

FOOTHILLS GATEWAY, INC.

Human Rights Committee (HRC)

POLICY:

Foothills Gateway, Inc. shall establish and maintain a Human Rights Committee (HRC) as an impartial third party to safeguard the rights of persons receiving services. The committee is an advisory and review body to the administration of Foothills Gateway, Inc.

PROCEDURE:

The HRC is a third-party mechanism to safeguard the rights of Members in waivers targeted to individuals with Intellectual and Developmental Disabilities.

The Human Rights Committee is an advisory and review body to the administration of each Case Management Agency (10 CCR 2505-10, section 8.7202.Q)

If a consultant to the Case Management Agency (CMA), Regional Center, or Program Approved Service Agency (PASA) serves on the Human Rights Committee, procedures shall be developed related to potential conflicts of interest.

The CMA shall orient members regarding the duties and responsibilities of the HRC.

Each PASA shall make referrals as required in rules and regulations for review by HRC.

The recommendations of the HRC shall become a part of the CMA's record, as well as part of the Member's master record.

Informed Consent is obtained from the Member, parent of a minor, the guardian, or other legally authorized representative as appropriate.

Modifications of the rights of Members occurs only within procedural safeguards as stipulated in Section 8.7001, and continued modification of such rights is reviewed by the Member, their guardian, or other legally authorized representative, and the rest of the Member's Identified Team (MIT) at a frequency decided by the team, but not less than every six months.

Psychotropic Medications and other prescribed medications used for the purpose of modifying the behavior of Members receiving services through the Intellectual and Developmental Disability waivers are used in accordance with the requirements of Section 8.7416 and are monitored by the HRC on a regular basis. Psychotropic Medication reviews

will include a comment regarding how the Member is currently doing regarding the signs and symptoms of the targeted diagnoses (8.7415 B.4)

Allegations of Mistreatment, Abuse, Neglect, and Exploitation (MANE) are investigated, and all investigation reports are reviewed (8.7201.M3bv).

The Human Rights Committee will be comprised as required by HCPF OM 25-038 page 6 (6/17/25) to the extent possible, of two (2) professional persons trained in the application of behavior development techniques and three (3) representatives of Members receiving services, their parents, legal guardians, or authorized representatives. Foothills Gateway will update the HRC member listing with HCPF whenever there is a change of members, in addition to providing HCPF with an annual update of HRC members. The HRC Member listing is available upon request. No employee or board member of a PASA within the designated service area or Foothills Gateway, Inc. will serve as a member of the HRC. Foothills Gateway, Inc. provides staff (Quality Assurance Specialist and HRC Liaison) to the HRC, and they are only present to provide clarification on waiver rules, follow-up with PASAs for additional information requested by the HRC and provide or gather clarification to the HRC as needed. The Quality Assurance Specialist and FGI HRC Liaison do not provide any feedback on any items reviewed by the HRC and do not indicate agreement or disagreement with HRC recommendations or information provided to the HRC. Foothills Gateway, Inc. will ensure that all members of the HRC have a signed Confidentiality Agreement on file.

The Human Rights Committee will meet monthly to review referred cases and make recommendations as noted above. Facilitation of the Human Rights Committee agenda, minutes and tracking will be the responsibility of the HRC Liaison with support from the FGI Quality Assurance Specialist. Human Rights Committee meetings are scheduled for the third Wednesday of each month, unless otherwise noted on the monthly agenda, and are held in a virtual format.

AGENDA:

- The agenda is compiled from a computerized tracking system. Tracked reviews include all types of Rights Modifications (Restrictive Procedures, Safety Control Procedures, including the use of mechanical restraints). Emergency Control Procedures will be reviewed as they occur.
- The PASA must notify the Case Manager (CM) to add an individual who is not already part of the tracking system to the agenda by submitting an Informed Consent. The CM will inform the HRC Liaison of the modification. Emergency Control Procedures (ECP) will be identified through the ECP database tracking system, and packets will be compiled by FGI's HRC Liaison.
- For items purchased using State or Medicaid funds that result in a rights modification but are not used during services, the CM will initiate the HRC review with the HRC

Liaison. If the purchased item results in a rights modification that is being used during PASA service provision, the PASA will submit HRC documentation annually if the rights modification is still in place.

- Individuals have their own HRC tracking record which indicates the date of review, type of review, and the date of the next review. HRC timelines will be in accordance with the Individual Service Plans to ensure that Informed Consents are current at the time of HRC review
- All PASAs will have a designated HRC Liaison and a back-up HRC Liaison to receive HRC information from Foothills Gateway, Inc. The PASA will provide the FGI HRC Liaison with current contact information when PASA Liaison changes occur.
- The HRC agenda is sent to HRC members, Case Managers and the designated PASA Liaison.
- The HRC agenda for the next month will be completed following the HRC meeting and distributed within three (3) working days to the appropriate parties.
- Any review that involves a rights modification must include an invitation for the Member, and their legal guardian, if applicable, to attend the HRC meeting. The FGI HRC Liaison will complete the invitation letters and provide these to the appropriate CM. A list of the rights modification letters is maintained by the FGI HRC Liaison. All invitation letters will be retained in the master record. The FGI HRC Liaison must be notified of Members wishing to attend the meeting to review their rights modification(s). It is the responsibility of the implementing PASA to attend and bring them to the virtual meeting. Right modifications will not be reviewed if the Member or their guardian requested to attend but is not present.
- HCPF HRC Cover Sheet and corresponding Informed Consents must be submitted to the HRC Liaison by the third working day of each month to allow the FGI HRC Liaison to review the Informed Consents and assure that all sections in the process outlined in Section 8.7001 are complete. Information regarding incomplete Informed Consent documentation will be relayed to the PASA and subsequent HRC follow-up will be requested.
- If HRC documentation is not submitted by a PASA for review, the PASA will be notified by the FGI HRC Liaison that the packet was not received. The HRC review will be placed in a pending status until complete documentation is received. The PASA and CM will be notified of the missed deadline, and the packet will be reviewed when a complete packet is received from the PASA or at the time of the next SP/HRC alignment.
- If a HRC review item is being removed from the Service Plan, the CM will notify the FGI HRC Liaison and the FGI HRC Liaison will complete the HRC Cover Sheet to discontinue the review.
- The FGI HRC Liaison must be informed of all individuals who transfer to another PASA as soon as this occurs to maintain an accurate tracking system.

- It is recommended that PASA Liaisons attend the HRC training offered by the Quality Assurance Specialist and FGI HRC Liaison to understand the HRC process and correctly assemble HRC packets for submission.

HRC MEETING:

- The FGI HRC Liaison will submit documentation to the QAS for review prior to the HRC meeting.
- At the HRC meeting, documentation will be reviewed with committee members for discussion, to ask questions and to make recommendations. Documentation of committee members in attendance will be included in the final distribution to the PASA and maintained in the master record.
- Case Managers and PASA Liaisons may attend HRC reviews to answer questions and provide additional information for individuals to whom they provide support.
- Copies of all reviews will be distributed to the PASA and maintained in the master record.

MINUTES:

- HRC minutes will be placed on the J drive monthly. Original minutes will be kept on file in the office of the FGI HRC Liaison.
- Minutes will indicate the type of review, recommendations, individuals who attended their rights modification review, and any training provided to HRC members during the meeting.
- Minutes will reflect dissenting opinions of committee members if necessary.
- The HRC Liaison will be responsible for compiling HRC billing and will submit the billing to the QAS for HCPF reimbursement for state programs. This list is due by the 15th of the following month.

TRACKING:

- Individual tracking records are updated for all types of reviews.
- Any individual scheduled to attend a rights modification review but not presented will automatically be carried over to the next month's review schedule. The individual will receive another notice to attend their rights modification review.
- A master list of all active HRC individuals will be maintained and updated at this time. This list will be provided to Case Managers monthly.

3/99;6/21; 6/22; 8/23;4/24;8/25