

## PREVOCATIONAL BENCHMARKS – COMPLIANCE TOOL

The Benchmark Guides for Home and Community-Based Services Settings Rule: Nonresidential Provider Settings cross-references the Wisconsin Department of Health Services (DHS) compliance requirements for nonresidential provider settings with the federal settings rule. It provides justification to support DHS' determination of compliance and gives settings a reference of DHS benchmarks for HCBS compliance.

DHS has completed the first round of nonresidential provider compliance reviews and recommends updates to the current benchmarks, including separating the benchmarks by specific provider type, eliminating redundancy between by combining benchmarks with similar objectives, and clarifying benchmark language. The reduction in number of benchmarks does NOT reduce the number of compliance efforts required by the setting, but rather increases the setting's efficiency in demonstrating compliance with the Settings Rule. These proposed benchmarks only apply to Prevocational providers.

Revised 5/9/22

BENCHMARK NUMBER	PROPOSED BENCHMARK
1A	<p>Setting has at least two of the following at or near the setting:</p> <ul style="list-style-type: none"> <li>• Sidewalks</li> <li>• Pedestrian roads</li> <li>• Signage</li> <li>• Curb cuts and</li> <li>• Accessible ramps (or equivalent)</li> </ul> <p>If not, setting has a plan in place and implements the plan to access the broader community.</p>
1B	<p>Setting has access to a variety of community-based activities that provide a measure of psycho-social value to individuals. Examples of where such activities can take place may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Parks</li> <li>• Schools and/or colleges/universities</li> <li>• Library</li> <li>• Community center</li> <li>• Job center</li> <li>• Restaurants</li> <li>• Stores</li> </ul> <p>If not, setting has a plan in place to access the broader community and implements the plan.</p>
2A	<p>Setting provides opportunities for daily interaction with people from the broader community who do not receive HCBS services and are not paid to provide support.</p>
2B	<p>People receiving HCBS have opportunities for individualized or small group activities in and outside the setting with people without disabilities in addition to congregate activities.</p>
3A	<p>People who receive HCBS may choose to receive their medical treatments in the same places as others without disabilities and are not mandated to use services provided by the setting.</p>

4A	<p>Setting provides the following, which will allow people receiving HCBS to seek and work in competitive integrated employment (CIE) in addition to receiving facility-based prevocational services according to their person-centered assessment and planning goals:</p> <ul style="list-style-type: none"> <li>• Supported employment</li> <li>• Customized employment</li> <li>• Community-based on-the-job training opportunities <b>and</b></li> <li>• Meaningful community-based, non-work activities</li> </ul> <p>Settings that also provide Vocational Futures Planning are encouraged to provide evidence of this service.</p>
4B	Setting allows flexible scheduling and holds a DVR contract for supported employment or job placement services <b>and</b> a long-term care contract for providing supported employment-individual support services.
4C	Setting completes meaningful, person-centered assessments for each person receiving HCBS about what is important and valuable to them regarding CIE at least every 6 months and uses this information to establish a person-centered plan that includes measurements for milestones and progress toward CIE goals.
4D	Setting provides the same degree of access to the community as staff, volunteers and people not receiving HCBS.
4E	Setting reports that individuals receiving HCBS are spending their desired amount of time in integrated work activities and provides documentation to support this assertion.
5A	Setting offers opportunities to experience activities that promote new learning related to areas of interest identified by the person receiving HCBS.
5B	Setting allows people receiving HCBS to request time off and call in sick.
6A	Setting does not have rules to restrict freedom of movement inside or outside the setting that can be considered different than people not receiving HCBS. Any restrictions must be documented in each individual person-centered assessment, plan, and behavior support plan.
7A	The setting provides or supports access to accessible public transportation to and from facility to the broader community, including to paid employment. If public transportation is not available, the setting provides and posts information, in a convenient location, about resources to access the broader community.
7B	The setting provides transportation for individuals receiving HCBS to the broader community when requested, within reason, or provides and posts information, in a convenient location, about transportation options to individuals if setting does not provide transportation.
8A	Setting provides tasks and activities both inside and outside the setting that are comparable to tasks and activities for people of similar ages who do not receive HCBS.
8B	Individuals receiving HCBS are able to decline to participate in activities.
9A	<p>Setting provides:</p> <ul style="list-style-type: none"> <li>• a secure place for people receiving HCBS to store their personal belongings,</li> <li>• opportunity for people receiving HCBS to choose where they keep their monetary resources in the same ways as people not receiving HCBS, <b>and</b></li> <li>• decision making opportunities for spending one's own money onsite or in the community.</li> </ul> <p>This may include provision of vending machines, a cafeteria, access to restaurants and/or shopping opportunities.</p>
10A	Setting adapts activities and schedules to the needs and preferences of people receiving HCBS upon request. This includes:

	<ul style="list-style-type: none"> <li>• offering both community-based and facility-based prevocational service options to allow flexibility for people receiving HCBS to choose where their services take place at various times throughout the day,</li> <li>• using adaptive aids and technology to assist in activity participation, <b>and</b></li> <li>• other accommodations to meet the needs of people receiving HCBS within the scope of the setting's responsibilities.</li> </ul>
11A	Setting ensures all direct-support professionals receive training in person-centered assessment and planning strategies upon hire and annually, thereafter.
12A	Setting has practices, procedures, and policies to ensure: <ul style="list-style-type: none"> <li>• All information about individuals receiving HCBS services is kept private and confidential</li> <li>• Individuals receiving HCBS have privacy when receiving assistance with personal cares, <b>and</b></li> <li>• Staff receive training on confidentiality upon hire and annually thereafter.</li> </ul>
13A	Setting ensures staff remain discreet and respectful at all times, including: <ul style="list-style-type: none"> <li>• Addressing individuals in the manner in which they would like to be addressed,</li> <li>• Using a person's preferred name, nickname or title,</li> <li>• Not talking about a person receiving services in the presence of others, <b>and</b></li> <li>• Not discussing individuals as if they were not present.</li> </ul>
14A	Settings using restraints or restrictive measures must: <ol style="list-style-type: none"> <li>a) Have a policy that matches state restrictive measures policies,</li> <li>b) Use them in accordance with Wisconsin policies,</li> <li>c) Use them only as approved by DHS and if not approved, does not use, <b>and</b></li> <li>d) Report emergency use of restrictive measures to the waiver agency as an incident.</li> </ol> Settings that do not use restraints or restrictive measures are exempt from meeting this benchmark.
15A	Setting has practices and policies in place to ensure that staff respond to the needs and preferences of people receiving HCBS, as identified in their person-centered assessment and plan, in a timely manner.
16A	Setting ensures person-centered behavior support plans are implemented in such a way as to not impede the rights of other individuals or restrict others from setting activities.
17A	Setting ensures that people who receive HCBS make meaningful choices in their daily non-work activities, which align with their personal goals, interests, and needs. Meaningful choices may be made in a variety of ways including: <ul style="list-style-type: none"> <li>• person-centered assessments,</li> <li>• formal interviews or</li> <li>• informal discussion with people receiving HCBS, <b>and</b></li> <li>• consideration of input from parent, legal decision maker or family member.</li> </ul>
18A	Setting offers a variety of places in the physical environment to meet the goals and needs of people receiving HCBS. Activities cannot take place in the same room, but rather in a variety of at least two distinct areas, with at least one allowing for privacy. Options include: <ul style="list-style-type: none"> <li>• indoor or outdoor gathering spaces,</li> <li>• large or small group activity areas,</li> <li>• private space, <b>or</b></li> <li>• quiet areas</li> </ul>

19A	<p>Setting matches tasks and activities to the age, skills, abilities, and desires of people receiving HCBS by offering:</p> <ul style="list-style-type: none"> <li>• an array of comparable tasks and activities,</li> <li>• the flexibility to adjust tasks and activities, as needed,</li> <li>• comparable assessment tools, <b>and</b></li> <li>• communication approaches for people receiving HCBS who are of similar age, skills, and abilities</li> </ul>
20A	<p>Setting provides and posts information about:</p> <ul style="list-style-type: none"> <li>• Individual rights <b>and</b></li> <li>• How to make a request for additional services, accommodations, or changes to their person-centered, setting-specific assessment and plan.</li> </ul>
21A	Setting must have a reasonable accommodations policy and must be accessible per the Americans with Disabilities Act (ADA).
22A	<p>Setting ensures that people who receive HCBS have access to a dignified, age-appropriate dining experience. This includes:</p> <ul style="list-style-type: none"> <li>• A meal setting where people can move about, talk to others and be comfortable,</li> <li>• A dignified approach to assistance with pace, food sequence and refusal of food items when setting assists people to eat,</li> <li>• Use of appropriate clothing protection, if needed,</li> <li>• Allowing consumption of snacks and meals for people receiving HCBS like others in a similar setting, <b>and</b></li> <li>• Opportunities for private dining, if requested.</li> </ul>
23A	<p>The setting will:</p> <ul style="list-style-type: none"> <li>• Not restrict social interactions or set time limits on who people can talk to and spend time with in or outside the setting</li> <li>• Allow people receiving HCBS to spend as much of their free time as they like with whomever they choose</li> </ul>
24A	Setting provides informed choice opportunities for people receiving HCBS to practice decision making and to be as autonomous as possible.
25A	Setting allows flexibility for people receiving HCBS to choose with which staff they would like to work, within reason, that doesn't negatively impact the quality of services being provided to others in the setting.
26A	<p>Setting offers people receiving HCBS opportunities to:</p> <ul style="list-style-type: none"> <li>• make their own schedules <b>and</b></li> <li>• update and change their daily schedules upon request and at the person's six- month review.</li> </ul> <p>Setting must document these choices and options for each person.</p>
27A	Setting has policies, procedures, and practices to ensure the person receiving HCBS is supported and involved in developing person-centered, setting-specific assessments, and plans to support their needs and preferences.
28A	<p>Setting has policies, procedures, and practices in place to ensure that staff is trained in:</p> <ul style="list-style-type: none"> <li>• person-centered assessment and planning strategies</li> <li>• working with the target population</li> <li>• using individualized communication styles <b>and</b></li> <li>• utilization of assistive technology.</li> </ul>