



**pennsylvania**

DEPARTMENT OF HUMAN SERVICES  
OFFICE OF DEVELOPMENTAL PROGRAMS

# Home & Community-Based Services Rule Assessments

## **LICENSING RESULTS**

**Fiscal Year 2021-2022**



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**ACRONYMS USED IN THIS REPORT**

<b>AAW</b>	Adult Autism Waiver
<b>CLW</b>	Community Living Waiver
<b>CMS</b>	Centers for Medicare & Medicaid Services
<b>CPS</b>	Community Participation Supports
<b>DHS</b>	Department of Human Services

<b>FY</b>	Fiscal Year
<b>HCBS</b>	Home & Community Based Services
<b>ID/A</b>	Intellectual Disability or Autism
<b>ODP</b>	Office of Developmental Programs
<b>P/FDS</b>	Person/Family Directed Support

# A. INTRODUCTION

## ABOUT THE HCBS RULE

The Home and Community-Based Services (HCBS) Rule became effective in March of 2014 and was created by the Centers for Medicare and Medicaid Services (CMS) to enhance the quality of HCBS, provide protections to individuals, and to ensure individuals receiving HCBS have full access to the benefits of community living and the opportunity to receive services in the most integrated setting appropriate. This includes opportunities to seek employment, work in competitive and integrated settings, engage in community life, control personal resources, and receive services in the community to the same degree as people who do not receive HCBS.

The Office of Developmental Programs (ODP) HCBS waivers include the Consolidated, Community Living (CLW), Person/Family Directed Support (P/FDS), and Adult Autism (AAW) Waivers. The CMS HCBS Rule requires states to assess all services and service locations that receive funding or payment through an approved HCBS waiver. To meet these expectations, ODP incorporated requirements into licensing and programmatic regulations 55 Pa. Code Chapters 2380, 2390, 6100, 6400, and 6500, that align with the HCBS Rule, and were published on October 5, 2019, with most requirements effective on February 1, 2020. This report provides results from licensing inspections completed in Fiscal Year 2021-2022 (FY21-22), between July 1, 2021, and June 30, 2022, for service locations licensed under 55 Pa. Code Chapters 2380, 2390, 6400, or 6500.

Adult Training Facilities under Chapter 2380, Vocational Facilities under Chapter 2390, Community Homes under Chapter 6400, and Life Sharing Homes under Chapter 6500 must have a license to operate in accordance with Pennsylvania statutes and regulations. As these settings serve individuals with an intellectual disability or autism (ID/A), ODP is responsible for completing licensing inspections and other oversight activities. To accomplish this, ODP has a Regulatory Administration Unit responsible for developing operational policy and regulatory interpretations, enforcement actions, and ensuring that licensing functions are performed consistently across the state, as well as approximately 60 regionally based regulatory professionals who complete inspections of these settings at least once annually, and as needed, in response to complaints or serious incidents.

## INSPECTION METHODS

ODP first identified requirements in Chapters 2380, 2390, 6400 and 6500 that align with the HCBS Rule. See applicable regulations at [dhs.pa.gov \(Licensing Regulations\)](https://dhs.pa.gov/Licensing-Regulations). Then ODP reviewed licensing inspection data for these requirements, gathered during renewal inspections and partial inspections completed in FY21-22. A renewal inspection is one where a licensee's compliance with all regulations is measured to determine whether the licensee should remain licensed. A partial inspection is one where a licensee's compliance with a subset of regulations is measured in response to a complaint, reported incident, or as part of a monitoring schedule (licensees who are on a provisional license or who are operating pending appeal are subject to regular unannounced monitoring inspections).

It should be noted that Chapter 2380 and Chapter 2390 licensees operate distinct facilities, with one license issued to each facility. Inspection findings are for each distinct facility. In this document, "inspection" of a Chapter 2380 or Chapter 2390 facility means that it is an inspection of a distinct facility, or a single home, as part of a Renewal or Partial Inspection, depending on the chapter of regulations for which data is being presented.

Conversely, Chapter 6400 and Chapter 6500 licenses allow for multiple homes to be covered by a single license, issued to an agency that is responsible for the operation of each home. Each home is counted as an "inspection" in ODP's data. Renewal and Partial Licensing Inspections consist of multiple inspections, since multiple homes operated by the agency, under one license, are inspected.

To determine whether a home or facility was compliant with each regulatory requirement, ODP's regulatory professionals visually confirmed compliance (when applicable) and reviewed policies, procedures, training records, service notes, progress notes and other relevant documentation maintained by the provider. Regulatory professionals also interview staff that work in the home or facility, as well as individuals who receive services in the home or facility. Licensees must develop and implement a plan to correct any identified violations, after which the regulatory professionals will verify that the plan was implemented, and compliance has been achieved. If the plan was not implemented and the home or facility remains noncompliant, they will be issued a short-term, provisional "warning" license, or the license to operate may be revoked.

Pennsylvania requires that all Adult Training Facilities, Vocational Facilities, Community Homes, and Life Sharing Homes be licensed in accordance with state statutes and regulations. The

following waiver services may be provided in these licensed settings:

- Community Participation Support (CPS),
- Day Habilitation,
- Residential Habilitation; and,
- Life Sharing

Figure 1. Licensed Services Rendered by ODP Waiver

SETTING	WAIVER SERVICES RENDERED				
	CPS (ID/A Waivers)	Day Habilitation (AAW)	Residential Habilitation (CLW & Consolidated)	Residential Habilitation (AAW)	Life Sharing (CLW & Consolidated)
Adult Training Facilities (Chapter 2380)	X	X			
Vocational Facilities (Chapter 2390)	X				
Community Homes (Chapter 6400)			X	X	
Life Sharing Homes (Chapter 6500)				X	X

### SUMMARY OF FINDINGS & RESULTS FOR FY 21-22

- 83% of day programs were in full compliance with the HCBS Rule regulations at the time of the inspection.
- 90% of residential programs were in full compliance with the HCBS Rule regulations at the time of the inspection.
- In locations where HCBS Rule violations were found, only one HCBS Rule violation was identified in the majority of those locations.

- Most HCBS Rule violations were related to individual rights. The most common violations of individual rights were failure to inform individuals of and explain their rights; discrimination against individuals because of race, color, creed, disability, religious affiliation, ancestry, gender, gender identity, sexual orientation, national origin, or age; and not providing individuals the opportunity to lock their bedroom doors.
- In locations where a HCBS Rule violation was found, 88% fully corrected the violation. The remaining 12% were subjected to sanctions for failure to comply with requirements.

## COMPARING FY 20-21 & FY 21-22

In 2021, ODP produced the first annual HCBS Rule licensing report, [dhs.pa.gov \(Licensing Report FY2021\)](https://dhs.pa.gov/Licensing/Report-FY2021), for the period July 1, 2020 to June 30, 2021. ODP compared the findings in the previous report to the findings for FY 21-22 in this report to determine whether and how the findings had changed.

- The most common violations in FY 21-22, in Chapters 2380, 6400, and 6500 facilities were largely identical to those found in FY 20-21.
- Failure to inform of and explain individual rights was the most common Chapter 2390 violation in both FY 20-21 and FY 21-22, although there was a significant increase in violations relating to staff training in FY 21-22.
- The distribution of number of violations generally remained the same in FY 21-22 in that 90% of locations had no HCBS Rule violations, 8% had 1 violation, 1.7% had 2 violations and the remaining 0.3% had 3 or more violations.
- Comparison of findings from FY 20-21 show that HCBS Rule compliance generally improved or remained the same in FY 21-22, in Chapters 2380, 6400, and 6500 facilities.

Figure 2. Locations Where No HCBS Rule Violations Found

SETTING	LOCATIONS INSPECTED		VIOLATIONS NOT FOUND	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Adult Training Facilities (Chapter 2380)	153	287	122 / 80%	240 / 84%
Vocational Facilities (Chapter 2390)	37	80	33 / 89%	66 / 82%
Community Homes (Chapter 6400)	2,844	3,090	2,458 / 86%	2,795 / 90%
Life Sharing Homes (Chapter 6500)	568	569	516 / 91%	514 / 90%
<b>TOTAL</b>	<b>3,602</b>	<b>4,026</b>	<b>3,139 / 87%</b>	<b>3,615 / 90%</b>

Figure 3. Percentages of HCBS Rule Violations by Regulatory Chapter

Regulatory Chapter								
# of Violations	FY 2020-2021				FY 2021-2022			
	2380	2390	6400	6500	2380	2390	6400	6500
0	80%	89%	86%	91%	84%	83%	90%	90%
1	16%	11%	11%	5%	15%	18%	7%	8%
2	4%	0%	2%	3%	1%	0%	2%	1%
3	0%	0%	0.5%	0.7%	0%	0%	0.4%	0.4%
4	0%	0%	0.4%	0.2%	0%	0%	0.3%	0.2%
5+	0%	0%	0.5%	0.2%	0%	0%	0.3%	0.2%

## FY 21-22 INSPECTIONS & VIOLATIONS RESULTS

Figure 4. Inspections & Locations with No HCBS Rule Violations

SETTING	INSPECTIONS with NO VIOLATIONS			LOCATIONS with NO VIOLATIONS		
	Completed Inspections*	Number	Percent	Locations Inspected*	Number	Percent
Adult Training Facilities (Chapter 2380)	299	252	84%	287	240	84%
Vocational Facilities (Chapter 2390)	83	69	83%	80	66	83%
Community Homes (Chapter 6400)	3,595	3,283	91%	3,090	2,795	90%
Life Sharing Homes (Chapter 6500)	613	558	91%	569	514	90%
<b>TOTAL</b>	<b>4,590</b>	<b>4,162</b>	<b>91%</b>	<b>4,026</b>	<b>3,615</b>	<b>90%</b>

Figure 5. Distribution of HCBS Rule Violations by Regulatory Chapter

SETTING	DISTRIBUTION OF VIOLATIONS by Number of Locations Inspected*				
	1	2	3	4	5+
Adult Training Facilities (Chapter 2380)	43 / 15%	4 / 1%	0 / 0%	0 / 0%	0 / 0%
Vocational Facilities (Chapter 2390)	14 / 18%	0 / 0%	0 / 0%	0 / 0%	0 / 0%
Community Homes (Chapter 6400)	202 / 7%	61 / 2%	12 / 0.4%	10 / 0.3%	10 / 0.3%
Life Sharing Homes (Chapter 6500)	46 / 8%	5 / 1%	2 / 0.4%	1 / .02%	1 / .02%

\*Number of inspections completed exceeds the number of facilities/homes inspected, usually because of partial inspections conducted, in addition to a renewal inspection, during the year. Additionally, facilities/homes on a provisional license are subject to at least two renewal inspections during the year, as provisional licenses do not exceed six months.



Figure 6. Number & Percent of Locations with No HCBS Rule Violations

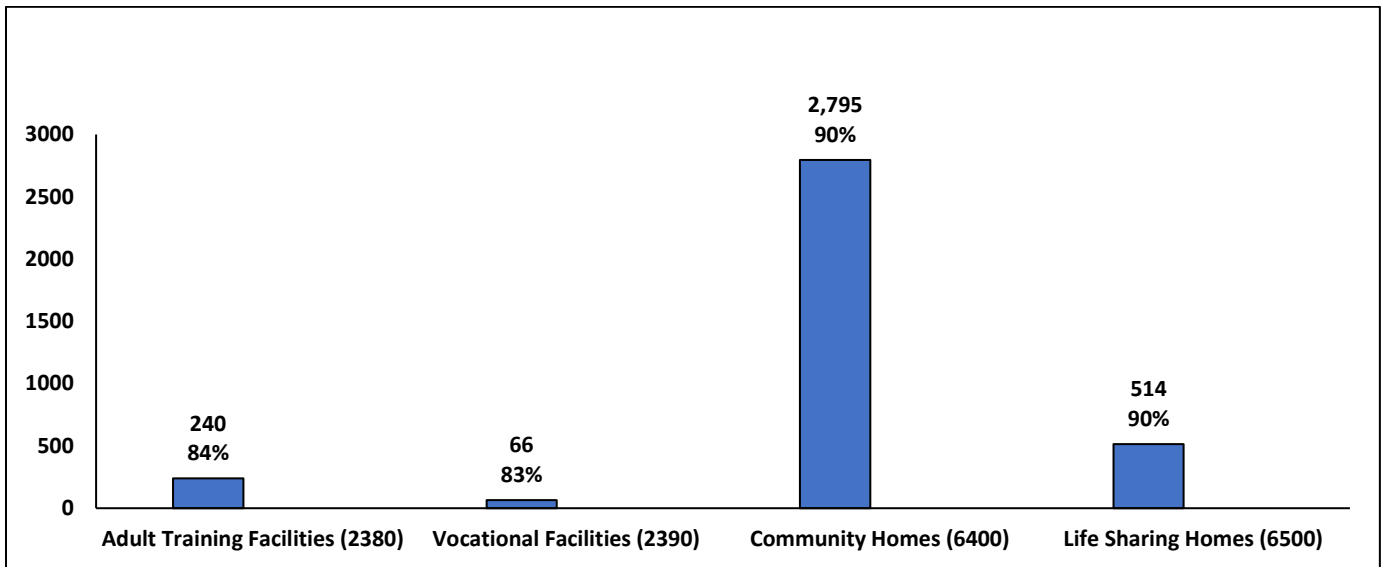
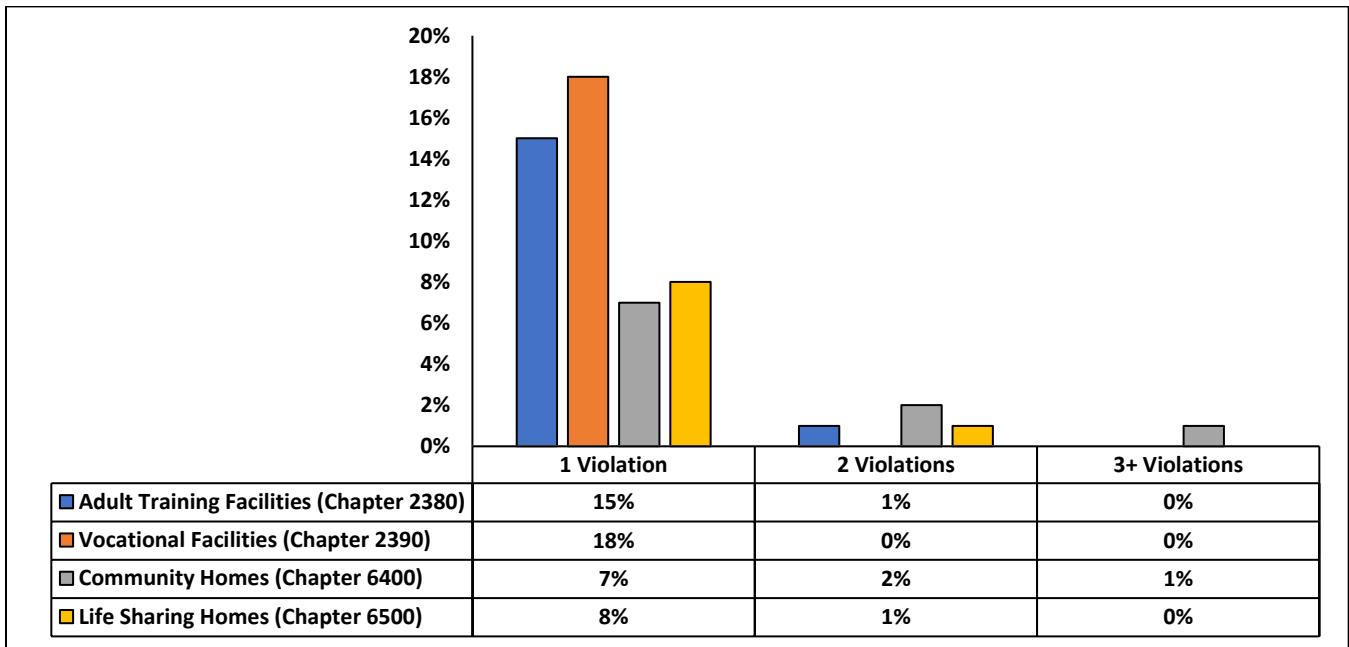


Figure 7. Distribution of Number of HCBS Rule Violations by Percent of Locations Inspected



## B. FINDINGS BY SETTING TYPE

In each of the sections to follow, for each setting type, in addition to the number of violations found, ODP identifies:

- Which HCBS Rule requirements were violated,
- The number of times the requirement was violated, and
- The percent of the total number of HCBS Rule violations based on the number of locations inspected.



## CHAPTER 2380: ADULT TRAINING FACILITIES LICENSING INSPECTION RESULTS

Figure 8: Number & Percent of Adult Training Facilities with Number of HCBS Rule Violations

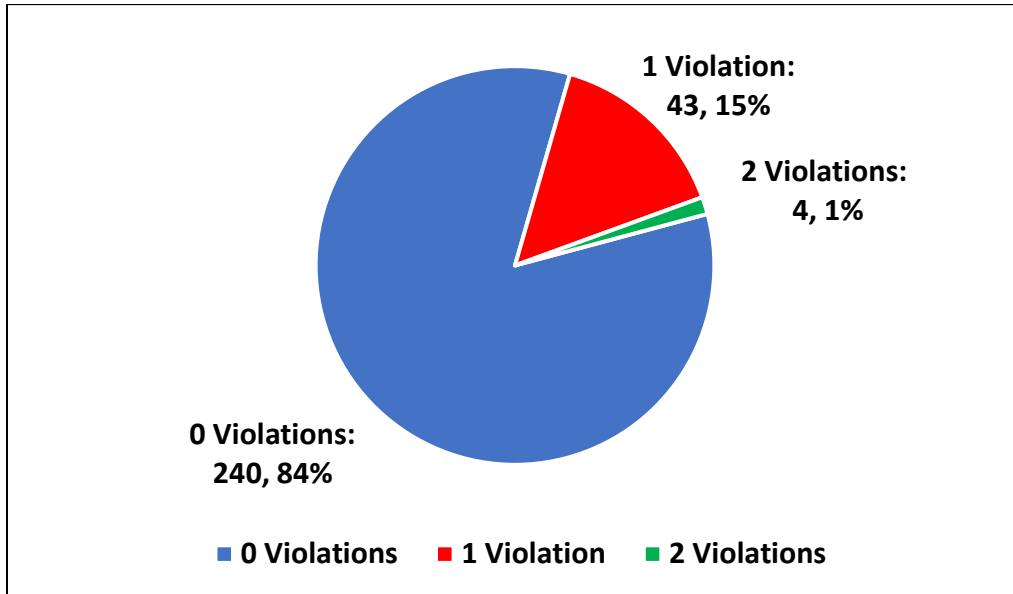


Figure 9: 2380 Licensing Inspections & HCBS Rule Violation Details

<b>ADULT TRAINING FACILITIES: NUMBER OF VIOLATIONS</b> <i>(Licensed Under Chapter 2380)</i>			
Regulation	Description	Number of Violations Found	Percent of HCBS Violations
2380.21(u)	The facility shall inform and explain individual rights and the process to report a rights violation to the individual, and persons designated by the individual, upon admission to the facility and annually thereafter.	39	76%
2380.21(v)	The facility shall keep a copy of the statement signed by the individual or the individual’s court-appointed legal guardian, acknowledging receipt of the information on individual rights.	5	10%
2380.37(a)	Records of orientation and training, including the training source, content, dates, length of training, copies of certificates received and persons attending, shall be kept.	3	6%
2380.176(a)	Individual records shall be kept locked when they are unattended.	3	6%
2380.188(a)	The facility shall provide services including assistance, training and support for the acquisition, maintenance or improvement of functional skills, personal needs, communication, and personal adjustment.	1	2%
	<b>TOTAL</b>	<b>51</b>	<b>100%</b>

## CHAPTER 2390: VOCATIONAL FACILITIES LICENSING INSPECTION RESULTS

Figure 10: Summary of Noncompliant 2390 Licensing Inspection Results

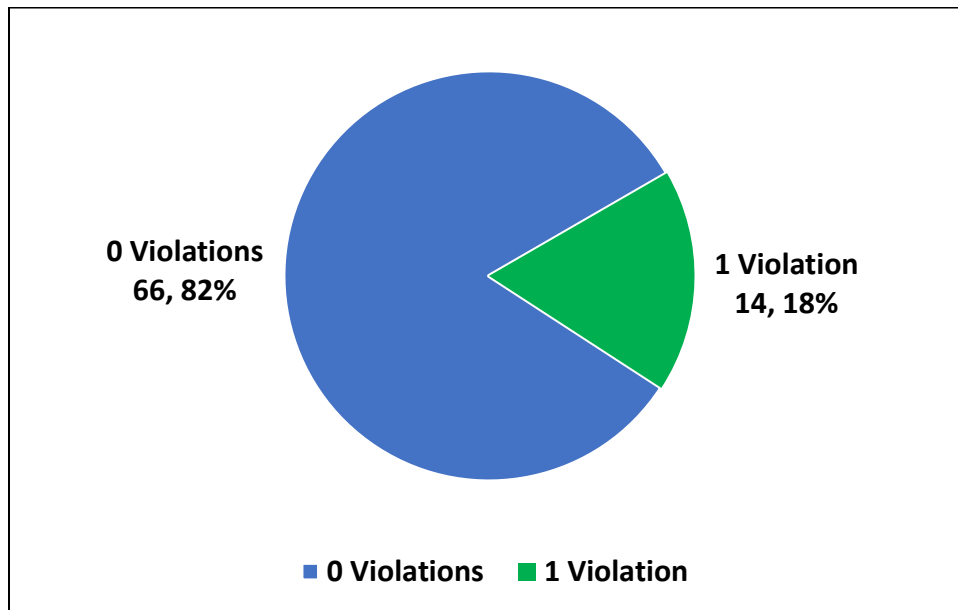
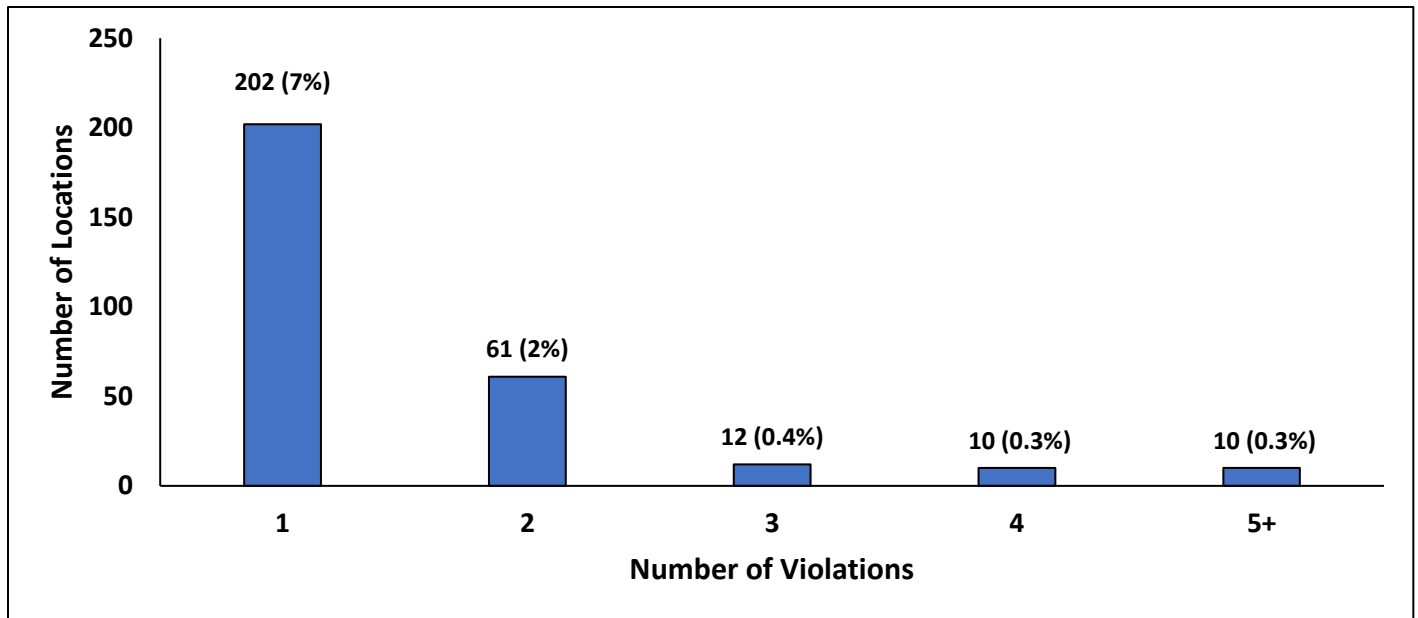


Figure 11: 2390 Licensing Inspections & HCBS Rule Violation Details

<b>VOCATIONAL FACILITIES: NUMBER OF VIOLATIONS FOUND</b> <i>(Licensed Under Chapter 2390)</i>			
Regulation	Description	Number of Violations Found	Percent of HCBS Violations
2390.21(u)	The facility shall inform and explain client rights and the process to report a rights violation to the client, and persons designated by the client, upon admission to the facility and annually thereafter.	10	71%
2390.40(a)	Records of orientation and training, including the training source, content, dates, length of training, copies of certificates received and persons attending, shall be kept.	4	29%
	<b>TOTAL</b>	<b>14</b>	<b>100%</b>

## CHAPTER 6400: COMMUNITY HOMES LICENSING INSPECTION RESULTS

Figure 12: Summary of Noncompliant 6400 Licensing Inspection Results



Note: Total number of locations inspected = 3,090 and the number of locations with no violations = 2,795.

Figure 13: 6400 Licensing Inspections & HCBS Rule Violation Details

COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND (Licensed Under Chapter 6400)			
Regulation	Description	Number of Violations Found	Percent of HCBS Violations
6400.34(a)	An individual may not be discriminated against because of race, color, creed, disability, religious affiliation, ancestry, gender, gender identity, sexual orientation, national origin, or age.	79	18%
6400.32(c)	An individual may not be abused, neglected, mistreated, exploited, abandoned, or subjected to corporal punishment.	40	9%
6400.32(r)	An individual has the right to lock the individual’s bedroom door.	39	9%

**COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND**

*(Licensed Under Chapter 6400)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
6400.22(d)(1)	The home shall keep an up-to-date financial and property record for each individual that includes the following: Personal possessions and funds received by or deposited with the home.	30	7%
6400.22(c)	Individual funds and property shall be used for the individual's benefit.	25	6%
6400.22(e)(3)	The record of an individual's financial resources must include documentation, by actual receipt or expense record, of each single purchase exceeding \$15 made on behalf of the individual carried out by or in conjunction with a staff person.	23	5%
6400.32(d)	An individual shall be treated with dignity and respect.	22	5%
6400.34(b)	The home shall keep a copy of the statement signed by the individual, or the individual's court-appointed legal guardian, acknowledging receipt of the information on individual rights.	22	5%
6400.22(d)(2)	The home shall keep an up-to-date financial and property record for each individual that includes the following: Disbursements made to or for the individual.	17	4%
6400.22(e)(1)	The record of an individual's financial resources must include a separate record of financial resources, including the dates and amounts of deposits and withdrawals.	15	3%
6400.32(r)(1)	Locking may be provided by a key, access card, keypad code or other entry mechanism accessible to the individual to permit the individual to lock and unlock the door.	13	3%

**COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND**

*(Licensed Under Chapter 6400)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
6400.195(c)	Behavior support component of the individual plan required content.	12	3%
6400.32(h)	An individual has the right to privacy of person and possessions.	9	2%
6400.32(r)(5)	Direct service workers who provide services to the individual shall have the key or entry device to lock and unlock the door.	9	2%
6400.195(a)	For each individual for whom a restrictive procedure may be used, the individual plan shall include a component addressing behavior support that is reviewed and approved by the human rights team in § 6400.194 (relating to human rights team), prior to use of a restrictive procedure.	8	2%
6400.207(4)(l)	Use of Chemical Restraint	8	2%
6400.195(b)	The behavior support component of the individual plan shall be reviewed and revised as necessary by the human rights team, according to the time frame established by the team, not to exceed 6 months between reviews.	7	2%
6400.22(f)	There may be no commingling of the individual’s personal funds with the home or staff person’s funds.	7	2%
6400.32(e)	An individual has the right to make choices and accept risks.	7	2%
6400.61(a)	A home serving individuals with a physical disability, blindness, a visual impairment, deafness, or a hearing impairment shall have accommodations to ensure the safety and reasonable	6	1%



**COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND**

*(Licensed Under Chapter 6400)*

Regulation	Description	Number of Violations Found	Percent of HCBS Violations
	accessibility for entrance to, movement within and exit from the home based upon each individual's needs.		
6400.22(e)(2)	The record of an individual's financial resources must include the amount of funds given directly to the individual.	4	1%
6400.31(b)	The home shall educate, assist, and provide the accommodation necessary for the individual to make choices and understand the individual's rights.	4	1%
6400.32(r)(4)	The locking mechanism shall allow easy and immediate access by the individual and staff persons in the event of an emergency.	4	1%
6400.32(s)	An individual has the right to have a key, access card, keypad code or other entry mechanism to lock and unlock an entrance door of the home.	4	1%
6400.32(t)	An individual has the right to access food at any time.	4	1%
6400.188(c)	The home shall provide services to the individual as specified in the individual plan.	3	1%
6400.22(a)	There shall be a written policy that establishes procedures for the protection and adequate accounting of individual funds and property and for counseling the individual concerning the use of funds and property.	3	1%
6400.31(a)	An individual may not be deprived of rights as provided under § 6400.32 (relating to rights of the individual).	3	1%
6400.32(i)	An individual has the right of access to and security of the individual's possessions.	3	1%

**COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND**

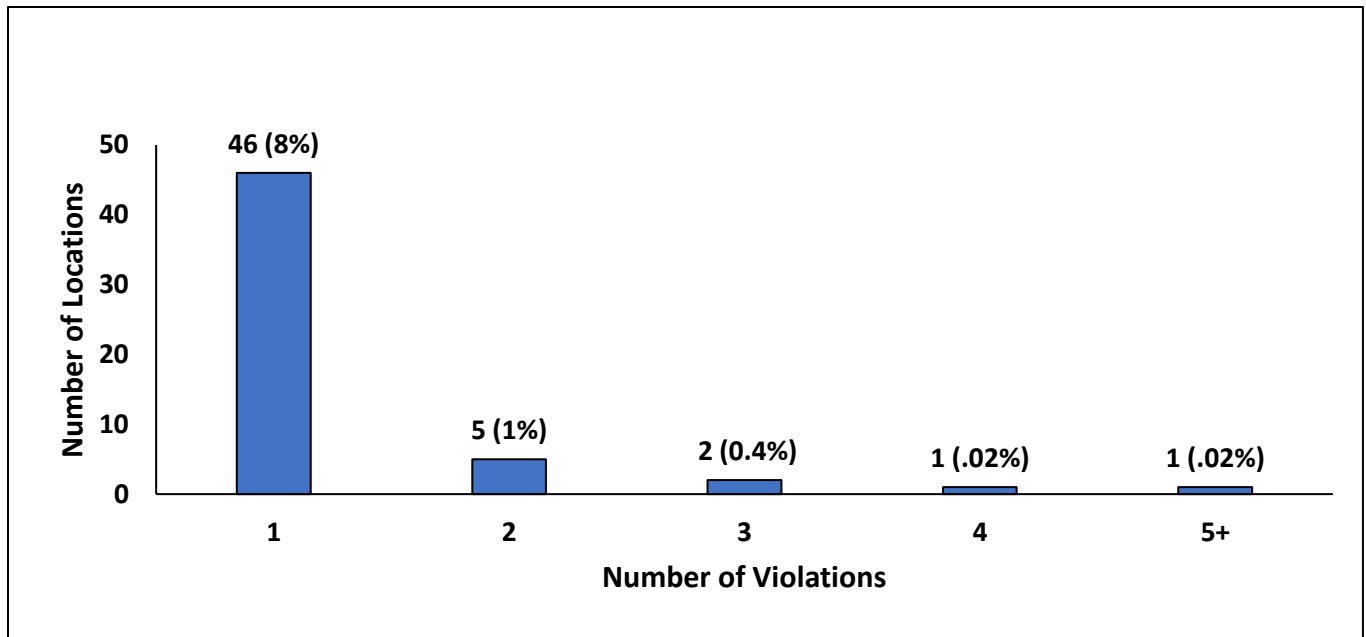
*(Licensed Under Chapter 6400)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
6400.32(k)	An individual has the right to participate in the development and implementation of the individual plan.	3	1%
6400.188(a)	The home shall provide services, including assistance, training and support for the acquisition, maintenance or improvement of functional skills, personal needs, communication, and personal adjustment.	2	0.4%
6400.190(c)	Documentation of recreational and social activities shall be kept in the individual's record.	2	0.4%
6400.207(5)(l)	Use of Mechanical Restraint.	2	0.4%
6400.32(n)	An individual has the right to unrestricted and private access to telecommunications.	2	0.4%
6400.61(b)	A home serving individuals with a physical disability, blindness, a visual impairment, deafness, or a hearing impairment shall have adaptive equipment necessary for the individuals to move about and function at the home.	2	0.4%
6400.32	Rights of the individual.	1	0.2%
6400.195(d)	If a physical restraint will be used or if a restrictive procedure will be used to modify an individual's rights in § 6400.185(6) (relating to content of the individual plan) the behavior support component of the individual plan shall be developed by a professional who has a recognized degree, certification or license relating to behavioral support.	1	0.2%

<b>COMMUNITY HOMES: NUMBER OF VIOLATIONS FOUND</b> <i>(Licensed Under Chapter 6400)</i>			
<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
6400.210(a)	Access to or the use of an individual's personal funds or property may not be used as a reward or punishment.	1	0.2%
6400.32(o)	An individual has the right to manage and access the individual's finances.	1	0.2%
6400.32(s)(2)	The locking mechanism shall allow easy and immediate access by the individual and staff persons in the event of an emergency.	1	0.2%
6400.32(v)	An individual's rights may only be modified in accordance with § 6400.185 (relating to content of the individual plan) to the extent necessary to mitigate a significant health and safety risk to the individual or others.	1	0.2%
	<b>TOTAL</b>	<b>449</b>	<b>100%</b>

## CHAPTER 6500: LIFE SHARING HOMES LICENSING INSPECTION RESULTS

Figure 14: Number and Percent of Life Sharing Homes with 1 or more HCBS Violations



Note: Total number of locations inspected = 569 and the number of locations with no violations = 514.

Figure 15: 6500 Licensing Inspections & HCBS Rule Violation Details

LIFE SHARING HOMES: NUMBER OF VIOLATIONS FOUND (Licensed Under Chapter 6500)			
Regulation	Description	Number of Violations Found	Percent of HCBS Violations
6500.34(a)	Individual rights and the process to report a rights violation shall be explained to the individual, and persons designated by the individual, prior to moving into the home and annually thereafter.	19	27%
6500.32(r)(1)	An individual has the right to lock the individual's bedroom door. Locking may be provided by a key, access card, keypad	16	23%

**LIFE SHARING HOMES: NUMBER OF VIOLATIONS FOUND**

*(Licensed Under Chapter 6500)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
	code or other entry mechanism accessible to the individual to permit the individual to lock and unlock the door.		
6500.24(f)	There may not be commingling of the individual’s personal funds with agency or household funds.	6	8%
6500.24(c)	An individual’s funds and property shall be used for the individual’s benefit.	6	8%
6500.24(e)(3)	[There shall be] documentation, by actual receipt or expense record, of each single purchase exceeding \$15 made on behalf of the individual carried out by family members or agency staff.	5	7%
6500.24(e)(1)	[There shall be] A separate record of financial resources including the dates and amounts of deposits and withdrawals.	5	7%
6500.24(d)(1)	An up-to-date financial and property record shall be kept for each individual that includes the following: Personal possessions and funds received by or deposited with the family or agency.	5	7%
6500.24(d)(2)	An up-to-date financial and property record shall be kept for each individual that includes the following: Disbursements made to or for the individual.	2	3%
6500.24(a)	There shall be a written policy that establishes procedures for the protection and adequate accounting of individual funds and property and for advising the individual concerning the use of funds and property.	2	3%

<b>LIFE SHARING HOMES: NUMBER OF VIOLATIONS FOUND</b> <i>(Licensed Under Chapter 6500)</i>			
<b>Regulation</b>	<b>Description</b>	<b>Number of Violations Found</b>	<b>Percent of HCBS Violations</b>
6500.32(s)	An individual has the right to have a key, access card, keypad code or other entry mechanism to lock and unlock an entrance door of the home.	1	1%
6500.32(r)(5)	The primary caregiver shall have the key or entry device to lock and unlock the [individual's bedroom] door.	1	1%
6500.31(a)	An individual may not be deprived of rights as provided under § 6500.32 (relating to rights of the individual).	1	1%
6500.24(e)(2)	For a withdrawal when the individual is given the money directly, the record shall indicate that funds were given directly to the individual.	1	1%
6500.165(a)	For each individual for whom a restrictive procedure may be used, the individual plan shall include a component addressing behavior support that is reviewed and approved by the human rights team in § 6500.164 (relating to human rights team), prior to use of a restrictive procedure.	1	1%
	<b>TOTAL</b>	<b>71</b>	<b>100%</b>

### **C. SANCTIONS FOR HCBS RULE NONCOMPLIANCE**

Of the 411 locations where 1 or more HCBS Rule violations were found, 88% (362) developed and implemented plans of correction and were able to retain full licensure. The remaining 49 locations, operated by 14 agencies, did not correct their violation(s) and were subject to sanctions as described below. All agencies subjected to sanctions held Chapter 6400 licensure.

- 10 of 14 agencies were issued a provisional license for failure to correct 1 or more HCBS Rule violations. Of these, 7 returned to regular license status, 1 license was revoked, and 2 remain on provisional license status as of the writing of this report.
- 4 of 14 agencies' licenses were revoked for failure to correct 1 or more HCBS Rule violations. Of these, 3 licensees appealed the decision and continue to operate pending a ruling on the appeal. ODP entered into a Settlement Agreement with the fourth licensee where a provisional license was issued in return for compliance with requirements that exceed the published regulations.
- All 14 agencies subjected to sanctions were banned from admitting new individuals or adding new service locations until their regular license status was achieved. The ban remains in place for any agencies still on provisional license status or that are operating pending appeal of a license revocation.

The table below identifies which HCBS Rule regulations were violated by the Chapter 6400 providers subjected to sanctions. It includes the number of times the HCBS Rule regulation was violated by locations and the percentage of the total number of those violations. Due to rounding to whole percentages, the total of percentages of violations in the table (last column) does not equal 100%.

Figure 16. 6400 Inspections & Sanction Details

<b>COMMUNITY HOMES: NUMBER OF LICENSING INSPECTIONS</b> <i>(Licensed Under Chapter 6400)</i>			
<b>Regulation</b>	<b>Description</b>	<b>Number of Locations Cited</b>	<b>Percent of HCBS Violations</b>
6400.32(c)	An individual may not be abused, neglected, mistreated, exploited, abandoned, or subjected to corporal punishment.	9	18%

**COMMUNITY HOMES: NUMBER OF LICENSING INSPECTIONS**

*(Licensed Under Chapter 6400)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Locations Cited</b>	<b>Percent of HCBS Violations</b>
6400.32(r)(1)	Locking may be provided by a key, access card, keypad code or other entry mechanism accessible to the individual to permit the individual to lock and unlock the door.	7	14%
6400.32(d)	An individual shall be treated with dignity and respect.	6	12%
6400.22(d)(1)	The home shall keep an up-to-date financial and property record for each individual that includes the following: Personal possessions and funds received by or deposited with the home.	4	8%
6400.195(c)	Behavior support component of the individual plan required content.	4	8%
6400.34(a)	An individual may not be discriminated against because of race, color, creed, disability, religious affiliation, ancestry, gender, gender identity, sexual orientation, national origin, or age.	2	4%
6400.32(r)	An individual has the right to lock the individual's bedroom door.	2	4%
6400.22(e)(1)	The record of an individual's financial resources must include a separate record of financial resources, including the dates and amounts of deposits and withdrawals.	2	4%
6400.22(d)(2)	The home shall keep an up-to-date financial and property record for each individual that includes the following: Disbursements made to or for the individual.	2	4%
6400.207(4)(l)	Use of Chemical Restraint.	2	4%



**COMMUNITY HOMES: NUMBER OF LICENSING INSPECTIONS**

*(Licensed Under Chapter 6400)*

<b>Regulation</b>	<b>Description</b>	<b>Number of Locations Cited</b>	<b>Percent of HCBS Violations</b>
6400.32(s)	An individual has the right to have a key, access card, keypad code or other entry mechanism to lock and unlock an entrance door of the home.	1	2%
6400.32(n)	An individual has the right to unrestricted and private access to telecommunications.	1	2%
6400.31(a)	An individual may not be deprived of rights as provided under § 6400.32 (relating to rights of the individual).	1	2%
6400.22(e)(3)	The record of an individual's financial resources must include documentation, by actual receipt or expense record, of each single purchase exceeding \$15 made on behalf of the individual carried out by or in conjunction with a staff person.	1	2%
6400.22(e)(2)	The record of an individual's financial resources must include the amount of funds given directly to the individual.	1	2%
6400.22(c)	Individual funds and property shall be used for the individual's benefit.	1	2%
6400.210(a)	Access to or the use of an individual's personal funds or property may not be used as a reward or punishment.	1	2%
6400.188(c)	The home shall provide services to the individual as specified in the individual plan.	1	2%
6400.188(a)	The home shall provide services, including assistance, training and support for the acquisition, maintenance or improvement of functional skills, personal needs, communication, and personal adjustment.	1	2%