privately if you request it? f) Are you able to choose with whom you want to eat or alone if that is what you want? 		
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can make private telephone calls/text/email at the individual's preference and convenience.	<ul style="list-style-type: none"> a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack? 	Not referenced in contract	
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The setting is an environment that supports individual comfort, independence and preferences.	<ul style="list-style-type: none"> a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do? c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance? 	Not referenced in contract	
7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	<ul style="list-style-type: none"> a) Are you able to move about easily where you live and come and go as you please? b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility? 	Not referenced in contract	
8.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The physical environment meets the needs of individuals who require supports.	<ul style="list-style-type: none"> a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably? 	Not referenced in contract	
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(vi)	The individual has privacy in their sleeping or living unit.	<ul style="list-style-type: none"> a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom 	Not referenced in contract	

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			doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom?		
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings?	Not referenced in contract	
11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units?	a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want?	Not referenced in contract	

Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting

	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(vi)	The individual’s right to dignity and privacy is respected.	a) Do you feel like you are treated with respect in the setting? b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private?	Yes: Appendix B 4.14 Std X requires the MCOs to have a written policy on MLTSS member’s rights which include the right to be treated with respect, dignity and need for privacy.	Appendix B 4.14 Std X
2.	§441.301(c)(4)(vi)	The individual is communicated with in a dignified manner.	a) Is the staff friendly to you? b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed?	Yes: Appendix B 4.14 Std X requires the MCOs to have a written policy on MLTSS member’s rights which include the right to be treated with respect, dignity and need for privacy.	Appendix B 4.14 Std X
3.	§441.301(c)(4)(vi)	The individual is free from coercion.	a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an	Yes: The MCOs have a Grievances and Appeals process if the member feels	5.15 and Appendix B 4.14 Std X

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			anonymous basis?	they are dissatisfied with their care, and they are also required to give the member written documents on notifying their care manager if any problems occur with a provider or service per Appendix B 4.14 Std X.	
4.	§441.301(c)(4)(vi)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	<ul style="list-style-type: none"> a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction? 	Not referenced in contract	

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**New Jersey Residential Home and Community-Based Setting Crosswalk for
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Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?		Not referenced in regulation
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its participants receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?	Standards require opportunities to participate in vocational activities and community participation, as well as availability of free community events.	Chapter 16: Program Design, Subchapters 16.4-16.8
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	N/A	N/A
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	N/A	N/A
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?	Standards allow co-location of other agency services at the same site as day services.	Chapter 11: Physical Plan, Subchapter 11.12
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Service Plan (SP) Activity Schedules Monthly Reports Individual Record	Chapter 16: Program Design, Subchapters 16.4-16.8
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Service Plan (SP) Activity Schedules Monthly Reports	Chapter 16: Program Design, Subchapters 16.4-16.8
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	Activity Schedules Monthly Reports	<ul style="list-style-type: none"> Chapter 16: Program Design, Subchapters 16.4-16.8
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.)?in integrated community settings when they want?	Activity Schedules Monthly Reports	<ul style="list-style-type: none"> Chapter 16: Program Design

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		<p>a) Can the individual come and go when he or she wants?</p> <p>b) Is the individual able work or stay active in the community outside of the setting?</p> <p>c) If the individual wants to work, is there a way to ensure the option is pursued?</p>	<p>Service Plan</p> <p>Vocational Assessment</p> <p>Individual Record</p>	<ul style="list-style-type: none"> • Chapter 23: Service Plan •
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Day program settings are located within the general community, with sites approved by DDD	<ul style="list-style-type: none"> • Chapter 11: Physical Plant, Subchapter 11.13
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS live/receive services the setting live apart from individuals not receiving Medicaid HCBS?	N/A	<ul style="list-style-type: none"> • N/A
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residence and retail businesses?	Day program settings are located within the general community with sites approved by DDD	Chapter 11: Physical Plant, Subchapter 11.13
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Explain how visitors are handled in the setting:</p> <p>a) Are visitors restricted to specified visiting hours?</p> <p>b) Are visiting hours posted?</p> <p>c) Is there evidence that visitors have been present at regular frequencies?</p> <p>d) Are there restricted visitor’s meeting areas?</p>	<p>Day program policies and procedures identify visitor policies, with input and guidance from program participants</p> <p>Agency policies and procedures</p>	Chapter 5: Rules
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Describe the level of access individuals have to the community:</p> <p>a) Do individuals come and go at will?</p> <p>b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door?</p> <p>c) Is there a curfew or other requirement for a schedule return to the setting?</p> <p>d) Do individuals in the setting have access to public transportation?</p> <p>e) Are there bus stops nearby or are taxis available in the area?</p> <p>f) Is an accessible van available to bring individuals to appointments, shopping, etc.?</p>	<p>Service Plan</p> <p>Agency policies and procedures detailing program rules and design</p> <p>All programs have accessible vans to provide transportation for individuals</p>	<ul style="list-style-type: none"> • Chapter 16: Program Design • Chapter 5: Rules • Chapter 12: Transportation • Division Circular #35 “Service Plan”
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	<p>Describe the level of access which an individual has to access public transportation:</p> <p>a) Are bus and other public transportation schedules and telephone numbers posted in a convenient</p>	<p>Service Plan</p> <p>All programs have accessible</p>	<ul style="list-style-type: none"> • Chapter 16: Program Design

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		location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	vans to provide transportation for individuals	<ul style="list-style-type: none"> • Chapter 5: Rules • Chapter 12: Transportation • Division Circular #35 “Service Plan”
Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual’s person-centered plan?	Individual and/or their chosen representative are a member of the IDT Individual participation is mandated by policy and procedure	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Chapter 23: Service Plan
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Individual and/or their chosen representative are a member of the IDT Individual participation is mandated by policy and procedure	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Chapter 23: Service Plan
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Individual and/or their chosen representative are a member of the IDT Individual participation is mandated by policy and procedure	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Chapter 23: Service Plan
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting’s written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Required by Regulation, Policy and Procedure. IDT and Agency are responsible to assure information is conveyed in a language or manner the	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Chapter 23: Service Plan

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			individual understands.	
5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	Division policy and procedure, Provider Grievance Policy is mandatory.	<ul style="list-style-type: none"> • N.J.A.C. 10:48 “Appeal Procedure” • Division Circular #37 • Chapter 7: Policies and Procedure Manual, Subchapter 6
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	Division Case Manager or contracted agency provides assistance to the individual and coordinates access to the array of services needed for state plan, medical, social, educational and other services.	<ul style="list-style-type: none"> • Division Circular#4 NJAC10:40 • Division Circular #41 “Informed Consent” • Division Circular #35 “Service Plan”
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	IDT convenes at the individual’s request.	<ul style="list-style-type: none"> • N.J.S.A.30:6D-10 et seq. • Division Circular #35 “Service Plan” • Division’s Rights Document

Section D: Choice and Independence

Code of Federal Register (CFR) Citations all refer to Title 42.

	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	N/A	N/A
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual’s schedule vary from others in the same setting?	N/A	N/A

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		c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?		
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual control his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	N/A	N/A
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?		Individuals are assured special dietary needs will be met (Chapter 19: Health/Medical, Subchapters 16-17), otherwise Not referenced in regulation
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual's preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals' rooms have a telephone jack, WI-FI or ETHERNET jack?	N/A	• N/A
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	N/A	• N/A
7	§441.301(c)(4)(vi)	Does the individual have full access in the setting?	N/A	• N/A

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	§441.710(a)(1)(vi)	<p>a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals’ entrance to or exit from certain areas of the setting?</p> <p>b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site?</p> <p>c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals’ mobility in the setting, or if they are present, are there environmental adaptations such as a stair lift or elevator to fix the obstruction?</p>		
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Does the physical environment meet the needs of those individuals who require supports?</p> <p>a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)?</p> <p>b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.?</p> <p>c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?</p>	N/A	N/A
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have privacy in their sleeping space and bathroom?</p> <p>a) Is the furniture able to be arranged to suit the individual’s needs and preferences?</p> <p>b) Can the individual close and lock the bathroom door?</p> <p>c) Can the individual close and lock the bedroom door?</p> <p>d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?</p>	N/A	<ul style="list-style-type: none"> • N/A
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Do individuals have comfortable places for private visits with family and friends?</p> <p>a) Is the furniture arranged to support small group conversations?</p>	N/A	<ul style="list-style-type: none"> • N/A
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Are individuals able to furnish and decorate their sleeping and/or living units as they wish?</p> <p>a) Are the individuals’ personal items, such as pictures, books, etc. able to be present and arranged as the individual desires?</p> <p>b) Can the furniture, linens, and other items reflect the individual’s personal choices?</p> <p>c) Can individuals’ living areas reflect their interests and hobbies?</p>	N/A	N/A
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	<p>Are individual choices incorporated into the services and supports received?</p> <p>a) Does staff ask the individual about her/his needs and preferences?</p>	<p>Service Plan</p> <p>Agency policies and</p>	<ul style="list-style-type: none"> • DC# 35 Service Plan • Chapter 5: Rules

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		<p>b) Are individuals aware of how to make a service request?</p> <p>c) Is individual’s choice facilitated in a manner that leaves the individual feeling empowered to make decisions?</p>	<p>procedures regarding program rules require participant input.</p>	
	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Is an individual’s right to dignity and privacy respected?</p> <p>a) Is an individual’s health information kept private?</p> <p>b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view?</p> <p>c) Are individuals, who need assistance with grooming, groomed as they desire?</p>	<p>Agency required policy and procedures must assure practices comply with HIPPA. All needed services and supports are identified in the individuals SP.</p>	<ul style="list-style-type: none"> • HIPPA, N.J.A.C. 10:41-2, • DC#35 Service Plan
3	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Does staff communicate with individuals in a dignified manner?</p> <p>a) Do individuals greet and chat with staff?</p> <p>b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities?</p> <p>c) Does staff address individuals in the manner in which the person would like to be addressed?</p>	<p>Individuals have the right to be treated in a respectful manner by anyone who manages or works in a DDD residential program.</p>	<ul style="list-style-type: none"> • Division’s Personal Rights Document
4	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Are individuals free from coercion?</p> <p>a) Is information about filing a complaint posted in an obvious location and in an understandable format?</p> <p>b) Does the individual know the person to contact or the process to make an anonymous complaint?</p> <p>c) Can the individual file an anonymous complaint?</p>	<p>Division’s Rights Document advises individuals to talk to the person in charge and if not satisfied to talk to a DDD case manager.</p> <p>Agency policies and procedures must include a grievance policy</p> <p>The DDD hotline is posted</p>	<ul style="list-style-type: none"> • Division’s Rights Document • Chapter 7: Policies and Procedures Manual, Subchapter 6
5	<p>§441.301(c)(4)(vi) §441.710(a)(1)(vi)</p>	<p>Is there a legally enforceable agreement for the unit or dwelling where the individual resides?</p> <p>a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement?</p> <p>b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?</p>	<p>N/A</p>	<p>N/A</p>
6	<p>§441.710(a)(1)(vi)</p>	<p>Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the</p>	<p>N/A</p>	<ul style="list-style-type: none"> • N/A

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**New Jersey Residential Home and Community-Based Setting Crosswalk for
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	§441.301(c)(4)(vi)	state who are not receiving Medicaid home and community-based services?		
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals know their rights regarding housing and when they could be required to relocate? a) Do individuals know how to relocate and request new housing? b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey’s landlord tenant laws?	N/A	• N/A

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**New Jersey Residential Home and Community-Based Setting Crosswalk for
NJ DHS – Division of Developmental Disabilities Self-Directed Services Policies and Procedures (Self-Directed Day Services)**

Section A: Physical Location				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting on the grounds of, or immediately adjacent to, a public institution serving a similar population?	N/A	N/A
2	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the setting isolate its participants receiving Medicaid HCBS from the broader community of individuals not receiving HCBS?		Not referenced in regulation
3	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a gated/secured “community” for people with disabilities?	N/A	N/A
4	§441.301(c)(5)(v) §441.710(a)(2)(v)	Is the setting a residential school incorporating both the educational program and the residential program in the same building or in buildings in close proximity to each other?	N/A	N/A
5	§441.301(c)(5)(v) §441.710(a)(2)(v)	Does the provider operate and control multiple settings that are co-located and operationally related whereby a large number of people with disabilities are congregated together with shared programming and staff?		Not referenced in regulation
Section B: Integration with the Community				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals in the setting able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services?	Service Plan (SP) Support coordinator and case manage progress notes and reports	Section G: Service Plan Division Circular #35: Service Plan
2	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual able to regularly access the greater community outside of the setting?	Service Plan (SP) Support coordinator and case manage progress notes and reports	Section G: Service Plan Division Circular #35: Service Plan
3	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the individual aware of or does he/she have access to information and materials to know of activities taking place outside of the setting?	Service Plan (SP) Support coordinator and case manage progress notes and reports	Section G: Service Plan • Division Circular #35: Service Plan
4	§441.301(c)(4)(i) §441.710(a)(1)(i)	Are individuals able to participate regularly in non-work activities (dining, shopping, etc.?) in integrated community settings when they want? a) Can the individual come and go when he or she wants?	N/A	• N/A

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		b) Is the individual able work or stay active in the community outside of the setting? c) If the individual wants to work, is there a way to ensure the option is pursued?		
5	§441.301(c)(4)(i) §441.710(a)(1)(i)	Does the setting prevent the isolation of individuals from individuals not receiving Medicaid HCBS in the broader community?	Self-Directed services are provided by policy in a variety of settings.	<ul style="list-style-type: none"> • Not referenced in regulation
6	§441.301(c)(4)(i) §441.710(a)(1)(i)	Do individuals receiving HCBS services in the setting live apart from individuals not receiving Medicaid HCBS?	N/A	<ul style="list-style-type: none"> • N/A
7	§441.301(c)(4)(i) §441.710(a)(1)(i)	Is the setting in the community among other private residences and retail businesses?	N/A	N/A
8	§441.301(c)(4)(i) §441.710(a)(1)(i)	Explain how visitors are handled in the setting: a) Are visitors restricted to specified visiting hours? b) Are visiting hours posted? c) Is there evidence that visitors have been present at regular frequencies? d) Are there restricted visitor’s meeting areas?	N/A	N/A
9	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access individuals have to the community: a) Do individuals come and go at will? b) Are individuals moving about inside and outside the setting as opposed to sitting by the front door? c) Is there a curfew or other requirement for a scheduled return to the setting? d) Do individuals in the setting have access to public transportation? e) Are there bus stops nearby or are taxis available in the area? f) Is an accessible van available to bring individuals to appointments, shopping, etc.?	N/A	<ul style="list-style-type: none"> • N/A
10	§441.301(c)(4)(i) §441.710(a)(1)(i)	Describe the level of access an individual has to public transportation: a) Are bus and other public transportation schedules and telephone numbers posted in a convenient location? b) Is training in the use of public transportation facilitated? c) Where public transportation is limited, are other resources provided for the individual to access the broader community?	N/A	<ul style="list-style-type: none"> • N/A

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**New Jersey Residential Home and Community-Based Setting Crosswalk for
NJ DHS – Division of Developmental Disabilities Self-Directed Services Policies and Procedures (Self-Directed Day Services)**

Section C: Person-Centered Planning				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(1)	Does the setting allow an individual, or a person chosen by the individual, to take an active role in the development and updating of the individual’s person-centered plan?	Individuals and/or their chosen representative are a member of the IDT. Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Section G: Service Plan
2	§441.301(c)(1)(ii)	Does the setting offer the necessary information and support to ensure that the individual can direct the person-centered planning process to the maximum extent possible so he/she can make informed choices and decisions?	Individuals and/or their chosen representative are a member of the IDT. Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Section G: Service Plan
3	§441.301(c)(1)(iii)	Are planning meetings able to occur at a time and place convenient for individuals to attend?	Individuals and/or their chosen representative are a member of the IDT. Individual participation is mandated by policy and procedure.	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Section G: Service Plan
4	§441.301(c)(1) (iv)	Describe how the setting provides for the different cultural considerations of individuals: a) Do the setting’s written materials and meetings reflect a plain language that is accessible to individuals? b) Is the information accessible to individuals with disabilities and persons with a limited proficiency in English?	Required by Regulation, Policy and Procedure. IDT and Agency are responsible to assure information is conveyed in a language or manner the individual understands.	<ul style="list-style-type: none"> • Division Circular #35 “Service Plan” • Rights Document • Section G: Service Plan

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5	§441.301(c)(1)(v)	Does the provider have strategies in place for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants?	N/A	• N/A
6	§441.301(c)(1)(vii)	Does the provider offer informed choices to the individual regarding the services and supports they receive and from whom?	N/A	• N/A
7	§441.301(c)(1)(viii)	Does the provider have a means for the individual, or a person chosen by the individual, to request updates to the plan as needed?	N/A	• N/A
Section D: Choice and Independence				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have his/her own bedroom or share a room with a roommate of choice? a) Is the individual able to choose a roommate? b) Can married couples choose to share or not share a room? c) Does an individual know how he/she can request a roommate change?	N/A	N/A
2	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the individual able to choose and control a schedule that meets his/her wishes in accordance with a person-centered plan? a) Is it made clear to the individual that he/she is not required to adhere to a set schedule for walking, bathing, eating, exercising, activities, etc.? b) Can an individual's schedule vary from others in the same setting? c) Does an individual have access to leisure activities that interest him/her, which can be scheduled at his/her convenience?	N/A	N/A
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual controls his/her personal resources? a) Is the individual able to have a checking or savings account or other means to control his/her funds? b) Does an individual have access to his/her funds? c) Is it made clear that the individual is not required to sign over his/her paychecks to the provider?	N/A	N/A

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4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Describe the dining experience: a) Does the individual have a meal at the time and place of his/her choosing? b) Can the individual request an alternative meal if desired? c) Are snacks accessible and available anytime? d) Is the individual required to sit at an assigned seat in a dining area? e) If the individual desires to eat privately, can s/he do so? f) Is the individual able to choose with whom to eat—or to eat alone? g) Does the dining area afford dignity to the diners and are individuals not required to wear bibs or use disposable cutlery, plates and cups?		Individuals are assured special dietary needs will be met (Chapter 19: Health/Medical, Subchapters 16-17), otherwise Not referenced in regulation
5	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have access to make private telephone calls/text/email at the individual’s preference and convenience? a) Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other means for personal communication in private at any time? b) Is the telephone or other technology device in a location that has space around it to ensure privacy? c) Do individuals’ rooms have a telephone jack, WI-FI or ETHERNET jack?	N/A	• N/A
6	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is the setting an environment that supports individual comfort, independence and preferences? a) Do individuals have full access to typical facilities in a home such as a kitchen with cooking equipment, dining area, laundry, and comfortable seating in the shared areas? b) Is informal (written or oral) communication conducted in a language that the individual understands? c) Is assistance provided in private, as appropriate, when needed?	N/A	• N/A
7	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the individual have full access in the setting? a) Are there gates, Velcro strips, locked doors, or other barriers preventing individuals’ entrance to or exit from certain areas of the setting? b) Are individuals receiving Medicaid home and community-based services facilitated in accessing amenities such as a pool or gym used by others on-site? c) Is the setting physically accessible with no obstructions like steps, lips in a doorway, narrow hallways, etc., limiting individuals’ mobility in the setting, or if they are present, are there environmental adaptations such as a stair lift or elevator to fix the obstruction?	N/A	• N/A
8	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does the physical environment meet the needs of those individuals who require supports? a) Are appliances accessible to individuals (e.g. the washer/dryer are “front loading” for individuals in wheelchairs)? b) For those individuals who need supports to move about the setting as they choose, are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies, etc.? c) Are tables and chairs at a convenient height and location so that individuals can access and use the	N/A	N/A

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		furniture comfortably?		
9	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have privacy in their sleeping space and bathroom? a) Is the furniture able to be arranged to suit the individual’s needs and preferences? b) Can the individual close and lock the bathroom door? c) Can the individual close and lock the bedroom door? d) Do staff or other residents always knock and receive permission prior to entering a bedroom or bathroom?	N/A	• N/A
10	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Do individuals have comfortable places for private visits with family and friends? a) Is the furniture arranged to support small group conversations?	N/A	• N/A
11	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals able to furnish and decorate their sleeping and/or living units as they wish? a) Are the individuals’ personal items, such as pictures, books, etc. able to be present and arranged as the individual desires? b) Can the furniture, linens, and other items reflect the individual’s personal choices? c) Can individuals’ living areas reflect their interests and hobbies?	N/A	N/A
Section E: Resident Rights				
Code of Federal Register (CFR) Citations all refer to Title 42.				
	Federal Rule	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individual choices incorporated into the services and supports received? a) Does staff ask the individual about her/his needs and preferences? b) Are individuals aware of how to make a service request? c) Is individual choice facilitated in a manner that leaves the individual feeling empowered to make decisions?	Service Plan Agency policies and procedures regarding program rules require participant input.	• DC# 35 Service Plan • Chapter 5: Rules
	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Is an individual’s right to dignity and privacy respected? a) Is an individual’s health information kept private? b) Are schedules of individuals for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view? c) Are individuals, who need assistance with grooming, groomed as they desire?	N/A	• N/A
3	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Does staff communicate with individuals in a dignified manner? a) Do individuals greet and chat with staff? b) Do staff converse with individuals in the setting while providing assistance during the regular course of daily activities? c) Does staff address individuals in the manner in which the person would like to be addressed?	Individuals have the right to be treated in a respectful manner by anyone who manages or works in a DDD residential program.	• Division’s Personal Rights Document
4	§441.301(c)(4)(vi) §441.710(a)(1)(vi)	Are individuals free from coercion? a) Is information about filing a complaint posted in an obvious location and in an understandable format?	Division’s Rights Document advises individuals to talk to	• Division’s Rights Document

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		<p>b) Does the individual know the person to contact or the process to make an anonymous complaint?</p> <p>c) Can the individual file an anonymous complaint?</p>	<p>the person in charge and if not satisfied to talk to a DDD case manager.</p> <p>Agency policies and procedures must include a grievance policy.</p> <p>The DDD hotline is posted.</p>	<ul style="list-style-type: none"> Chapter 7: Policies and Procedures Manual, Subchapter 6
5	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Is there a legally enforceable agreement for the unit or dwelling where the individual resides?</p> <p>a) Does the individual have a lease or, for settings in which landlord tenant laws do not apply, a written residency agreement?</p> <p>b) Does the individual know his/her rights regarding housing and when s/he could be required to relocate?</p>	<p>Self-directed services may be provided to individuals in their own individual unlicensed housing settings</p> <p>This does not refer to situations where individuals receive self-directed services while living in the family home.</p>	<p>Not referenced in regulation</p>
6	<p>§441.710(a)(1)(vi)</p> <p>§441.301(c)(4)(vi)</p>	<p>Are individuals protected from eviction and afforded appeal rights in the same manner as all persons in the state who are not receiving Medicaid home and community based services?</p>	<p>N/A</p>	<ul style="list-style-type: none"> N/A
7	<p>§441.301(c)(4)(vi)</p> <p>§441.710(a)(1)(vi)</p>	<p>Do individuals know their rights regarding housing and when they could be required to relocate?</p> <p>a) Do individuals know how to relocate and request new housing?</p> <p>b) Does the written agreement include language that provides protections to address eviction processes and appeals comparable to those provided under the New Jersey’s landlord tenant laws?</p>	<p>N/A</p>	<ul style="list-style-type: none"> N/A

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**New Jersey Person Center Planning Crosswalk
CCW and Proposed Amendment Services**

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	Each individual and/or their chosen representatives are members of the IDT and participates in the development of the person centered plan. Participation is mandated by policy and procedure.	Division Circular #35: Service Plan Division Rights Document
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	Each individual and/or their chosen representatives are members of the IDT and participates in the development of the person centered plan. Participation is mandated by policy and procedure.	Division Circular #35: Service Plan Division Rights Document
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for you?	IDT and agency are responsible according to policy and procedure for ensuring that IDT meetings are held at times and locations convenient to the individual. IDTs convene at individual's request.	Division Circular #35: Service Plan Division Rights Document
4.	§441.301(c)(1)(iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing	a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-	Required by regulation, policy and procedure. IDT and agency are responsible	Division Circular #35: Service Plan Division Rights Document

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**New Jersey Person Center Planning Crosswalk
CCW and Proposed Amendment Services**

		information in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English proficiency.	understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process?	for ensuring that information is conveyed in a way the individual can understand.	
5.	§441.301(c)(1)(v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	a) Did you feel you could discuss your concerns during the care planning process? b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint?	Grievance and appeal policies are required by Division policy and procedure.	Division Circular #35: Service Plan Division Rights Document
6.	§441.301(c)(1)(vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care?	Division case manager and/or provider agency and/or support coordinator provide individual with assistance in understanding, selecting and coordinating access to needed services.	Division Circular #35: Service Plan Division Rights Document
7.	§441.301(c)(1)(viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	a) Do you know how to go about asking your care manager/case manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the plan during the care planning process?	IDT convenes at individual's request. Individuals are provided with information on how to request IDT meeting.	Division Circular #35: Service Plan Division Rights Document
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option?	Required by Division policy and procedure. Service plan	Division Circular #35: Service Plan Division Rights Document
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	a) Does your plan of care include the things you want to do?	Required by Division policy and procedure Service plan	Division Circular #35: Service Plan Division Rights Document

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**New Jersey Person Center Planning Crosswalk
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10.	441.301(c)(2) (iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	<ul style="list-style-type: none"> a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual's clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative (s)? 	Required by Division policy and procedure Service plan	Division Circular #35: Service Plan Division Rights Document
11.	441.301(c)(2) (v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	<ul style="list-style-type: none"> a) Does your plan of care include all the help that you already receive besides what's included in this plan? b) Are there are organizations and people who are part of your support network in the community? 	Required by Division policy and procedure Service plan	Division Circular #35: Service Plan Division Rights Document
12.	441.301(c)(2) (vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed.	<ul style="list-style-type: none"> a) Do you understand the risks associated with your plan of care? b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn't show up? e) Do you feel prepared to handle an emergency? 	Required by Division policy and procedure Service plan Monthly reports Progress notes	Division Circular #35: Service Plan Division Rights Document
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a	<ul style="list-style-type: none"> a) Is the care plan easy for you to understand? 	Required by Division policy and procedure. IDT and agency are responsible for ensuring information in the plan is understandable to the individual.	Division Circular #35: Service Plan Division Rights Document

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**New Jersey Person Center Planning Crosswalk
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		manner that is accessible to individuals with disabilities and persons who are limited English proficient.			
14.	441.301(c)(2)(viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	<ul style="list-style-type: none"> a) Do you know who to contact if you want to speak to someone about the plan of care? b) Do you know who to contact if you want to speak to someone about the plan of care? 	Required by Division policy and procedure. Service plan	Division Circular #35: Service Plan Division Rights Document
15.	441.301(c)(2)(ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by all individuals and providers responsible for its implementation.	<ul style="list-style-type: none"> a) Did you have enough time to review your plan of care once it was finalized for your approval? b) Did you get to sign the final plan of care? c) Did everyone involved in your care plan sign off on it? 	Required by Division policy and procedure Service plan	Division Circular #35: Service Plan Division Rights Document
16.	441.301(c)(2)(x)	The PCP is distributed to the individual and other people involved in the plan.	<ul style="list-style-type: none"> a) Did you get a copy of the final plan of care? 	Required by Division policy and procedure. Service plan	Division Circular #35: Service Plan Division Rights Document
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	<ul style="list-style-type: none"> a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed? 	Required by Division policy and procedure. Service plan	Division Circular #35: Service Plan Division Rights Document

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

N.J.A.C. 10-73 Case Management Services is a state plan amendment. The Department of Children and Families (DCF), Children’s System of Care (CSOC) will be using the waiver services to build on state plan. Case Management is a core service element used to develop the plan of care for all enrollees in the waiver program

* N/A Waived services are provided in the enrollee’s own home

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1) (i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	N.J.A.C. 10-73 requires that enrollees participate in identifying individuals that will be involved in the development of their plan of care.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization (CMO) Services 10:73-3.9 Child/Family Team; members and responsibilities
2.	§441.301(c)(1) (ii)	The PCP process provides necessary information and support to ensure that the individual directs the process the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	N.J.A.C. 10-73 requires that enrollees have the right to define goals and have a choice of providers and resources. N.J.A.C. 10-73 requires that the plan of care is a collaborative process.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
3.	§441.301(c)(1) (iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for you?	N.J.A.C. 10-73 requires that an in-person meeting with the enrollee be held within 72 hours of referral to DCF, CSOC system’s partner [Care Management Organization (CMO)].	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73 -3-8 Enrollment of the beneficiary into the CMO

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

				N.J.A.C. 10-73 requires that the Child/Family Team meetings are conveniently scheduled and located for the enrollee.	services and the initial ISP (individual service plan) 10:73-3.9 Child/Family Team; members and responsibilities
4.	§441.301(c)(1) (iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English proficiency.	<ul style="list-style-type: none"> a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process? 	N.J.A.C. 10-73 requires that all services and resources are family friendly and culturally competent.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
5.	§441.301(c)(1) (v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	<ul style="list-style-type: none"> a) Did you feel you could discuss your concerns during the care planning process? b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint? 	The NJ Children’s System of Care Youth and Family Guide provides instruction on the grievance process.	NJ Children’s System of Care Youth and Family Guide page 25-30
6.	§441.301(c)(1) (vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	<ul style="list-style-type: none"> a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care? 	<p>N.J.A.C. 10-73 requires that the enrollee is engaged as a full partner in the Child/Family Team and participates in the assessment, planning and delivery of service.</p> <p>N.J.A.C. 10-73 requires that enrollees have a choice of providers.</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

7.	§441.301(c)(1) (viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	<ul style="list-style-type: none"> a) Do you know how to go about asking your care manager/care manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the plan during the care planning process? 	<p>N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.</p> <p>N.J.A.C. 10-73 requires that the plan of care is reviewed and amended as needed. This includes reviewing existing services for effectiveness and determining if changes to the plan are required.</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP
8.	§441.301(c)(2) (i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	<ul style="list-style-type: none"> a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option? 	Waived services are provided in the enrollee's own home.	*N/A
9.	441.301(c)(2) (ii)	The PCP reflects the individual's strengths and preferences.	<ul style="list-style-type: none"> a) Does your plan of care include the things you want to do? 	N.J.A.C. 10-73 requires that the plan of care is comprehensive, strength based, and developed in partnership with the enrollee.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.10 Comprehensive IPS; general
10.	441.301(c)(2) (iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	<ul style="list-style-type: none"> a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual's clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative(s)? 	<p>N.J.A.C. 10-73 requires that the plan of care is completed based on a comprehensive assessment that identifies current strengths and needs.</p> <p>NJ CANS (Child Adolescent Needs and Strengths) Assessment Tool</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.10 Comprehensive IPS; general NJ CANS (Child Adolescent

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

					Needs and Strengths) Assessment Tool
11.	441.301(c)(2) (v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	<ul style="list-style-type: none"> a) Does your plan of care include all the help that you already receive besides what included in this plan? b) Are there are organizations and people who are part of your support network in the community? 	<p>N.J.A.C. 10-73 requires that the plan of care is outcome based, includes measureable short-term, interim, and long-term goals to address each area of unmet need.</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process) defines supports (natural, formal and informal).</p> <p>N.J.A.C. 10-73 requires that the plan of care reflects informal and natural supports as appropriate.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services</p> <p>10:73 -3.9 Child/Family Team; members and responsibilities</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process)</p> <p>10:73-3.12 Amendments to the ISP</p> <p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services</p> <p>10:73-3.18 Community resource development</p>
12.	441.301(c)(2) (vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-up plans and strategies when needed.	<ul style="list-style-type: none"> a) Do you understand the risks associated with your plan of care? b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a 	<p>N.J.A.C. 10-73 requires that a crisis plan is included as part of the plan of care.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services</p> <p>10:73 -3.17 Crisis</p>

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

			back-up plan if, for example, your caregiver doesn't show up? e) Do you feel prepared to handle an emergency?	NJ Wraparound Training (Values & Principles and Child Family Team Process)	management NJ Wraparound Training (Values & Principles and Child Family Team Process)
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient.	a) Is the care plan easy for you to understand?	N.J.A.C. 10-73 requires that the plan of care is approved by each team member, including the enrollee. N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care manager, the enrollee as age appropriate.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
14.	441.301(c)(2) (viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	a) Do you know who to contact if you want to speak to someone about the plan of care? b) Do you know who to contact if you want to speak to someone about the plan of care?	N.J.A.C. 10-73 requires that the plan of care identifies responsibilities of participants.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
15.	441.301(c)(2) (ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by all individuals and providers responsible for its implementation.	a) Did you have enough time to review your plan of care once it was finalized for your approval? b) Did you get to sign the final plan of care? c) Did everyone involved in your care plan sign off on it?	N.J.A.C. 10-73 requires that the plan of care is approved by each team member, including the enrollee N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

				manager, the youth and family, as age appropriate, and placed in the youth's file within two weeks of the Child/Family Team meeting. A completed copy is forwarded to each team member, including the enrollee within one week of the meeting.	
16.	441.301(c)(2) (x)	The PCP is distributed to the individual and other people involved in the plan.	a) Did you get a copy of the final plan of care?	N.J.A.C. 10-73 requires that the completed and approved plan of care is forwarded to each team member, including the enrollee within one week of the Child/Family Team meeting.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed?	N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP

Section B: Individual Experience Assessment – Integration with the Greater Community

	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to regularly access the greater	a) Are you able to regularly engage in activities in the community if you want to?	Waived services are provided in the enrollee's own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

		community outside of the setting.			
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is aware of and has access to information and materials to know of activities taking place outside of the setting.	a) Do you have regular access to information and materials about activities taking place in the community?	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can shop, attend religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	a) Can you come and go when you want? b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you need to look for a job?	Waived services are provided in the enrollee's own home.	**N/A
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Waived services are provided in the enrollee's own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?	Waived services are provided in the enrollee's own home.	**N/A
Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan.	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience? d) Does your neighbor have to have the same schedule as you?	Waived services are provided in the enrollee's own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the dining section.	a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area? e) Can you eat privately if you request it? f) Are you able to choose with whom you want to eat or alone if that is what you want?	Waived services are provided in the enrollee's own home.	**N/A
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can make private telephone calls/text/email at the individual's preference and convenience.	a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack?	Waived services are provided in the enrollee's own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The setting is an environment that supports individual comfort, independence and preferences.	a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do? c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance?	Waived services are provided in the enrollee's own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	<ul style="list-style-type: none"> a) Are you able to move about easily where you live and come and go as you please? b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility? 	Waived services are provided in the enrollee's own home.	**N/A
8.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The physical environment meets the needs of individuals who require supports.	<ul style="list-style-type: none"> a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably? 	Waived services are provided in the enrollee's own home.	**N/A
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(vi)	The individual has privacy in their sleeping or living unit.	<ul style="list-style-type: none"> a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom? 	Waived services are provided in the enrollee's own home.	**N/A
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	<ul style="list-style-type: none"> a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings? 	Waived services are provided in the enrollee's own home.	**N/A
11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units?	<ul style="list-style-type: none"> a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want? 	Waived services are provided in the enrollee's own home.	**N/A

*In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Person Center Planning Crosswalk
Autism Spectrum Disorder (ASD) Demonstration**

Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(vi)	The individual’s right to dignity and privacy is respected.	<ul style="list-style-type: none"> a) Do you feel like you are treated with respect in the setting? b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private? 	Waived services are provided in the enrollee’s own home.	**N/A
2.	§441.301(c)(4)(vi)	The individual is communicated with in a dignified manner.	<ul style="list-style-type: none"> a) Is the staff friendly to you? b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed? 	Waived services are provided in the enrollee’s own home.	**N/A
3.	§441.301(c)(4)(vi)	The individual is free from coercion.	<ul style="list-style-type: none"> a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an anonymous basis? 	Waived services are provided in the enrollee’s own home.	**N/A
4.	§441.301(c)(4)(vi)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	<ul style="list-style-type: none"> a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction? 	Waived services are provided in the enrollee’s own home.	**N/A

*In instance/s for which the state is not in compliance, it will consider adjusting policies and/or regulations, as appropriate.

**New Jersey Person Center Planning Crosswalk
Individuals with Intellectual/Developmental Disabilities and a co-occurring Mental Illness (ID/DD-MI) Demonstration**

N.J.A.C. 10-73 Case Management Services is a state plan amendment. The Department of Children and Families (DCF), Children’s System of Care (CSOC) will be using the waiver services to build on state plan. Case Management is a core service element used to develop the plan of care for all enrollees in the waiver program

* N/A Waived services are provided in the enrollee’s own home

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	N.J.A.C. 10-73 requires that enrollees participate in identifying individuals that will be involved in the development of their plan of care.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization (CMO) Services 10:73-3.9 Child/Family Team; members and responsibilities.
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process to the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	N.J.A.C. 10-73 requires that enrollees have the right to define goals and have a choice of providers and resources. N.J.A.C. 10-73 requires that the plan of care is a collaborative process.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities.
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations of convenience to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the meeting at a convenient time for	N.J.A.C. 10-73 requires that an in-person meeting with the enrollee be held within 72 hours of referral to DCF, CSOC system’s partner [Care	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services

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**New Jersey Person Center Planning Crosswalk
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			you?	Management Organization (CMO)]. N.J.A.C. 10-73 requires that the Child/Family Team meetings are conveniently scheduled and located for the enrollee.	10:73 -3-8 Enrollment of the beneficiary into the CMO services and the initial ISP (individual service plan). 10:73-3.9 Child/Family Team; members and responsibilities
4.	§441.301(c)(1)(iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English proficiency.	a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process?	N.J.A.C. 10-73 requires that all services and resources are family friendly and culturally competent.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
5.	§441.301(c)(1)(v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	a) Did you feel you could discuss your concerns during the care planning process? b) Did you know whom to talk to about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint?	The NJ Children’s System of Care Youth and Family Guide provides instruction on the grievance process.	NJ Children’s System of Care Youth and Family Guide page 25-30
6.	§441.301(c)(1)(vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and supports? c) Did your care manager discuss with you your services and supports in the plan of care?	N.J.A.C. 10-73 requires that the enrollee is engaged as a full partner in the Child/Family Team and participates in the assessment, planning and delivery of service,	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities

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				N.J.A.C. 10-73 requires that enrollees have a choice of providers.	
7.	§441.301(c)(1)(viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	<ul style="list-style-type: none"> a) Do you know how to go about asking your care manager/case manager/supports coordinator for an update to your care plan? b) Are you aware that the care plan is reviewed at least annually? c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need? d) Was there a clear route explained to you if you need to update the plan during the care planning process? 	<p>N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.</p> <p>N.J.A.C. 10-73 requires that the plan of care is reviewed and amended as needed. This includes reviewing existing services for effectiveness and determining if changes to the plan are required.</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	<ul style="list-style-type: none"> a) Did you choose where you live and receive your supportive services? b) Did you visit other places before choosing this option? 	Waived services are provided in the enrollee's own home.	*N/A
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	<ul style="list-style-type: none"> a) Does your plan of care include the things you want to do? 	N.J.A.C. 10-73 requires that the plan of care is comprehensive, strength based, and developed in partnership with the enrollee.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.10 Comprehensive IPS; general
10.	441.301(c)(2)(iii)	The PCP reflects clinical and support needs as identified through an assessment of functional need.	<ul style="list-style-type: none"> a) Is a standardized and comprehensive clinical assessment conducted as part of the PCP? b) Are the individual's clinical assessment results identified in the PCP along with his/her support needs? c) Are the clinical and support needs reflected in the plan of care and 	N.J.A.C. 10-73 requires that the plan of care is completed based on a comprehensive assessment that identifies current strengths and need.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services

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			documented in the PCP for the individual/chosen representative (s)?	NJ CANS (Child Adolescent Needs and Strengths) Assessment Tool.	10:73-3.10 Comprehensive IPS; general NJ CANS (Child Adolescent Needs and Strengths) Assessment Tool
11.	441.301(c)(2)(v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	a) Does your plan of care include all the help that you already receive besides what's included in this plan? b) Are there are organizations and people who are part of your support network in the community?	N.J.A.C. 10-73 requires that the plan of care is outcome based, includes measureable short-term, interim, and long-term goals to address each area of unmet need. NJ Wraparound Training (Values & Principles and Child Family Team Process) defines supports (natural, formal and informal). N.J.A.C. 10-73 requires that the plan of care reflects informal and natural supports as appropriate.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73 -3.9 Child/Family Team; members and responsibilities NJ Wraparound Training (Values & Principles and Child Family Team Process) 10:73-3.12 Amendments to the ISP Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.18 Community resource development
12.	441.301(c)(2)	The PCP reflects risk factors and	a) Do you understand the risks associated with your plan of care?	N.J.A.C. 10-73 requires that a	Chapter 73 Case

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	(vi)	measures in place to minimize them, including individualized back-up plans and strategies when needed.	<ul style="list-style-type: none"> b) Has your care manager/case manager/supports coordinator explained to you these risks? c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks? d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn't show up? e) Do you feel prepared to handle an emergency? 	crisis plan is included as part of the plan of care.	<p>Management Services Subchapter 3. Care Management Organization Services 10:73 -3.17 Crisis management</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process)</p>
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English proficiency.	a) Is the care plan easy for you to understand?	<p>N.J.A.C. 10-73 requires that the plan of care is approved by each team member, including the enrollee</p> <p>N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care manager, the enrollee as age appropriate.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities</p>
14.	441.301(c)(2) (viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	a) Do you know whom to contact if you want to speak to someone about the plan of care?	N.J.A.C. 10-73 requires that the plan of care identifies responsibilities of participants.	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities</p>
15.	441.301(c)(2) (ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by	<ul style="list-style-type: none"> a) Did you have enough time to review your plan of care once it was finalized for your approval? b) Did you get to sign the final plan of care? 	N.J.A.C. 10-73 requires that the plan of care is approved by each team member,	Chapter 73 Case Management Services Subchapter 3. Care

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		all individuals and providers responsible for its implementation.	c) Did everyone involved in your care plan sign off on it?	including the enrollee. N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care manager, the youth and family, as age appropriate, and placed in the youth's file within two weeks of the Child/Family Team meeting. A completed copy is forwarded to each team member, including the enrollee within one week of the meeting.	Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
16.	441.301(c)(2) (x)	The PCP is distributed to the individual and other people involved in the plan.	a) Did you get a copy of the final plan of care?	N.J.A.C. 10-73 requires that the completed and approved plan of care is forwarded to each team member, including the enrollee within one week of the Child/Family Team meeting.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed?	N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP

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**New Jersey Person Center Planning Crosswalk
Individuals with Intellectual/Developmental Disabilities and a co-occurring Mental Illness (ID/DD-MI) Demonstration**

Section B: Individual Experience Assessment – Integration with the Greater Community					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Waived services are provided in the enrollee’s own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to regularly access the greater community outside of the setting.	a) Are you able to regularly engage in activities in the community if you want to?	Waived services are provided in the enrollee’s own home.	**N/A
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is aware of and has access to information and materials to know of activities taking place outside of the setting.	a) Do you have regular access to information and materials about activities taking place in the community?	Waived services are provided in the enrollee’s own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can shop, attend religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	a) Can you come and go when you want? b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you look for a job?	Waived services are provided in the enrollee’s own home.	**N/A
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Waived services are provided in the enrollee’s own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?	Waived services are provided in the enrollee’s own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Individuals with Intellectual/Developmental Disabilities and a co-occurring Mental Illness (ID/DD-MI) Demonstration**

Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience? d) Does your neighbor have to have the same schedule as you?	Waived services are provided in the enrollee's own home.	**N/A
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the dining section.	a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area? e) Can you eat privately if you request it? f) Are you able to choose with whom you want to eat or alone if that is what you want?	Waived services are provided in the enrollee's own home.	**N/A
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can make private telephone calls/text/email at the individual's preference and convenience.	a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack?	Waived services are provided in the enrollee's own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The setting is an environment that supports individual comfort, independence and preferences.	a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do?	Waived services are provided in the enrollee's own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Individuals with Intellectual/Developmental Disabilities and a co-occurring Mental Illness (ID/DD-MI) Demonstration**

			<ul style="list-style-type: none"> c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance? 		
7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	<ul style="list-style-type: none"> a) Are you able to move about easily where you live and come and go as you please? b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility? 	Waived services are provided in the enrollee's own home.	**N/A
8.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The physical environment meets the needs of individuals who require supports.	<ul style="list-style-type: none"> a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably? 	Waived services are provided in the enrollee's own home.	**N/A
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(vi)	The individual has privacy in their sleeping or living unit.	<ul style="list-style-type: none"> a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom? 	Waived services are provided in the enrollee's own home.	**N/A
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	<ul style="list-style-type: none"> a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings? 	Waived services are provided in the enrollee's own home.	**N/A

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Individuals with Intellectual/Developmental Disabilities and a co-occurring Mental Illness (ID/DD-MI) Demonstration**

11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units?	<ul style="list-style-type: none"> a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want? 	Waived services are provided in the enrollee's own home.	**N/A
Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration	Citation/Proof/Verification
1.	§441.301(c)(4)(vi)	The individual's right to dignity and privacy is respected.	<ul style="list-style-type: none"> a) Do you feel like you are treated with respect in the setting? b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private? 	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(vi)	The individual is communicated with in a dignified manner.	<ul style="list-style-type: none"> a) Is the staff friendly to you? b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed? 	Waived services are provided in the enrollee's own home.	**N/A
3.	§441.301(c)(4)(vi)	The individual is free from coercion.	<ul style="list-style-type: none"> a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an anonymous basis? 	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(vi)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	<ul style="list-style-type: none"> a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction? 	Waived services are provided in the enrollee's own home.	**N/A

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**New Jersey Person Center Planning Crosswalk
Serious Emotional Disturbance (SED) Demonstration**

N.J.A.C. 10-73 Case Management Services is a state plan amendment. The Department of Children and Families (DCF), Children’s System of Care (CSOC) will be using the waiver services to build on state plan. Case Management is a core service element used to develop the plan of care for all enrollees in the waiver program

* N/A Waived services are provided in the enrollee’s own home

Section A: Individual Experience Assessment – Person Centered Planning Process					
	Federal Rule	CMS Rule/Person-Centered Planning (PCP) Process	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(1)(i)	The PCP process includes people chosen by the individual.	a) Did you choose who was able to participate in the development of your plan of care?	N.J.A.C. 10-73 requires that enrollees participate in identifying individuals that will be involved in the development of their plan of care.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization (CMO) Services 10:73-3.9 Child/Family Team; members and responsibilities
2.	§441.301(c)(1)(ii)	The PCP process provides necessary information and support to ensure that the individual directs the process to the maximum extent possible, and is enabled to make informed choices and decisions.	a) Were you made fully aware of how the PCP is done and your central role? b) Were you made aware that you were the lead in making the decisions about the development of your plan of care? c) Was everything explained to you at the start of the process? d) Were you able to ask questions if something was not understandable? e) Did you feel like you were the expert on your own goals and needs?	N.J.A.C. 10-73 requires that enrollees have the right to define goals and have a choice of providers and resources. N.J.A.C. 10-73 requires that the plan of care is a collaborative process.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
3.	§441.301(c)(1)(iii)	The PCP process is timely and occurs at times and locations convenient to the individual.	a) Were you able to choose when and at what time your plan of care meeting took place? b) Were you able to choose where your plan of care meeting took place? c) Was there flexibility in having the	N.J.A.C. 10-73 requires that an in-person meeting with the enrollee be held within 72 hours of referral to DCF, CSOC system’s	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73 -3-8 Enrollment of the beneficiary into the CMO services and the initial ISP (individual service plan) 10:73-3.9 Child/Family Team; members and responsibilities

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**New Jersey Person Center Planning Crosswalk
Serious Emotional Disturbance (SED) Demonstration**

			meeting at a convenient time for you?	partner [Care Management Organization (CMO)]. N.J.A.C. 10-73 requires that the Child/Family Team meetings are conveniently scheduled and located for the enrollee.	
4.	§441.301(c)(1)(iv)	The PCP process reflects cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to individuals with disabilities and persons with limited English proficiency.	a) Could you understand all the information you were given when your care plan was being developed? b) Was the information always presented in an easy-to-understand format? c) Was the process respectful of your cultural background? d) Were your special cultural needs addressed during the care planning process?	N.J.A.C. 10-73 requires that all services and resources are family friendly and culturally competent.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
5.	§441.301(c)(1)(v)	The PCP process includes strategies for solving conflict or disagreement within the process, including clear conflict-of-interest guidelines for all planning participants.	a) Did you feel you could discuss your concerns during the care planning process? b) Did you know who to talk at about concerns or disagreements you may have had with the care manager during the planning process? c) Did you know how to file a complaint?	The NJ Children’s System of Care Youth and Family Guide provides instruction on the grievance process.	NJ Children’s System of Care Youth and Family Guide page 25-30
6.	§441.301(c)(1)(vii)	The PCP offers informed choices to the individual regarding the services and supports they receive and from whom.	a) Did your care manager/case manager/supports coordinator provide you with an overview of your options so that you could then choose? b) Did you choose your services and	N.J.A.C. 10-73 requires that the enrollee is engaged as a full partner in the Child/Family Team and participates in the	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities

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**New Jersey Person Center Planning Crosswalk
Serious Emotional Disturbance (SED) Demonstration**

			<p>supports?</p> <p>c) Did your care manager discuss with you your services and supports in the plan of care?</p>	<p>assessment, planning and delivery of service.</p> <p>N.J.A.C. 10-73 requires that enrollees have a choice of providers.</p>	
7.	§441.301(c)(1)(viii)	The PCP process includes a method for the individual to request updates to the plan as needed.	<p>a) Do you know how to go about asking your care manager/case manager/supports coordinator for an update to your care plan?</p> <p>b) Are you aware that the care plan is reviewed at least annually?</p> <p>c) Are you aware that your care plan can be reviewed sooner than every year if you feel there is a need?</p> <p>d) Was there a clear route explained to you if you need to update the plan during the care planning process?</p>	<p>N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.</p> <p>N.J.A.C. 10-73 requires that the plan of care is reviewed and amended as needed. This includes reviewing existing services for effectiveness and determining if changes to the plan are required.</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP
8.	§441.301(c)(2)(i)	The PCP reflects that the setting in which the individual resides is chosen by the individual.	<p>a) Did you choose where you live and receive your supportive services?</p> <p>b) Did you visit other places before choosing this option?</p>	<p>Waived services are provided in the enrollee's own home.</p>	*N/A
9.	441.301(c)(2)(ii)	The PCP reflects the individual's strengths and preferences.	<p>a) Does your plan of care include the things you want to do?</p>	<p>N.J.A.C. 10-73 requires that the plan of care is comprehensive, strength based, and developed in partnership with the enrollee.</p>	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.10 Comprehensive IPS; general
10.	441.301(c)(2)	The PCP reflects clinical and	<p>a) Is a standardized and comprehensive</p>	<p>N.J.A.C. 10-73 requires</p>	Chapter 73 Case Management Services

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	(iii)	support needs as identified through an assessment of functional need.	<p>clinical assessment conducted as part of the PCP?</p> <p>b) Are the individual’s clinical assessment results identified in the PCP along with his/her support needs?</p> <p>c) Are the clinical and support needs reflected in the plan of care and documented in the PCP for the individual/chosen representative(s)?</p>	<p>that the plan of care is completed based on a comprehensive assessment that identifies current strengths and needs.</p> <p>NJ CANS (Child Adolescent Needs and Strengths) Assessment Tool</p>	<p>Subchapter 3. Care Management Organization Services 10:73-3.10 Comprehensive IPS; general</p> <p>NJ CANS (Child Adolescent Needs and Strengths) Assessment Tool</p>
11.	441.301(c)(2)(v)	The PCP reflects the services and supports (paid and unpaid) that will assist the individual to achieve identified goals, and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of NJ FamilyCare waiver services and supports.	<p>a) Does your plan of care include all the help that you already receive besides what’s included in this plan?</p> <p>b) Are there are organizations and people who are part of your support network in the community?</p>	<p>N.J.A.C. 10-73 requires that the plan of care is outcome based, includes measureable short-term, interim, and long-term goals to address each area of unmet need.</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process) defines supports (natural, formal and informal).</p> <p>N.J.A.C. 10-73 requires that the plan of care reflects informal and natural supports as appropriate.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73 -3.9 Child/Family Team; members and responsibilities</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process)</p> <p>10:73-3.12 Amendments to the ISP</p> <p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.18 Community resource development</p>
12.	441.301(c)(2)(vi)	The PCP reflects risk factors and measures in place to minimize them, including individualized back-	<p>a) Do you understand the risks associated with your plan of care?</p> <p>b) Has your care manager/case</p>	<p>N.J.A.C. 10-73 requires that a crisis plan is included as part of the</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73 -3.17 Crisis management</p>

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		up plans and strategies when needed.	<p>manager/supports coordinator explained to you these risks?</p> <p>c) Did the care manager/case manager/supports coordinator explain a way to lessen any risks?</p> <p>d) Did the care manager/case manager/supports coordinator review a back-up plan if, for example, your caregiver doesn't show up?</p> <p>e) Do you feel prepared to handle an emergency?</p>	<p>plan of care.</p> <p>NJ Wraparound Training (Values & Principles and Child Family Team Process)</p>	<p>NJ Wraparound Training (Values & Principles and Child Family Team Process)</p>
13.	441.301(c)(2) (vii)	The PCP is understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient.	<p>a) Is the care plan easy for you to understand?</p>	<p>N.J.A.C. 10-73 requires that the plan of care is approved by each team member, including the enrollee.</p> <p>N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care manager, the enrollee as age appropriate.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities</p>
14.	441.301(c)(2) (viii)	The PCP identifies the individual and/or entity responsible for monitoring the plan.	<p>a) Do you know who to contact if you want to speak to someone about the plan of care?</p> <p>b) Do you know who to contact if you want to speak to someone about the plan of care?</p>	<p>N.J.A.C. 10-73 requires that the plan of care identifies responsibilities of participants.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities</p>
15.	441.301(c)(2) (ix)	The PCP is finalized and agreed to, with the informed consent of the individual in writing, and signed by all individuals and providers responsible for its implementation.	<p>a) Did you have enough time to review your plan of care once it was finalized for your approval?</p> <p>b) Did you get to sign the final plan of care?</p> <p>c) Did everyone involved in your care plan</p>	<p>N.J.A.C. 10-73 requires that the plan of care is approved by each team member, including the enrollee.</p>	<p>Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities</p>

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			sign off on it?	N.J.A.C. 10-73 requires that the plan of care is signed, at a minimum, by the care manager, the youth and family, as age appropriate, and placed in the youth's file within two weeks of the Child/Family Team meeting. A completed copy is forwarded to each team member, including the enrollee within one week of the meeting	
16.	441.301(c)(2) (x)	The PCP is distributed to the individual and other people involved in the plan.	a) Did you get a copy of the final plan of care?	N.J.A.C. 10-73 requires that the completed and approved plan of care is forwarded to each team member, including the enrollee within one week of the Child/Family Team meeting.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.9 Child/Family Team; members and responsibilities
17.	441.301(c)(3)	The PCP is reviewed, and revised upon reassessment of functional need at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.	a) Do you know when your annual review of the plan of care is scheduled to take place? b) Do you know that you can request a review of the care plan at any time if you feel your needs or circumstances have changed?	N.J.A.C. 10-73 requires that the plan of care is updated at minimum every three months, and more frequently as needed.	Chapter 73 Case Management Services Subchapter 3. Care Management Organization Services 10:73-3.12 Amendments to the ISP

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Section B: Individual Experience Assessment – Integration with the Greater Community					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to participate in unscheduled and scheduled community activities in the same manner as people not receiving Medicaid HCBS services.	a) Are you able to participate in activities that you want to do in the community? b) Do you know how to make arrangements to participate in activities in the community if you want to?	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to regularly access the greater community outside of the setting.	a) Are you able to regularly engage in activities in the community if you want to?	Waived services are provided in the enrollee's own home.	**N/A
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is aware of and has access to information and materials to know of activities taking place outside of the setting.	a) Do you have regular access to information and materials about activities taking place in the community?	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can shop, attend religious services, go to appointments, dine with family and friends, etc., in the community, as he/she chooses.	a) Can you come and go when you want? b) Are you able to work or stay active in the community if you want? c) If you want to work, is there a way to help you look for a job?	Waived services are provided in the enrollee's own home.	**N/A
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the handling of visitors in the setting.	a) Are you able to have visitors at any time? b) Are your visitors restricted to stay in certain meeting areas?	Waived services are provided in the enrollee's own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the level of access that individuals have to the community.	a) Are you able to come and go when you want both inside and outside? b) Do you have a curfew or other requirement when you need to return home? c) Are you able to take public transportation? d) Are there bus stops nearby or are taxis available in the area? e) Is there a van that can bring you to appointments, out shopping, etc.?	Waived services are provided in the enrollee's own home.	**N/A

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Section C: Individual Experience Assessment – Choice and Independence in the Home and Community Based Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has his/her own bedroom or shares a room with a roommate of choice.	a) Were you able to choose a roommate? b) If you are married, did you have the option to share or not share a room? c) Are you able to request a change of roommate if you want?	Waived services are provided in the enrollee's own home.	**N/A
2.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can choose and control a schedule that meets his/her wishes in accordance with a person-centered plan?	a) Do you make your own daily schedule? b) Can you decide when you want to take a shower, eat and do your activities? c) Are you able to do what you want to do when you want to do it at your own convenience? d) Does your neighbor have to have the same schedule as you?	Waived services are provided in the enrollee's own home.	**N/A
3.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual is able to control his/her personal resources.	a) Do you have a checking or savings account or another means to control your money? b) Do you have access to your money? c) Can you buy things you need?	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(i) §441.710(a)(1)(i)	This sub-section refers to the dining section.	a) Can you eat when and where you want? b) Do you have a choice in your meal if you ask for it? c) Are snacks accessible and available anytime? d) Do you need to sit in an assigned seat in a dining area? e) Can you eat privately if you request it? f) Are you able to choose with whom you	Waived services are provided in the enrollee's own home.	**N/A

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			want to eat or alone if that is what you want?		
5.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual can make private telephone calls/text/email at the individual's preference and convenience.	a) Is the telephone or other technology device in a location that ensures your privacy when communicating with others? b) Does your room have a telephone jack, WI-FI or ETHERNET jack?	Waived services are provided in the enrollee's own home.	**N/A
6.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The setting is an environment that supports individual comfort, independence and preferences.	a) Are you able to cook and do laundry if you want to do it yourself in a private area? b) Are you able to eat by yourself in a dining area if that is what you prefer to do? c) Is there comfortable seating in the dining and living room areas? d) Is there someone who can explain to you how things work in the setting? e) Can you get help with tasks in a discrete way if you need assistance?	Waived services are provided in the enrollee's own home.	**N/A
7.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The individual has full access in the setting.	a) Are you able to move about easily where you live and come and go as you please? b) Are there any barriers to your free movement where you live? c) Are you able to access the same services as everyone else living there? d) Is the setting physically accessible with no obstructions? e) Are there solutions in place to work such as a stair lift or elevator to work around any obstructions such as steps, lips in a doorway and narrow hallways which limit your mobility?	Waived services are provided in the enrollee's own home.	**N/A

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8.	§441.301(c)(4)(i) §441.710(a)(1)(i)	The physical environment meets the needs of individuals who require supports.	a) Are all the appliances accessible to you? b) Are supports provided, such as grab bars, seats in the bathroom, ramps for wheel chairs, viable exits for emergencies if you need them? c) Are tables and chairs at a convenient height and location so that individuals can access and use the furniture comfortably?	Waived services are provided in the enrollee's own home.	**N/A
9.	§441.301 (c) (4) (vi) §441.710(a)(1)(vi)	The individual has privacy in their sleeping or living unit.	a) Can you close and lock your bedroom door? b) Can you close and lock your bathroom door? c) Did you decide who has a key to your bedroom and bathroom doors? d) Do staff or other residents always knock and receive permission before entering your bedroom and bathroom?	Waived services are provided in the enrollee's own home.	**N/A
10	§441.301 (c) (4) (vi)	The individual has a comfortable place to visit with family and friends.	a) Is there a comfortable area where there is furniture arranged to support small group conversations and gatherings?	Waived services are provided in the enrollee's own home.	**N/A
11	§441.301 (c) (4) (vi)	The individual is able to furnish and decorate his/her sleeping and/or living units.	a) Did you decorate your room? b) Can you hang things up on the wall if you want? c) Can you have your own furniture and use your own linens if you want? d) Can you make any decorating changes in the room/living space that you want?	Waived services are provided in the enrollee's own home.	**N/A
Section D: Individual Experience Assessment – Resident Rights in the HCBS Setting					
	Federal Rule	CMS Rule/HCBS Setting	CMS Guidance	Compliance Demonstration*	Citation/Proof/Verification
1.	§441.301(c)(4)(vi)	The individual's right to dignity and privacy is respected.	a) Do you feel like you are treated with respect in the setting?	Waived services are provided in the enrollee's	**N/A

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			<ul style="list-style-type: none"> b) Is someone able to help you with your personal grooming if you need it? c) Are your wishes respected when it comes to your personal grooming? d) Are your schedules for PT, OT, medications, restricted diet, etc., posted in a general open area for all to view – or are they kept private? 	own home.	
2.	§441.301(c)(4)(vi)	The individual is communicated with in a dignified manner.	<ul style="list-style-type: none"> a) Is the staff friendly to you? b) Does staff treat you with respect? c) Does staff address in the way you want to be addressed? 	Waived services are provided in the enrollee's own home.	**N/A
3.	§441.301(c)(4)(vi)	The individual is free from coercion.	<ul style="list-style-type: none"> a) Do you know how to file a complaint? b) Do you know who takes complaints in the setting? c) Do you know how to file a complaint if you need to do it on an anonymous basis? 	Waived services are provided in the enrollee's own home.	**N/A
4.	§441.301(c)(4)(vi)	There a legally enforceable agreement for the unit or dwelling where the individual resides.	<ul style="list-style-type: none"> a) Do you have a lease or a written residency agreement for where you live? b) Do you know your housing rights? c) Do you know your rights as a tenant and protections from eviction? 	Waived services are provided in the enrollee's own home.	**N/A

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