

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
1	<p>Residents right or ability and/or rep to have a choice where they receive care. Resident/family/AR is appropriately provided all options and resources in order to make informed choices (consistent with all provisions of SA). Most integrated env. <<Reference to integration mandate of the ADA>> Residents right or ability and/or rep to have a choice where they receive care . <<Specific language from SA>></p>	<p>Ensures all appropriate information is provided in a clear, objective way to the Guardian/Resident/Authorized Representative/Family as to whether or not this is the most integrated setting that is appropriate for the individual available in order to make an informed decision as to most appropriate for meeting the individual's needs. Note: Assumption is that all information and options are provided in accordance with the Department of Justice Settlement Agreement, specifically Section IV, Paragraphs 9, 10, 11 and 12 as well as Section XXXX (need specific reference) of the Americans with Disabilities Act.</p>	<p>Ensures the Commonwealth provides comprehensive information to the Guardian/Resident/Authorized Representative/Family regarding all available options and resources, including continued Training Center placement for residents, so an informed choice can be made regarding the most integrated setting that is appropriate and available to meet the individual's needs. Note: Assumption is that all information and options are provided in accordance with the Department of Justice Settlement Agreement, specifically Section IV(B), Paragraphs 9, 10, 11 and 12 as well as 28CFR35.130(e)(1) (1998) (Americans with Disabilities Act regulations).</p>	<p>Ensures that all relevant information and options are provided in a clear objective way to the individual /guardian/resident/authorized/representative/family so an informed choice can be made regarding the most integrated setting appropriate and available to meet the individuals needs.</p>	<p>Ensure the State provides comprehensive information about the key differences between all legal options, including continued Training Center placement for residents, in a clear, objective manner to the Guardian/Resident/Authorized Representative/Family "[t]o prevent the unnecessary institutionalization of individuals with ID/DD and to provide them with opportunities to live in the most integrated settings appropriate to their needs consistent with their informed choice" Note: Assumption is that all information and options are provided in accordance with the Department of Justice Settlement Agreement, specifically Section IV, Paragraphs 9, 10, 11 and 12 as well as Section .XXXX (need specific reference) of the Americans with Disabilities Act.</p>	<p>I support the draft language.</p>	<p>Keep language as stated.</p>	<p>This factor should remain the same</p>	

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
2	Maximum health safety and quality of life for individual. Quality of care (inside or outside of TC). Outcome measures ability to measure quality of care. Sentinal event	Provides for the individual's health, safety and quality of life which are maximized regardless of the individual's care setting. <i>Note: Assumption that valid outcome measures and "sentinel event monitoring" are in place and used to ensure the individual continues to receive appropriate care .</i>	Provides for and maximizes the individual's health, safety and quality of life including medical, health, developmental and behavioral care, in the chosen care setting. <i>Note: Assumption that valid outcome measures and "sentinel event monitoring" are in place and used to ensure the individual continues to receive appropriate care .</i>	Provides for and maximizes the individuals health, safety, and quality of life in the chosen care setting.	Ensure the State provides sufficient Training Center capacity for residents if they or their Authorized Representatives elect to continue to reside in a State-run Training Center ("[N]o resident of a Training Center shall be discharged to a setting other than a Training Center if he or his Authorized Representative chooses to continue receiving services in a Training Center." Paragraph 10 of the Settlement Agreement). <i>Note: "Nothing in this part shall be construed to require an individual with a disability to accept an accommodation . . . which such individual chooses not to accept."</i> 28CFR35.130e(1) (1998), ADA regulations.	I support the draft language.	Keep language as stated.	This factor should remain the same	
3	Access to comparable/appropriate services and supports (in the community and from TC to TC).	Provides full and timely access to comparable and appropriate services and supports regardless of care setting or placement, including when transferring from one Training Center to another.	Provides full and timely access to comparable and appropriate services and supports in the care/residential setting (Training Center or community), including when transferring from one Training Center to another.	Provides full access to comparable and appropriate services and supports in the care/residential setting (Training Center or community).	The number of residents of Training Center (or Authorized Representatives, where authorized by law to act on their behalf), who wish to remain in a Training Center.	I would like this draft language to be more inclusive of all individuals with IDD. This language should also include waiting list families. Take out "transferring from one Training Center to another."	Change language to: "Provides full and timely access to comparable and appropriate services and supports regardless of care setting or placement." Remove "...including when transferring from one Training Center to another" because it favors the population of individuals in training centers over individuals in the community on Waiver or on the waiting list.	Remove "including when transferring from one Training Center to another." This language is unnecessary. The Training Center population is implied in this scope of work, as are individuals with IDD receiving services or waiting to receive services in Virginia.	

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
4	Current cost of serving individuals in TC vs those on waiver. Affect the ability of those in the community to access services	Increases, decreases or no impact on the current cost of serving individuals in a Training Center versus those served in the community through the current ID or DD Waiver. And if increased costs does this option potential impact access to services for those in the community?	Increases, decreases or has no impact on the cost of serving individuals in a “right-sized” Training Center versus the cost of providing comparable care to those served in the community through the current ID or DD Waiver. If the costs of Training Center care is more expensive, would there be a negative impact on access to services for those being served in the community through the ID and DD Waivers?	Examines the cost differential, if any, of serving individuals in Training Centers versus the cost of serving individuals through the current ID and DD Waivers to determine if serving individuals in the Training Centers negatively impacts the ability of individuals with ID/DD to access services in the community.	Maximize geographic proximity of individuals with ID and DD, including those who elect to continue care in a Training Center, to their families and local communities in order to encourage community integration. Note: Edited version of original paragraph 6.	I support the draft language.	Keep language as stated.	This factor should remain the same	should be a consideration of comparative costs for comparable services under the new waiver, for those who choose to accept it, and ICF/IID costs, whether training center or smaller community ICF/IID. The latter will be necessary to replace closed training centers for those who will not accept waivers.

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
5	Financial impact on Commonwealth. Overall affordability of care system. Siting, permitting, and financing of remaining centers and other community residentials (within a given region). <Process>	Impact on the Commonwealth is either minimized or savings are realized, such that the overall affordability of the care system is maintained or improved—rather than stressed. And, the processes of citing, permitting, securing capital and financing capital improvements to existing Training Centers or other residential options do not tax current staff and financial resources—impacting other priorities.	Maximizes efficiency and either realizes savings or limits the financial impact on the Commonwealth such that the overall affordability of the care system is maintained or improved—rather than stressed. And, the processes of siting, permitting, securing capital and financing capital improvements to existing Training Centers or other residential options do not strain current staff and financial resources—negatively impacting other care system priorities.	Realizes financial savings or minimizes the financial impact on the Commonwealth so that overall affordability of the care system is maintained or improved—rather than stressed. In addition, assures that the processes of citing, permitting, security capital, and financing capital improvements to existing TCs or other residential options do not strain human and financial resources, or negatively impact other priorities.	“Provide a quality of care that is comparable to that provided in the resident’s current training center regarding medical, health, developmental, and behavioral care and safety” in either “the receiving training center or community-based option.”. <i>Note: Language quoted from SB 627. Assumption that valid outcome measures and "sentinel event monitoring" are in place and used to ensure the individual continues to receive appropriate care.</i>	would like this draft language to say savings are put towards serving individuals with ID/DD.	Change language to: "Impact on Commonwealth is either minimized or savings are realized <u>and remain in the IDD service system budget</u> , such that the overall affordability of the care system is maintained or improved - rather than stressed. And the processes of citing, permitting, securing capital and financing capital improvements to existing Inserted: [and remain in the IDD service system budget] It is imperative that all cost savings remain in the IDD service system in order to fund services for the individuals transitioning out of institutions and the over 8,500 Virginians who are waiting for community-based care.” Training Centers or other residential options do not tax current staff and financial resources -impacting other priorities.”	Revise factor five to include language clarifying that cost savings will be put back into the IDD service system.	

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
6	Geographic proximity of individuals to families and community support for care for all individuals (TCs and community)	Increases, decreases or is neutral on impact to individuals and families who elect to continue care in a training center as within reasonable geographic proximity to both their families and the facility is integrated into the greater surrounding community—providing access to the greater community similar to individuals who live in settings viewed as more integrated, due to size or location within neighborhoods.	Increases, decreases or has no impact on the geographic proximity to families, services and supports for individuals who elect to continue care in a Training Center or in the community; and if a facility is chosen, it is integrated into the greater surrounding community—providing access to the greater community similar to individuals who live in settings viewed as more integrated.	Increases, decreases, or is neutral with respect to the care setting’s geographic proximity to the families of the individual being served; the integration of the care setting into the greater surrounding community; and access to the greater community similar to that of individuals who live in settings that are considered , more integrated due to size or location within neighborhoods.	The cost of serving individuals in a “right-sized” Training Center versus the cost of providing comparable care to such individuals in the community.. If the costs of Training Center care would be more expensive, would the increased costs have a significant impact on access to services for those in the community? <i>Note: The cost comparison should reflect the full costs of the different settings. It should base Training Center costs on the assumption that the centers will be “right-sized” to reflect the lower populations. The community costs should include the costs of restructuring or building the needed capacity and the costs of any transitional effort needed to relocate residents.</i>	I do not support the draft language. This should be changed back to the original language.	The language should be changed to: "Geographic proximity of individuals to families and community support for care for all individuals with IDD should be served where natural family and community supports exist and within the most integrated setting possible that meets the needs of the individuals.	This factor should state “Care is provided in the most integrated setting and is within reasonable geographic proximity that is neutral on the impact to individuals and families.”	is simply about geographic proximity of training center residents to their families and any other individual community supports they may have
7	Infrastructure of chosen training center (level of institutional env.). Community collaboration. Liveability	Provides the same type of livability that is available for the non-disabled population and a qualitative environment which supports the individual and reinforces community collaborations.	Ensures Training Centers provide an equivalent level of “livability” that is available to individuals with ID or DD residing in the community, including a quality environment which supports the individual and reinforces community inclusion and collaborations typical of what is available to individuals without disabilities.	Provides equivalent livability as that available to individuals without disabilities, including a quality environment that supports the individual and reinforces community inclusion and collaboration.	Maximize the efficiency of the changes to minimize the financial impact on the Commonwealth. Consider the best practices for siting, g, permitting, securing capital and financing capital improvements to existing Training Centers or other residential options in order to minimize the impact on current staff and financial resources impacting other priorities.	I support the draft language.	Keep language as stated.	This factor should remain the same	is subjective and cannot be quantified.

Factor	Original WG Factors	Revised WG Factors	Revised WG Factors (2)	Lawyer Comments	Kinzler Comments	Gunnell Comments	Goodloe Comments	Burns Comments	Anthony Comments
					<p>Ensure the training centers provide the same type of livability that is available to individuals with ID or DD residing in the community in an environment which supports the individual as an individual and reinforces community collaborations typical of the non-disabled population.</p>				