

Right to Physical Accessible Setting

I. Policy:

Individual will have the right to settings that are physically accessible and compliant with American with Disabilities Act (ADA). The right to physically accessible setting cannot be restricted.

II. Standards:

The following rights will be afforded all individuals receiving Home and Community Based Waiver Services:

1. Assessment of individuals' accessibility needs will be conducted upon admission and periodically thereafter to ensure the physical environment meets the individual's needs.
2. Individuals will have the right to safe and unobstructed access to all areas of the setting including kitchen, dining, bathroom and other indoor, as well as outdoor areas of the setting.
3. If needed, individuals will be provided equipment and accommodations to promote safe and unobstructed access to areas both inside and outside the setting.
4. Individuals will be informed of means by which to request reasonable accommodations and assisted if needed.
5. The HCBS Settings Compliance Checklist, issued by the ADMH-Developmental Disabilities Division in July 2022, will be used in training staff on all rights including providing guidance to staff on how to practice and apply these rights.