

## DESCRIPTION OF HART-SUPPORTED LIVING

Hart-Supported Living is a program that is based on individually designed plans for support. These plans provide people with disabilities the help they need to live successfully in a home of their choice and to participate in their community. The individual with a disability (and the people who support him or her) plan and design a set of services which meets the person's needs and is consistent with the principles of Supported Living. If the individual's request for funding is approved, then funds are made available so that the plan can be implemented.

### PRINCIPLES OF SUPPORTED LIVING

Kentucky Supported Living was started in 1992 when the Kentucky Supported Living Statute was passed. The statute was amended in 2006 and the program is now called Hart-Supported Living.

This law defines Hart-Supported Living as "grants which provide a broad category of highly flexible, individualized services which, when combined with natural unpaid or other eligible paid supports" provide the necessary assistance for the individual to live in the community. The statute requires that the Hart-Supported Living program promote:

- **Choice** over how, when, and by whom supports are provided and over where and with whom a person with a disability lives;
- **Responsibility** of the person with a disability and his or her representative for managing grants and the provision of service under the grant;
- **Freedom** to live a meaningful life and to participate in the community with members of the general citizenry:
- Enhancement of **health and safety**;
- **Flexibility** of services that change as the person's needs change without the individual having to move elsewhere for services;
- Use of **generic options** and **natural supports**;
- Well-planned and proactive **opportunities to determine** the kinds and amounts of support desired, with the meaningful participation of the individual, the individual's family or guardian where appropriate, friends, and professionals;
- **Home ownership or leasing** with the home belonging to the person with a disability, that person's family, or to a landlord to whom rent is paid.

### HART-SUPPORTED LIVING IS NOT. . .

- ❖ **NOT** a program where an eligible individual is enrolled, then chooses services from a list of available supports and then has those services provided by employees of an agency. The supports and services received through Hart-Supported Living are designed and managed by the individual and those who support him or her. Managing the plan may include hiring employees to provide services or contracting with an agency for services.

- ❖ **NOT** an income support program. Hart-Supported Living does not provide funding for on-going living expenses such as mortgage or rent payments, utility bills, food costs, repairs unrelated to a person's disability, unpaid medical bills or health insurance premiums, or the purchase or rental of a vehicle.
- ❖ **NOT** an entitlement program. Whether or not an eligible application is funded depends upon the amount of funding available.

The Statute also states that Hart-Supported Living does **not** include any services that:

- Physically or socially isolates people who are disabled from the general population;
- Does not allow adults with disabilities as much control over their living arrangements as they can manage; or
- Includes more than three unrelated people with disabilities living together.

### **CONFUSING OTHER PROGRAMS**

Hart-Supported Living is sometimes confused with other programs with similar names. The *Supports for Community Living (SCL)* program is a Medicaid waiver program that is for individuals with mental retardation or developmental disabilities.

Here is a comparison between the two programs:

#### **HART-SUPPORTED LIVING**

Funded entirely by State money

Any individual with a disability as defined by the Americans with Disabilities Act may Apply for a Supported Living grant.

If funded, the individual receives funds to manage the plan, hiring individuals or an agency to provide services.

There is no waiting list. Individuals apply each year for funding available during each Fiscal Year.

#### **SUPPORTS FOR COMMUNITY LIVING**

Funded by Medicaid (Federal and State money)

Must have Mental Retardation or a developmental disability to apply to waiting list.

When services are received, an Individual Support Plan is developed and providers are chosen from an approved provider list or can choose the Consumer Directed Option.

Individual fill out a short application to get on a regional waiting list.

Additional information about the Supports for Community Living Waiver can be found on MHMR Web Site at

<https://chfs.ky.gov/agencies/dms/dca/iddcsb/Pages/scl-waiver.aspx>

*Assisted Living* is a general term used to describe programs where individuals live in their own living units in a congregate setting. Assistance with transportation, medication, meals and housekeeping may be provided. This is often a private pay situation. Hart-Supported Living is not an assisted living program.

## **ELIGIBILITY FOR HART-SUPPORTED LIVING**

Any person with a disability who is a resident of Kentucky or whose family or guardian is a resident of Kentucky is eligible to apply for Hart-Supported Living. The person with a disability may be living with a family member, independently, or in a congregate setting and be eligible to **apply** for services. If the individual is living in a congregate setting such as an institution, nursing home or group home, the requested Hart-Supported Living grant must be for a living situation that is consistent with Hart-Supported Living principles.

The Hart-Supported Living statute uses the definition of disability found in the Americans with Disabilities Act. A person with a disability means someone with a physical or mental impairment that *substantially* limits a major life activity such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

### **Planning: How Do I Decide What I Want to Ask For?**

The first step in thinking about a Hart-Supported Living grant is to figure out what supports and services you need to live in and be a part of your community. You may already have a good idea of what you want and need or you may need to figure this out with your family and friends. You should think about what your long-term goals are and what steps you need to take to reach your goals. You should think about the natural supports you already receive from family and friends and the ‘formal’ supports you can receive from service providers and agencies. Then you need to decide what other supports you need to meet your goals and to live in the community. These are the supports and services you may decide to request from Supported Living. If you do receive a grant, it is important to remember that **you** will be arranging for the supports and services and you should have a solid plan for how you would implement your proposed plan.

## **SUPPORTS THAT CAN BE REQUESTED**

Generally, an applicant can request supports that meet individual’s needs and are consistent with the principles of Hart-Supported Living. The supports requested should be based on an individualized plan. There are two types of supports that can be requested: one-time and on-going. One-time requests are for supports that are needed just one time. Ongoing requests are for supports that will continue to be needed. Applicants may request either one-time or ongoing or both. The following are examples of what can be requested:

## **EXAMPLES OF ONE-TIME REQUESTS:**

ADAPTIVE AND THERAPEUTIC EQUIPMENT: TTY/TTD modules, communication devices, Medic alert, specialized fire alarm, service animal, assistive technology, etc. to help a person live in his/her own home or function more independently. A letter from a therapist or physician justifying the request will be required.

HOME MODIFICATIONS: architectural changes, ramps, widening doorways, accessibility/adaptions to bathrooms, etc. which need to be made to the residence to accommodate the individual's disability. There is a limit of \$2500 for rental property. The modification must be related to the person's disability. General repairs or maintenance not related to a person's disability (such as roof, gutters, windows, and water damage) cannot be funded. A letter from a therapist or physician will be required, if necessary, to show that the modification requested is related to the person's disability.

VEHICLE MODIFICATIONS: Lifts, carriers for chairs, hand controls. Hart-Supported Living will not fund a vehicle or vehicle rental.

START-UP GRANTS: a variety of one-time expenses related to living in a house or rental property in the community such as security deposit, purchase of furniture or equipment. Documentation to justify the request will be required. On-going rent or mortgage payments cannot be funded through Hart-Supported Living.

## **EXAMPLES OF ON-GOING REQUESTS:**

ATTENDANT CARE/PERSONAL CARE/COMPANIONSHIP SERVICES: person to assist with feeding bathing, dressing, transferring, turning, repositioning, activities of daily living, ambulation, emergency procedures, fitness or appointments.

COMMUNITY RESOURCE DEVELOPER: person who coordinates and assists in helping a person to develop relationships, opportunities, networks, etc. in the community on an individualized basis which would possibly be sustained voluntarily over time, e.g. facilitation of person's participation in church or other religious organizations, civic associations, community organizations, personal hobbies, family activities, etc.

HOMEMAKER SERVICES: cooking, shopping, laundry, housekeeping and practical assistance in maintaining the recipient's household.

RESPIRE: person who can provide care for a person with a disability so the caregiver or provider can have a break.

RECREATION/LEISURE: person who provides assistance in going places in the community and participating in leisure activities.

LIVE-IN SUPPORT: person who provides support in areas of personal care, supervision (if needed) and home management on a live-in basis.

TRAINER IN HOME MANAGEMENT AND INDEPENDENT LIVING SKILLS: person who teaches and enhances skills and competencies in living in the community such as laundry, cooking, cleaning, budgeting, meal planning, shopping, etc.

SUPPORT BROKER OR PERSONAL AGENT: person who coordinates the plan, locates providers and related resources and provides oversight to plan implementation; may also facilitate person-centered planning team.

CONSULTATION: evaluation or assessment to enhance communication, accessibility, assistive technology needs or to assist in resolving difficult situations or behavioral challenges; can include person-centered planning by an independent and trained facilitator.

TRANSPORTATION: can include the cost of hiring a person to provide transportation to work or community activities; can also include mileage or cost reimbursement for a person providing transportation or reimbursement for the cost of alternate transportation such as taxis, or specialized bus or van services. It does not include the purchase or rental of a vehicle or transportation to programs primarily for persons with disabilities.

EMPLOYMENT RELATED EXPENSES: If the applicant plans to hire individuals to provide services, a request for sufficient funds to pay employer taxes, workers' compensation and to pay an accountant or individual with experience to assist in managing employment can be made.

## **WHAT CANNOT BE REQUESTED?**

Hart-Supported Living regulations provide that a Hart-Supported Living grant shall **not** be used for:

- ◆ On-going rent or mortgage payments
- ◆ Payment of a medical insurance premium or unpaid medical bills
- ◆ Supplementation of wages for staff in other publicly-funded programs
- ◆ Modifications costing over \$2500 to rental property
- ◆ A home improvement not related to the person's disability
- ◆ Rental of a vehicle for more than thirty days in a fiscal year
- ◆ Purchase of a vehicle

- ◆ Supports or services for individuals in living arrangements that include more than three people with disabilities (unless all are related legally or biologically as a family unit)
- ◆ Equipment or service which is obtainable from another program for which the applicant qualifies. Hart-Supported Living cannot be used for duplication of services.
- ◆ Tuition or fees or transportation for a program that lasts more than thirty days in a fiscal year if more than half of the participants are persons with disabilities as defined by the ADA).

## Completing Your Application

You may obtain an application by: 1) requesting it from your Regional Coordinator; 2) requesting it from the State Coordinator; or 3) downloading the application from this [website](#). You may also obtain an application from a variety of agencies. Make sure that the Application is version approved in April 2015.

The application packet contains information about Hart-Supported Living and instructions as well as the application itself. Read the instructions carefully. You must submit only the actual application and the required attachments. When you have completed your application, use the checklist on the Cover Page to make sure your application is complete.

Hart-Regional Supported Living Coordinators will provide assistance and answer questions about the application if you ask. See the Contacts section for the Coordinator in your region. If part of your proposed plan includes hiring individuals to provide services, it is strongly recommended that you contact the Coordinator about putting these requests in your application.

Anyone else may also assist you in completing your application. This may include case managers, support coordinators, family, friends, therapists, etc. The only people who cannot help you are Supported Living Council members.

Suggestions for completing your application:

- **Planning:** Before you begin filling out the application, you must have a good idea of the supports you need and how you will manage these supports if you receive funding. The planning should be person-centered - based on what the person wants and needs.
- You should make sure that you can not obtain the supports you need from another program for which you are eligible. You may need to get letters from other possible sources, such as Medicaid or special education, saying you are not eligible for a particular support.
- If you are planning to hire employees to provide a support, you should plan on how you will meet employer responsibilities such as taxes and workers compensation. You may need to contact an accountant and get an estimate

of accounting costs. You may need to contact an insurance agent or company to get an idea of Workers Compensation costs. You should figure how much you will be paying the person(s) and how much you will have to pay in employer taxes.

- If you are planning to hire an agency to provide services, you should find out how much the services will cost.
- If you are asking for home modifications, you should get documentation that the requested repair or modification is related to the person's disability (from a doctor or therapist) and also one estimate for the entire cost of the modification.
- If you are asking for equipment, you should get a letter from a therapist or doctor as to why you need it and also get one estimate.
- If someone is assisting the individual fill out the application, the assistant can write in whatever 'person' is most comfortable. It does not have to be written as 'I need' or 'I am' but can be written 'He is' or 'She needs.' The person assisting with the application should indicate their name and telephone number on the front.
- The Review Team will review the applications with identifying information removed. When writing the application try not to use proper names but indicate relationships. For example say "mother" instead of "Mary Jones."
- Your application must be complete to be considered. There are several sections to the application and you must complete the one that applies to you
  - The first page has the information that identifies you and a place for signatures. It also lets you check whether or not you want the Hart-Supported Newsletter and information. This page will be detached before the application is reviewed..
  - Section One has the general questions. All applicants must answer these. There are spaces to answer each question on the application. If you need additional room, you may attach additional sheets.
  - The next section is for applicants requesting on-going supports. Answer the questions and complete the budget page. If you are NOT requesting on-going supports, skip this section.
  - The final section is for applicants requesting one-time supports. Answer the questions and complete the budget page. If you are not requesting one-time supports, skip this section. If you are requesting both on-going and one-time, you will complete both sections
  - When you are finished and have all the required attachments, attach the Cover Page to the front of the application and use the checklist to make sure your application is complete.

## **SUBMITTING YOUR APPLICATION**

**The deadline for submitting a complete application to the Regional Hart-Supported Living Coordinator is APRIL 1<sup>ST</sup>.**

The application is for funding that may be available at the start of the next fiscal year, which begins on July 1<sup>ST</sup>. A copy of the application **MUST** be received in the office of the Regional Hart-Supported Living Coordinator by the end of business on April 1<sup>ST</sup>. (See list of Regional Coordinator addresses on the Contacts section.) If April 1<sup>st</sup> falls on a weekend day, then the application deadline is the following Monday. This is a firm deadline. An application received after April 1 will **not** be considered for the upcoming fiscal year.

Applications must be **complete** to be considered. Funding recommendations are made at the same time by the Review Team after all applications have been evaluated. It is not a 'first-come, first-served' process, so there is no advantage in submitting your application before other applications are submitted. However, when applications are submitted they are reviewed by the Regional Coordinator for completeness and compliance with instructions before they are evaluated by the Review Team. Submitting your application in the month prior to the deadline allows the Regional Coordinator time to review your application and request additional information from you, if necessary, to be submitted by the April 1 deadline.

If you were not previously awarded on-going funding, you must submit a new application for each fiscal year. Applications that were not funded are kept on file for possible funding only for the fiscal year for which they were submitted. There is no 'waiting list.'

The application packet is for both ongoing and one-time requests. Each applicant must complete the general section and then either the on-gong section, the one-time section or both and must complete the budget page(s) for on-going or one-time or both.

You should receive an acknowledgement of the receipt of your application from the Regional Coordinator.

If you applied before but were not funded, you *must submit a new application for each fiscal year*. Applications that were not funded are kept on file only for the fiscal year for which they were submitted.

## **APPLICATION REVIEW AND FUNDING PROCESS**

Applications are reviewed and evaluated by the Review Teams. Completed applications will be reviewed and evaluated against the following set of criteria:

### **Adherence to Principles of Supported Living**

Have the services been designed around the specific needs of the individual? Will the person be able to exercise choice and autonomy in this supported living arrangement? In whose name will housing arrangements be made? Are there people, in addition to the individual and paid staff, who are committed to supporting

this arrangement over time? If funded, would the quality of life for the person with a disability be improved?

**Potential for Success** Has the applicant been clear as to why the funds are being requested and what will be done if granted the funds? Has the applicant identified a place to live? Are there additional resources available to this person? e.g. family, friends, other service providers who can support this situation?

**Need**

Does the application show the person is planning ahead for his/her future? Is the applicant or family experiencing a crisis situation? Do the applicant's multiple disabilities create barriers to developing and sustaining supports over time?

**Accountability**

Does the applicant have a viable service provider or is he/she or his/her family seemingly capable of managing the resources over time? Has the applicant demonstrated a reasonable effort to secure funds from other sources where appropriate and is the request reasonable?

**Overall Purpose of the Application**

Will the Supported Living resources be used to promote a positive quality of life for the person with a disability or simply maintain the isolation and dependency of the person and his/her family?

When the Review Team has reviewed all applications for the fiscal year, it then makes funding recommendations. The amount available for allocation does not go up unless the amount for Hart-Supported Living goes up in the State budget. If an individual receives an on-going grant, that grant usually continues for every year after that as long as the individual continues to need the on-going supports, it meets the principles of Supported Living and there is not duplication of supports. This means that the amount available for funding of new applications is the allocated amount minus the amount needed to continue funding for on-going recipients. Review Teams can only make funding recommendations for funds that are available. This means that many deserving and compelling applications may not be funded solely due to lack of funds.

Applicants will receive a letter informing them of whether or not their application has been recommended for funding. If a funding recommendation is made, the Regional Coordinator will develop a plan with the recipient based on the funding recommendation. If the application is not funded, it will be kept on file for the rest of the fiscal year in case funds do become available. Most usually, funds become available if for some reason the on-going recipients do not use all of their allocation. These 'unused' funds then will be used for one-time requests, since the funds need to be available for the on-going recipient in the next fiscal year. Occasionally, an on-going recipient moves out of the state, passes away, or receives supports from another source. In that case, the funds made available can be reallocated to on-going or one-time applicants.

Except for keeping applications on file for the fiscal year in which they were submitted, there is no waiting list for Hart-Supported Living. If an applicant was not funded in one fiscal year, the applicant must apply again for the next fiscal year. Applicants who were not funded for a fiscal year are encouraged to re-apply for the next fiscal year.