

The Office of Developmental Programs (ODP)

Heightened Scrutiny Evidentiary Information for Community
Participation Support Service Locations

(Merakey Allegheny Valley School (Merakey AVS Middle))

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 requirements 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.

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| Service Location Name: | Merakey Allegheny Valley School Middle |
| Service Location Address: | 1291 Middletown Road, Hummelstown, PA 17026 |
| Number of Individuals Receiving Services as of 6/30/21: | 10 |
| Onsite Visit Date: | 8/25/22 |
| Licensing Visit Date: | 5/31/22-6/1/22 |
| The CPS program is located: | <input 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 checked="" 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 |

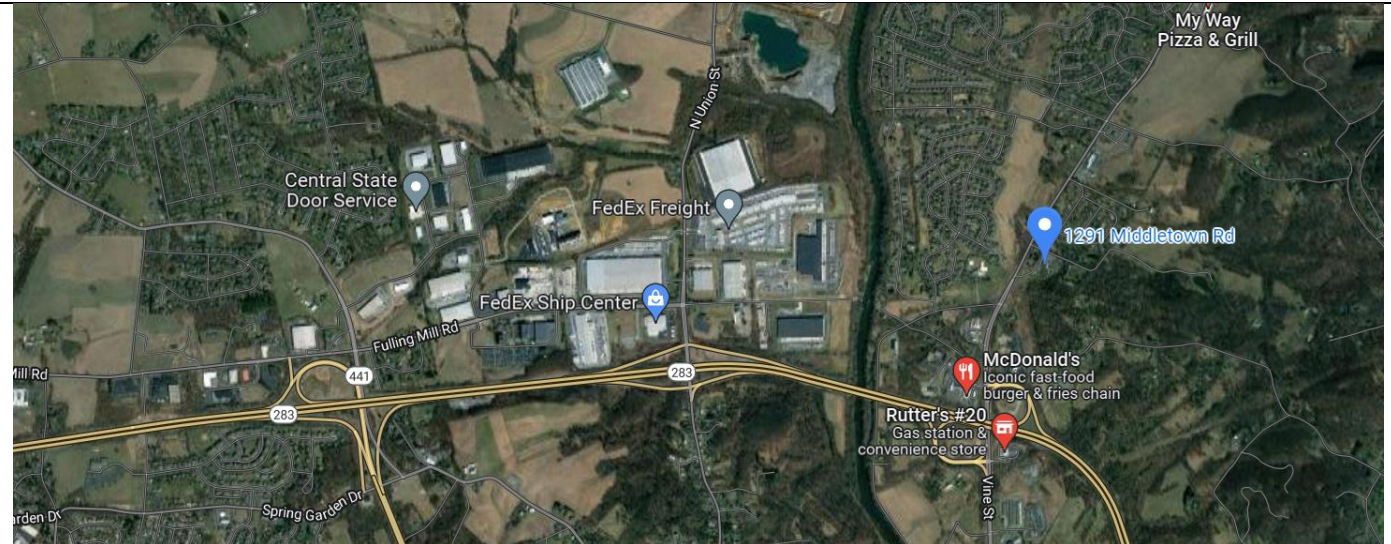
Service Location Summary:

The Merakey AVS program provides therapeutic, vocational programs as well as independent living skills. The programs focus on cognitive, communication and physical development, and environmental and sensory awareness. To learn more, please visit the program's website: <https://avs.merakey.org/services-adult-training.html>

This service location had an onsite visit that confirmed the service location is in the same building as Merakey's ICF. The front door is shared and if the visitor goes to the left, they will enter the day program, and if they go to the right, they will enter the ICF. During staff interviews, it was not clear if ICF staff also worked at the day program and vice versa.

The Merakey AVS CPS program is located between some private residences and the woods. The service location is near community locations that are in driving distance such as Smiles By Moses Orthodontics, Lauria Holiday Lighting, Living Hope Church, Stauffers of Kissel Hill Home and Garden, McDonalds, Swatara Creek Water Trail, etc.

Aerial View of the Service Location:



| Merakey Allegheny Valley School (AVS) | | |
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| CMS HCBS Standard / Expectation: | ODP HCBS Standard / Expectation: | How ODP Determined Compliance: |
| The setting supports opportunities to engage in community life, including seeking employment and working in competitive integrated settings. | <ul style="list-style-type: none"> • <i>6100.261 The provider shall provide the individual with the assistance necessary to access the community in accordance with the individual plan.</i> • <i>6100.262(a) The provider shall provide active and ongoing opportunities and information about employment options appropriate for the individual.</i> • <i>6100.443 The individual shall have the same degree of community access and choice as an individual who is similarly situated in the community who does not have a disability and who does not receive an HCBS.</i> • <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> | <ul style="list-style-type: none"> • ISPs, Progress Notes, Staff training Records, Observations, Staff Interviews, CPS Trainings that were completed, Corrective Action Plan¹ <ul style="list-style-type: none"> ○ Individuals were given choices to participate in activities in the community. <ul style="list-style-type: none"> ▪ Visiting parks, movie theatres, community stores, Rita's Ice, Roots Farmer's Market etc. ▪ Individuals are free to move around the service location and receive support as needed if they wish to be outside. |
| The setting ensures an individual's right of privacy. | <ul style="list-style-type: none"> • <i>6100.182(h) An individual has the right to privacy of person and possessions.</i> | <ul style="list-style-type: none"> • ISPs, Rights Document, Service Notes, Observation, Individual Interviews, & Staff Interviews |

¹ CAP requirements were recently sent to this provider by ODP as the program opened after the initial onsite reviews were held, and therefore, a CAP has not been reviewed or approved yet.

| Merakey Allegheny Valley School (AVS) | | |
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| CMS HCBS Standard / Expectation: | ODP HCBS Standard / Expectation: | How ODP Determined Compliance: |
| | <ul style="list-style-type: none"> 6100.182(i) <i>An individual has the right of access to and security of the individual's possessions.</i> | <ul style="list-style-type: none"> Staff followed ISP when the individual wants to use a private space for personal care. <ul style="list-style-type: none"> Observation of changing rooms. Observation of privacy screens. Designated spaces for individual's personal items at the service location (see image below). |
| <p>The setting ensures an individual's dignity and respect.</p> | <ul style="list-style-type: none"> 6100.50 <i>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> 6100.182(d) <i>An individual shall be treated with dignity and respect.</i> 6100.182(m) <i>An individual has the right to assistive devices and services to enable communication at all times.</i> | <ul style="list-style-type: none"> ISPs, Rights Document, Service Notes, Observation, Individual Interviews, & Staff Interviews, Corrective Action Plan <ul style="list-style-type: none"> Activities adapted to each individual. Individuals have the right to choose when and where they took their breaks. <ul style="list-style-type: none"> Staff indicated that lunch comes at a certain time but individuals can wait to eat if they would like. |



| Merakey Allegheny Valley School (AVS) | | |
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| CMS HCBS Standard / Expectation: | ODP HCBS Standard / Expectation: | How ODP Determined Compliance: |
| | | <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 are trained on the ISP and the assessments. |
| 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, Rights Document, Service Notes, Observation, Individual Interviews, & Staff Interviews ○ Individuals bring money from their home and have access to it at all times. ○ Some individuals will get assistance with “hand-over-hand” when using their money in the community. |
| 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, Progress Notes, Staff Training Records, Observations, Rights Document, Corrective Action Plan, Individual Interviews, & Staff Interviews ○ Bill of Rights. ○ Important program and emergency phone numbers posted in each room. ○ Right to follow a complaint document is given to the individuals. ○ Number posted for anonymous complaints. ○ 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. |

