

The background of the slide features a large, stylized Zia Sun Symbol, a traditional New Mexican symbol consisting of a central circle with four T-shaped arms extending outwards, all in yellow and red.

Developmental Disabilities Supports Division KNOW YOUR RIGHTS Campaign

**HOME AND COMMUNITY BASED SERVICES (HCBS) SETTINGS REQUIREMENTS:
PROMISING PRACTICES FOR PROVIDERS AND EARLY ADOPTERS**

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INDEPENDENCE


INTEGRATION



Rooted in Rights



What is the Know Your Rights Campaign?

- DDSD partnering with stakeholders across the state
 - Focus on individuals with intellectual and developmental disabilities (IDD), parents, support staff and the community
 - Education about Informed choices, respect, participation in the community, and valued and equal citizenship
 - Re – energizing commitment to person centered planning and community access
 - Analyzing policy and practice to reinforce the HCBS settings requirements and ensure protection of rights
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What is the Know Your Rights Campaign?

- Opportunity to reaffirm values
- Opportunity to educate the public
- Opportunity to get involved
- Opportunity for traditional providers of disability specific services to evaluate programming approaches and how they affect people's lives



Why is the Know Your Rights Campaign Important?

Inclusive Communities Are Better Communities

Stronger

Considerate

Encouraging

Enriched

Would not sweat small stuff

Complete

Gracious

Freeing

Whole

Welcoming

Liberating

Understanding

Embracing

Eye-Opening

Caring

Valued

Mind-Blowing

Have More Patience

Compassionate

Enriched

Nonjudgmental

Inspired



Why is NM promoting the Know Your Rights Campaign?


- To reaffirm commitment to best practice and decades of disability policy
- To support inclusion and integration of people with disabilities in the community
- To take steps supporting important federal policy such as the CMS HCBS Final Rule
- To invite advocates and stakeholders to take action and help with NM Statewide Transition Plan for compliance by 3/17/19

It's the right thing to do!



How is the Know Your Rights Campaign linked to the CMS Final Rule: HCBS Settings Requirements?

The HCBS settings requirements enhance the definition of community based services and provide protections of **RIGHTS**



What is the CMS Final Rule?

Provides impetus to move states HCBS systems closer to:

- the reality of person centered practices
- full inclusion
- integrations into the community



This rule is about human and civil rights for people.

What is the CMS Final Rule?

Settings that may ISOLATE-Not allowed

- Setting is designed specifically for people with disabilities, or certain people with a certain type of disability
- People in settings are people with disabilities or staff that provides services to them
- Little or no interaction with the broader community



What is the CMS Final Rule?

More than just a concept ...

Is there a choice of a roommate/housemate?

Are there protections against eviction even in a provider owned or controlled setting ?

Is there support to request a roommate/housemate change?

Is it made clear that the individual is not required to adhere to a set schedule for waking, bathing, eating, exercising, activities, etc.?

Does an individual's schedule vary from others in the same setting?

Does the individual have a private cell phone, computer or other personal communication device or have access to a telephone or other technology device to use for personal communication in private at any time?

What is the CMS Final Rule?

More than just a concept ...

Do individuals receive HCBS in an area of the setting that is fully integrated with individuals not receiving Medicaid HCBS?

Is the setting in the community/building located among other residential buildings, private businesses, retail businesses, restaurants, doctor's offices, etc. that facilitates integration with the greater community?

Voices from our community

Juanita Watson, Director Benchmark Human Services

Jason Gordon-Litigation Manager, Disability Rights NM

Ed Kaul, President of ARCA & President of ADCPP

Brianne Conner, Director Dungarvin

Regina Lewis (Assistant Mi Via self-directed Waiver Manager and part of DDSD Statewide Transition Plan Team)

Know Your Rights

NO MORE

Only being offered disability-specific supports and services

House rules

Being grouped on agency-controlled outings

Living with people you don't want to

Sheltered workshops

Being denied employment due to disabilities

Being denied relationships or adult activities

Being treated like a child

Being denied access to healthcare

Being labeled as a disability instead of a person



Know Your Rights

WE WANT MORE:

Awareness

People having a voice and being heard

People being seen as people and not a disability

People talking, working, and playing alongside each other

Healthier people

Having more happiness and fulfillment in life

People being more self-sufficient and less dependent on systems and paid staff



Know Your Rights

WE WANT MORE:

Increased values and social roles

Equal opportunity

Making your own decisions

Housing stability and independent living

Individual choice


Treated like everyone else-no more bullying, isolation and fear of people with IDD

Diverse communities create more opportunity for people to help each other directly and are better places for everyone to live.



Know Your Rights

Make Change Happen!!

- Get involved
 - Educate yourself and your family
 - Educate your community
 - Share your experiences and feedback
 - Help ensure NM efforts lead to positive systems change
 - Be an advocate for choice and full inclusion
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Know Your Rights

Resources

1. HCBS Settings Rules: How to Advocate for Truly Integrated Community Settings (Unabridged)-HCBS Advocacy Coalition. <http://hcsadvocacy.org/national-resources/>
2. The Medicaid Home and Community Based Services Settings Rules: What You Should Know!-HCBS Advocacy Coalition. <http://hcsadvocacy.org/national-resources/>
3. The Home and Community-Based Settings Rule: What Does it Mean for You?
4. World Down's Syndrome Day
5. Rooted in Rights
6. <https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>

Know Your Rights

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