



# Integrated Community Supports: setting capacity report

## How to complete the setting capacity report

Disability Services Division

June 2021

# Introductions

Minnesota Department of Human Services (DHS)—Disability Services Division

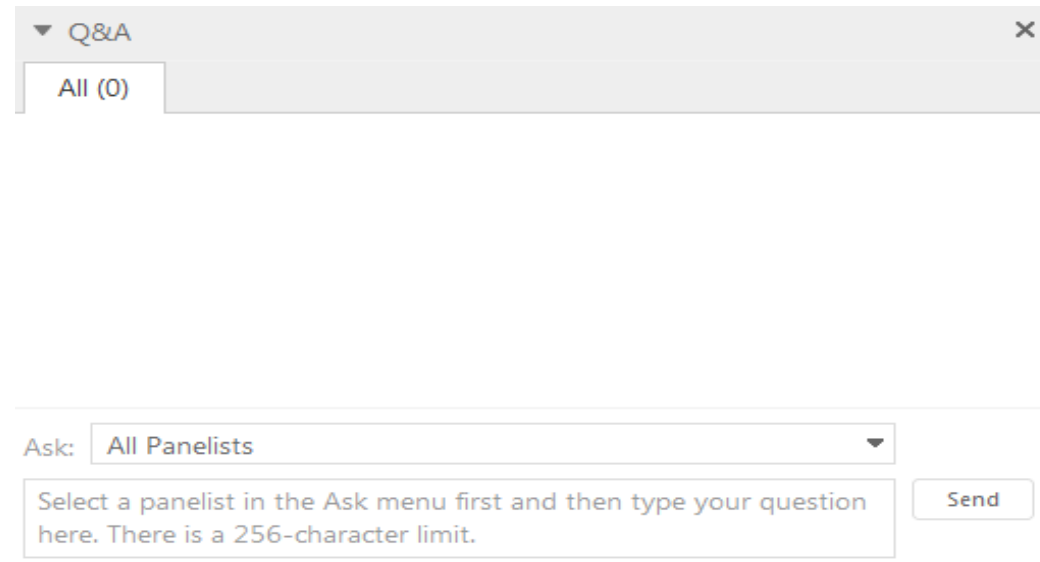
→ Elliott Rankin

→ Stephen Horn



# Logistics and technology

- To ask a question during the presentation use the Q&A Panel in WebEx
- Select “All Panelists”, type your question, and click Send.
- We will answer questions at the end of the presentation



The screenshot shows a WebEx Q&A panel window. At the top, there is a dropdown menu labeled "Q&A" with a close button (X) on the right. Below this, there is a button labeled "All (0)". The main area of the panel is empty. At the bottom, there is a section for asking a question. It includes a dropdown menu labeled "Ask:" with "All Panelists" selected. Below the dropdown is a text input field with the placeholder text "Select a panelist in the Ask menu first and then type your question here. There is a 256-character limit." To the right of the text input field is a "Send" button.

# Agenda

- Overview of Integrated Community supports
- Where integrated community supports are delivered
- Settings transitioning to integrated community supports settings
- Filling out the setting capacity report
- Next steps
- Questions and answers





**Integrated  
community  
supports  
services**

# History and background

- The service design was informed through creative strategies explored during a multi-year stakeholder process to address service gaps within the BI, CAC, CADI and DD waiver programs.
- Integrated community supports reflects the residential tiered standards as communicated in Minnesota's HCBS rule statewide transition plan (page 48-52) approved by CMS in February 2019.



# What are integrated community supports?

- New 245D licensed service for adults (18+) on the BI, CAC, CADI or DD waivers
- Provides support (e.g. supervision, cuing, and assistance) and training **for adults (18+)** in a provider-controlled, multi-family housing building (integrated community supports setting)
- May deliver up to 24 hours of service support in a day.

# Community living service areas

- ➔ ICS provides support and/or training in four **community living service areas**:
  - community participation,
  - health and safety, and wellness,
  - household management, and
  - adaptive skills.





# Integrated community supports settings

# What is an Integrated community supports setting?

- A multi-family housing building (tri-plex, four plex, apartment building, etc.) where the service provider has direct or indirect control of the person's living unit and has an approved setting capacity report.
  - Is considered a provider-controlled HCBS setting (must comply with all requirements for HCBS settings in 42 CFR 441.301(c)).
  - Does not meet the requirements of a person's own home, community residential program or family residential program.
- A living unit is a self-contained residential living unit with living, sleeping, eating, cooking and bathroom areas.
- A multi-family housing building will have multiple living units.

# Setting capacity report

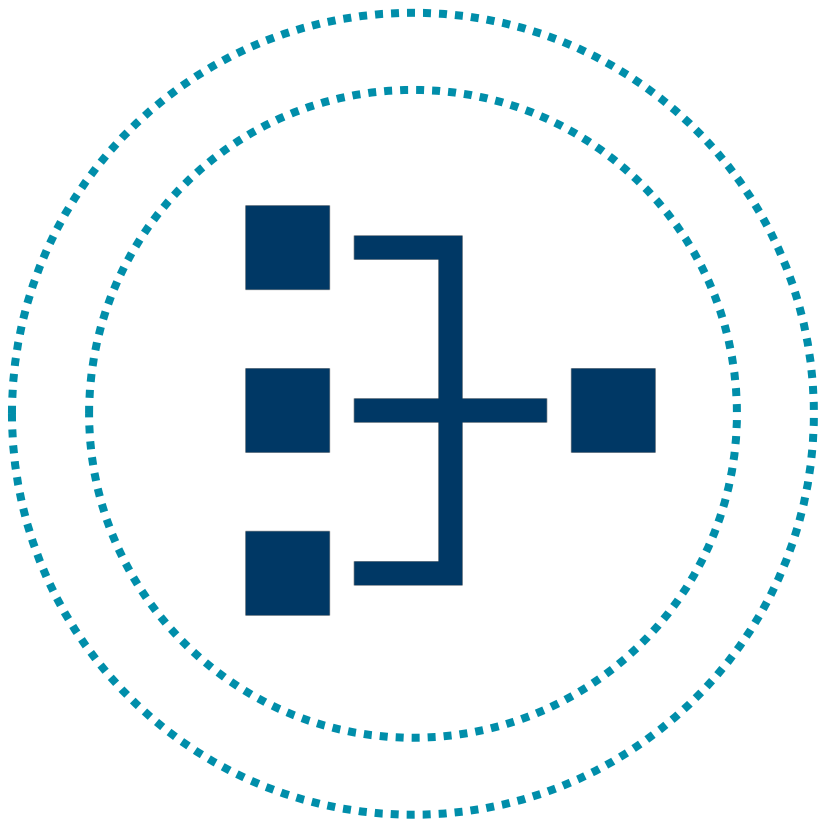
- A setting capacity report (DHS-8062) is required to be submitted to DHS by the provider indicating:
  - the location of the setting
  - how many units are in the building
  - how many units will be occupied by someone receiving ICS.
- Providers must submit a setting capacity report to DHS for each address where they will provide ICS.
- Information from the setting capacity report will be displayed publicly for lead agencies and people who access services.

# Setting capacity limits

- Integrated community support settings must comply with the federal HCBS settings rule, therefore there is a limit to the number of units in a building where ICS can be provided.
- Integrated community supports may be provided in:
  - All of the living units in an integrated community supports setting of three or four units;
  - Less than 25 percent of the living units of an integrated community supports setting of five or more units; or
  - A setting with a site-specific review approved by the commissioner when 25 percent or more of the units (in a multi-family housing building with 5 or more units) are occupied by people who receive integrated community supports funded under BI, CAC, CADI and DD waivers

# Site specific review

- A site specific review is required for:
  - a setting with 5 or more units where 25% or more of the units are occupied by someone who receives ICS, and;
  - housing that is developed, funded, or designated specifically for people with disabilities to receive HCBS.
- The site specific review is required in order to ensure the setting does not isolate or create stigma for people living there.
  - Ensuring compliance with all requirements for HCBS settings in 42 CFR 441.301(c)
- [Integrated community supports - Site-specific review process](#)



# Transitions to ICS

- Customized Living
- Supported apartment programs

# Existing settings transition to ICS: customized living

- Existing registered housing with services settings that provide Customized Living that were operation on or before Jan 10, 2021
  - May continue as customized living provider within current policy requirements
  - Providers have the option to transition these settings when they are serving people on the CADI and BI waivers.



# Existing settings transition to ICS: supported apartment programs

- Supported apartment programs providing services to anyone on CADI or BI waivers
  - These settings must transition to integrated community supports settings in 2021 unless the provider gives up control (e.g. ownership) of the setting or stops providing services in the setting
- Supported apartment programs providing services only to people on DD and/or CAC waivers
  - These settings must transition to integrated community supports settings by 2023 unless the provider gives up control (e.g. ownership) of the setting or stops providing services in the setting.



# Existing settings transition to ICS

The Disability Services Division has developed guidance for lead agencies and providers for when an existing service setting transitions to an ICS setting.

See the [CBSM - Integrated community supports transition plans \(state.mn.us\)](#) for more detailed information.





# Filling out a setting capacity report

# Finding the setting capacity report - 1

- The [setting capacity report \(DHS-8062\)](https://edocs.dhs.state.mn.us/lfserver/Public/DHS-8062-ENG) can be found on eDocs.  
<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-8062-ENG>

Clear Form



DISABILITY SERVICES DIVISION

## Setting Capacity Report for Integrated Community Supports

### Instructions

All fields in this document are required. Make sure to read the entire document and the ICS policy page linked above. DHS will not accept incomplete forms.



# Definitions:

## Definitions

Programs with a Home and Community Based Services (245D) license use this form to request an integrated community supports setting. For more information on integrated community supports and integrated community supports settings, see the [CBSM – Integrated Community supports page](#).

**Integrated community supports (ICS):** Services that provide support and training in community living service categories to adults ages 18 and older who reside in a living unit of a provider-controlled, integrated community supports setting (e.g., apartment in a multifamily housing building). Integrated community supports can be delivered up to 24 hours per day in the person’s living unit or in the community.

**Living unit:** A self-contained residential living unit with living, sleeping, eating, cooking and bathroom areas.

**Multifamily housing building:** A residential building with three or more separate living units.



# Definitions cont.

**Integrated community supports setting:** A multi-family housing building in which a provider has an approved [setting capacity report](#), has direct/indirect control over a person's living unit and either:

- Owns, operates or leases the living unit
- Has direct or indirect financial interest in the property or housing.

An integrated community supports setting does not meet the [requirements of a person's own home](#), community residential program or family residential program.



# Filling out the setting capacity report - 2

## Request type

Choose one of the following:

- This is a new integrated community supports setting
- This is an update to an existing integrated community supports setting



# Filling out the setting capacity report - 3

## Program information

NAME OF PROGRAM	HCBS LICENSE NUMBER
<input type="text"/>	<input type="text"/>
AUTHORIZED AGENT	PHONE NUMBER
<input type="text"/>	<input type="text"/>
EMAIL ADDRESS	
<input type="text"/>	



# Filling out the setting capacity report - 4

## Setting information - Address of the multi-family housing building where integrated community supports will be provided:

STREET ADDRESS	CITY	STATE	ZIP CODE

Is the multi-family housing building on the same property or adjoining property to another service setting operated by the HCBS license holder? (For more information about same or adjoining property, review [CBSM – Setting requirements](#))

Yes  No



# Filling out the setting capacity report - 5

→ If the answer is yes, you will get this message:

Is the multi-family housing building on the same property or adjoining property to another service setting operated by the HCBS license holder? (For more information about same or adjoining property, review [CBSM – Setting requirements](#))

Yes  No

An integrated community support setting cannot be developed when a single provider leases or owns more than one service setting on the same or adjoining property. You do not need to complete or submit this form.

→ If the answer is no, the form will allow you to continue to provide additional information.



# Filling out the setting capacity report - 6

## Living units

Complete the following two fields.

**Note:** If the total number of units that will be used for ICS is fewer than three, you must attach documentation to your submission (via email attachment) to demonstrate the relationship to the property and/or property owner.

How many total living units are in the multi-family housing building?	<input type="text"/>
How many living units in the building will be used to deliver integrated community supports?	<input type="text"/>



# Filling out the setting capacity report - 7

Is the building currently registered as a housing with services setting?

- Yes
- No

Is the building currently used for a supported apartment program?

- Yes
- No



# Filling out the setting capacity report - 8

- ➔ If the building is currently registered as a housing with service setting, select yes, and additional information is required:

Is the building currently registered as a housing with services setting?

- Yes
- No

HFID NUMBER <input type="text"/>	Check if anyone on the Elderly Waiver receives services in the setting <input type="checkbox"/>
SELECT ALL THE APPLY	
<input type="checkbox"/> CAC <input type="checkbox"/> CADI <input type="checkbox"/> BI <input type="checkbox"/> DD <input type="checkbox"/> EW	

- ➔ If the answer is no, proceed to the next question.



# Filling out the setting capacity report - 9

- ➔ If the building is currently used for a supported apartment program, select yes, and additional information is required:

Is the building currently used for a supported apartment program?

- Yes
- No

SELECT ALL THE APPLY

- CAC
- CADI
- BI
- DD

- ➔ If the answer is no, proceed to the next question.

# Filling out the setting capacity report -10

License holder's connection to the property:

- Owner
- Lessor or tenant of the property or units

License holder's financial relationship to the property owner:

- Direct:** The license holder, or any other controlling individual (individual or non-individual) is the owner, lessor or tenant of the property or units. This includes master lease agreements with a property owner.
- Indirect:** The license holder or any other controlling individual (individual or non-individual) has financial or business relationship to the entity that owns, rents, or leases the property or units, or is otherwise responsible for the upkeep, protection or maintenance of the property.

Describe:



# Filling out the setting capacity report -11

Does this setting include housing that is developed, funded, or designed specifically for people with disabilities to receive Home and Community Based Services?

- Yes
- No



# Filling out the setting capacity report - 12

Are you aware of any other HCBS provider that owns or leases any living units or space within the multifamily housing building?

- Yes
- No

Are you aware of any other HCBS provider that has direct or indirect financial relationship with the property or the property owner?

- Yes
- No

➔ Answering yes to either question will bring up a text box for you to enter the name of the program

- Yes
- No

Name of the program:



By completing and signing this form, I have read and understand the following:

- The commissioner of the Department of Human Services may at any time request documentation from the license holder demonstrating relationship to the property and/or the property owner
- The licensed program that controls the integrated community supports setting may only provide integrated community supports in the setting. Any residential or in-home services licensed under 245D other than integrated community supports delivered by the provider are not reimbursable. For more information about service limitations and non-covered services, see [CBSM – Integrated community supports](#).
- The integrated community supports policy requirements listed in the CBSM page communicates the requirements for delivery of the services based on the legal authority contained in Minnesota's federally approved waiver plans.
- A person may receive own-home services in the setting when provided by a different provider than the one that controls the setting. For more information, see, [CBSM - Requirements of a person's own home](#)
- Minnesota Statutes, section [245A.04, subdivision 5](#) requires that when the commissioner is exercising the powers conferred by chapter [245A](#), sections [245.69](#) and [626.557](#) the commissioner of the Department of Human Services must be given access has physical plant and grounds of an integrated community support settings.
- The license holder is responsible for ensuring the exercise and protection of the service-related and protection-related rights identified under Minnesota Statutes, section [245D.04, subdivisions 2 and 3, including paragraph \(b\)](#) for all person's served by the license holder in an integrated community supports setting.
- Providers of integrated community supports must notify the commissioner, through a Setting Capacity Report, of any change that would increase a setting's capacity to or beyond 25 percent of the individual living units of a multifamily housing building being occupied by a participant who receives integrated community supports funded under BI, CAC, CADI or DD waivers even if the setting has already had a site-specific review. Such changes in capacity must be approved by the commissioner prior to the change taking effect.

By checking "I agree" and typing my name in the "Electronic Signature" field, I understand that I am electronically signing this form. In addition, I attest and certify that the information provided above is true and accurate. I understand that my electronic signature has the same legal effect and can be enforced in the same way as a handwritten signature. (MN Stat. §325L.07)

<input type="checkbox"/> I agree	ELECTRONIC SIGNATURE (type name) <input type="text"/>	DATE <input type="text"/>
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# Filling out the setting capacity report - 14

## How to submit

Use the submit button to email your completed form to DHS at [hcbs.settings@state.mn.us](mailto:hcbs.settings@state.mn.us)

**SUBMIT BY EMAIL**

Notice: Submitting this setting capacity report does not automatically permit the development of the integrated community supports setting. DHS will review the submitted setting capacity report and will notify the license holder of the setting capacity report review determination.





# Next steps

# Integrated community supports and 245D

- Integrated community supports is an intensive service that is licensed under Minnesota Statutes, Chapter 245D.
- Providers must comply with all applicable licensing statutes, rules, and service policies
  - [Minnesota Statutes, Chapter 245D](#)
  - [Minnesota Rules, Chapter 9544 \(Positive Supports Rule\)](#)
  - [Integrated community supports CBSM policy page](#)



# Setting capacity report approval

- When the setting and the form meet the requirements, you will receive a determination letter regarding your approved setting capacity report via e-mail from [dsd.waiverpolicy@state.mn.us](mailto:dsd.waiverpolicy@state.mn.us)
- The determination letter for approved setting capacity report will contain the following information:
  - Program name
  - HCBS license number
  - ICS setting address
  - Approved capacity at the identified setting



# Setting capacity report not approved

- If the information provided on the setting capacity report does not meet the policy requirements, you will receive a determination letter via e-mail from [dsd.waiverpolicy@state.mn.us](mailto:dsd.waiverpolicy@state.mn.us)
- The determination letter will explain that the setting does not meet the requirements, and why it does not meet the requirements.



# Add integrated community supports to your 245D license

- When you have received a determination letter explaining that the setting capacity report was approved, you will need to add ICS to your 245D license.
  - This may require a site specific review
- Contact your licensor to add integrated community supports your license
- When your licensor confirms that a setting capacity report was approved, the service will be listed on your license



# Enroll with MCHP to deliver integrated community supports

- Contact the Provider Help Desk at 651-431-2700
- Visit [MHCP Provider Manual – HCBS programs provider enrollment](#) for additional information
  - Each location where integrated community supports will be delivered (ICS settings) must be enrolled individually
- Submit a copy of the determination letter you received approving the setting capacity report, with the required enrollment forms.



# Questions?

Submit questions through the webinar chat



# How to stay engaged

# How can you learn more?

- Visit the [Waiver Reimagine webpage](https://mn.gov/dhs/waiver-reimagine/) (https://mn.gov/dhs/waiver-reimagine/)
- Email DHS at [Waiver.Reimagine@state.mn.us](mailto:Waiver.Reimagine@state.mn.us) with questions or input about Waiver Reimagine
- Subscribe to receive DSD e-list announcements on the [Waiver Reimagine webpage](https://mn.gov/dhs/waiver-reimagine/) (https://mn.gov/dhs/waiver-reimagine/)



# Thank you!

## Waiver Reimagine

Waiver Reimagine Policy Team | Disability Services Division

[waiver.reimagine@state.mn.us](mailto:waiver.reimagine@state.mn.us)