

The Office of Developmental Programs (ODP)
Heightened Scrutiny Evidentiary Information for Community
Participation Support Service Locations
(Melmark - Adult Day Meadows)

The following table includes:

- where the CPS program is located (locations that have the presumption of institutional qualities and therefore, the possibility of isolating individuals from the broader community due to the service location’s physical location),
- ODP’s Heightened Scrutiny determination on whether the service location currently meets, or will meet, waiver and regulatory requirements to overcome the presumption of having institutional qualities,
- the HCBS Rule requirement that was measured,
- regulatory and waiver requirements specific to services funded by ODP used to measure HCBS Rule compliance, and
- the information reviewed by ODP to determine whether the service location currently meets, or will meet, regulatory and waiver requirement to overcome the presumption of having institutional qualities.

CPS service locations that ODP determined have or will overcome the presumption of institutional qualities will be sent to CMS (after public comment) for final review of compliance with the HCBS Rule.

Service Location Name:	Melmark (Melmark Adult Day Meadows)
Service Location Address:	2600 Wayland Road, Berwyn, PA 19312
Number of Individuals Receiving Services as of 6/30/21:	46
Onsite Visit Date:	3/15/22 & 3/22/22
Licensing Visit Date:	8/3/21-8/4/21
The CPS program is located:	<input checked="" type="checkbox"/> In a building located on the same property as an Intermediate Care Facility for individuals with an Intellectual Disability (ICF/ID) <input type="checkbox"/> Immediately adjacent to a public institution (ICF) <input type="checkbox"/> In a building that is also a public or privately operated facility that provides inpatient Institutional treatment (Hospital/SNF)
ODP’s Heightened Scrutiny Determination: Does the Service Location Overcome the Presumption of Institutional Qualities:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Service Location Summary:

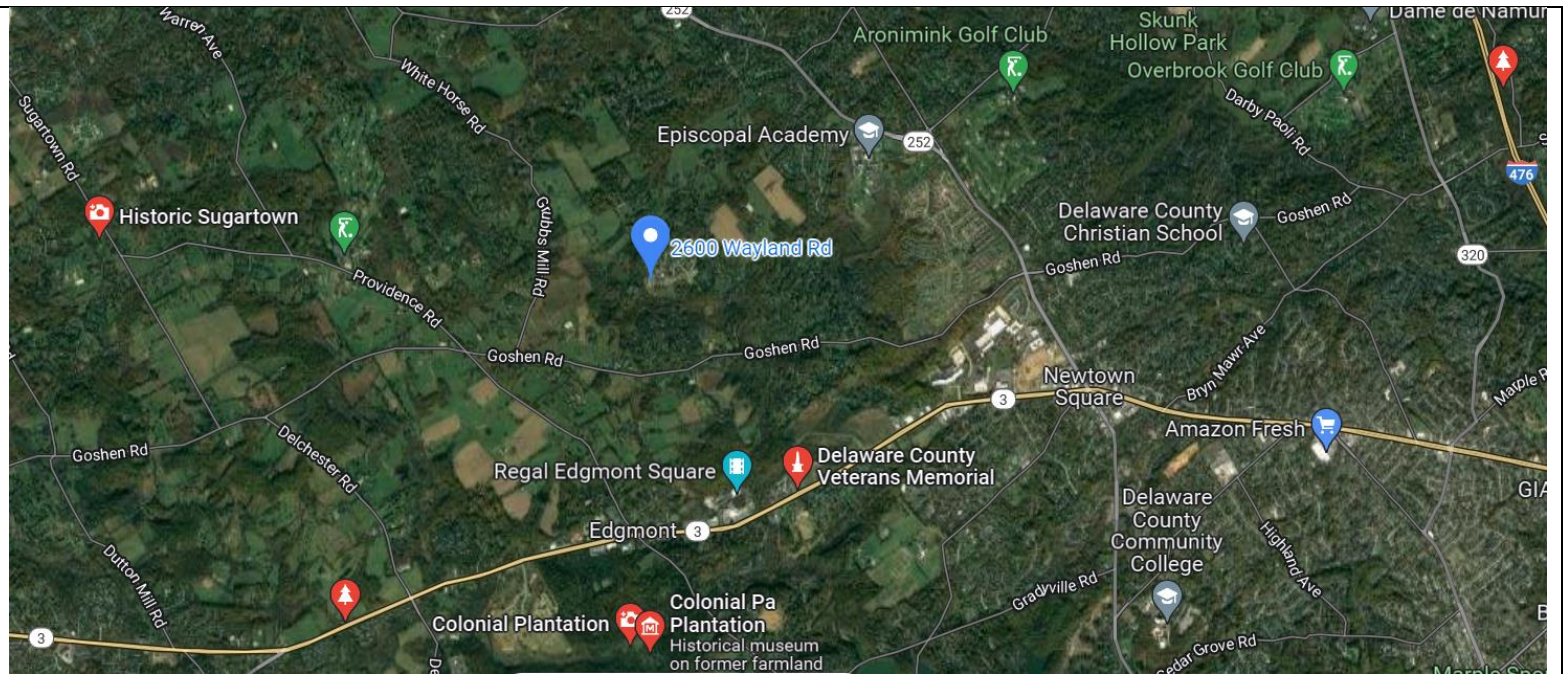
The Melmark service location has more than one program available at the physical site. This program, the Meadows, is a day program for individuals with ID/A. The program serves up to 60 adults, combining employment activities and creative arts. The individuals receive training necessary to obtain community-integrated, competitive employment. The creative arts program includes horticulture and flowers, fiber and art, wood, ceramic, and stencils, and hospitality services. Please visit Melmark's website for more information:

<https://www.melmark.org/what-we-do/for-families-and-caregivers/adult-services/adult-day-programming/>

This service location had an onsite visit that confirmed the service location is on the same property as an ICF but does not isolate the individuals from the broader community. The service location is located in a rural area, surrounded by neighborhoods, including local restaurants and shops within a driving distance. Some of these local restaurants and shops include: Bright Spot Café, Buenos Aires Empanada Bar, Rey Azteca Mexican, Regal Edgmont Square, Historic Sugartown, etc.



Aerial View of the Service Location:



Melmark (Melmark Adult Day Meadows)		
CMS HCBS Standard / Expectation:	ODP HCBS Standard / Expectation:	How ODP Determined Compliance:
<p>The setting supports opportunities to engage in community life, including seeking employment and working in competitive integrated settings.</p>	<ul style="list-style-type: none"> • 6100.261 <i>The provider shall provide the individual with the assistance necessary to access the community in accordance with the individual plan.</i> • 6100.262(a) <i>The provider shall provide active and ongoing opportunities and information about employment options appropriate for the individual.</i> • 6100.443 <i>The individual shall have the same degree of community access and choice as an individual who is similarly situated in the</i> 	<ul style="list-style-type: none"> • ISPs, Progress Notes, Community Outing Planners (CPS Binder), Summary Document, Annual Assessments, Assessment and Individual Plans Policy, Quarterly Reports, Corrective Action Plan, Individual Interviews, & Staff Interviews <ul style="list-style-type: none"> ○ Individuals were given choices to participate in many different activities in the community, including volunteer work. <ul style="list-style-type: none"> ▪ Examples: Rosetree park, Wilmington Flower Market, Japanese Lantern Festival, Water Works Museum, Meals on Wheels,

Melmark (Melmark Adult Day Meadows)		
CMS HCBS Standard / Expectation:	ODP HCBS Standard / Expectation:	How ODP Determined Compliance:
	<p><i>community who does not have a disability and who does not receive an HCBS.</i></p> <ul style="list-style-type: none"> • <i>6100.182(k) An individual has the right to choose where, when, and how to receive needed services.</i> • <i>6100.181(b) The provider shall educate, assist, and provide the accommodation necessary for the individual to make choices and understand the individual's rights.</i> • <i>6100.182(e) An individual has the right to make choices and accept risks.</i> • <i>6100.182(f) An individual has the right to refuse to participate in activities and services.</i> • <i>6100.182(g) An individual has the right to control the individual's own schedule and activities.</i> 	<p>Manna, Library, Local Swimming Pool, etc. (see image below of calendar of activities).</p> <ul style="list-style-type: none"> ○ Individuals have freedom to move about the service location as they wish. <ul style="list-style-type: none"> ▪ Individuals needed to let staff know when they were leaving and where they were going to be so staff could assist them as needed.
<p>The setting ensures an individual's right of privacy.</p>	<ul style="list-style-type: none"> • <i>6100.182(h) An individual has the right to privacy of person and possessions.</i> • <i>6100.182(i) An individual has the right of access to and security of the individual's possessions.</i> 	<ul style="list-style-type: none"> • ISP, Quarterly Reports, Annual Assessments, Individual Rights Policy, Assessments and Individual Plans Policy, Staff Interviews, Individual Interviews, & Observations <ul style="list-style-type: none"> ○ Staff followed ISPs when individuals want to use a private space for personal care.



Melmark (Melmark Adult Day Meadows)


CMS HCBS Standard / Expectation:

ODP HCBS Standard / Expectation:

How ODP Determined Compliance:

- Designated spaces for individual's personal items at the service location (see images below).
- Privacy respected when individuals take phone calls.



Melmark (Melmark Adult Day Meadows)		
CMS HCBS Standard / Expectation:	ODP HCBS Standard / Expectation:	How ODP Determined Compliance:
		
<p>The setting ensures an individual's dignity and respect.</p>	<ul style="list-style-type: none"> • <i>6100.50 Written, oral, and other forms of communication with the individual, and persons designated by the individual, shall occur in a language, and means of communication understood by the individual or a person designated by the individual.</i> • <i>6100.182(d) An individual shall be treated with dignity and respect.</i> • <i>6100.182(m) An individual has the right to assistive devices and services to enable communication at all times.</i> 	<ul style="list-style-type: none"> • ISPs, Annual Assessments, Summary Documents, Individual Rights Policy, Individual Interviews, Staff Interviews Communication Goal Document, & Observations <ul style="list-style-type: none"> ○ Activities adapted to each individual. <ul style="list-style-type: none"> ▪ Example: If a group of individuals were out in the community and one individual needed assistance with coping, the staff said they wouldn't stop the trip with everyone else but would adapt to what that one individual needs and would catch up with the other individuals and staff later. ○ Individuals chose who they spent their time with at the day program (prior to COVID-19 safety measures). ○ Individuals chose when and where they took their breaks; staff encourage/ask if the

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CMS HCBS Standard / Expectation:	ODP HCBS Standard / Expectation:	How ODP Determined Compliance:
		<p>individuals need a break if they do not request one.</p> <ul style="list-style-type: none"> ○ Staff communicate in a method of preferred communication stated and known by the individuals. <ul style="list-style-type: none"> ▪ staff review protocol summaries, on -the-job training, and taking the time to get to know the individual.
The setting supports opportunities to control personal resources.	<ul style="list-style-type: none"> ● <i>6100.350(a) Access to or the use of an individual's personal funds or property may not be used a reward or punishment.</i> 	<ul style="list-style-type: none"> ● ISPs, Quarterly Reports, Assessments and Individual Plans Policy, Individual Rights Policy, Individual Interviews, Staff Interviews, & Observation <ul style="list-style-type: none"> ○ Individuals bring money with them to the day program from their home. Staff will help the individual manage their money if needed.
The setting ensures an individual's freedom from coercion and restraint.	<ul style="list-style-type: none"> ● <i>6100.51(c) The provider shall permit and respond to an oral or written complaint from any source, including an anonymous source, regarding the delivery of a service.</i> ● <i>6100.181(c) An individual my not be reprimanded, punished, or retaliated against for exercising the individual's rights.</i> ● <i>6100.182(l) An individual has the right to voice concerns about the services the individual receives.</i> ● <i>6100.343 A restrictive procedure may not be used as retribution, for convenience of staff persons or as a substitute for staffing or appropriate services.</i> 	<ul style="list-style-type: none"> ● ISPs, Quarterly Reports, Assessments and Individual Plans Policy, Individual Rights Policy, Corrective Action Plan, Individual Interviews, Staff Interviews, & Observation <ul style="list-style-type: none"> ○ Complaint process followed per 6100.51. ○ No restrictive procedures noted or observed. ○ Restrictive procedures were checked as part of the desk review of Individual Support Plans, service notes, progress notes, and provider policies. ○ All service locations are subject to a licensing inspection at least annually that ensure restrictive procedure requirements in 55 Pa. Code Chapters 2380 or 2390 are followed. ○