

Catherine V. Hayes



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H&W Independent Solutions is a Multi-Faceted Training and Consultation Firm Offering Individually Tailored Services to Agencies in the Disability Community.

Summary

- Over thirty years' experience in the intellectual disability/mental retardation field with experience as a provider, regulator, surveyor, trainer and consultant.
- Extensive regulatory, survey and quality enhancement expertise in field of intellectual disabilities. Developed national policy and guidelines for implementing Federal ICF/IID (ICF/IID) regulations. Managed ICF/IID and Continuing Care Services at the Centers for Medicare and Medicaid Services (CMS). Instrumental in forming Abuse/Neglect Prevention and Restraint Rules for CMS.
- Experienced, nationally recognized trainer in Active Treatment, Risk Management, Investigations, Abuse/Neglect Prevention and Detection Systems and ICF/IID compliance.
- Expert Consultant services including review of case records regarding personal injury, alleged abuse, neglect and wrongful death cases.
- Design and organize training in wide array of topics, including Understanding ICF/IID regulations and Abuse and Neglect Prevention. Skilled speaker, trainer and facilitator.
- Developed, implemented, and managed strategic plans, program evaluation systems and Continuous Quality Improvement systems.

Education

Masters of Arts - Counseling, College of Arts & Sciences, Louisiana State University, Baton Rouge, LA, 1979.

Bachelors of Arts - Psychology, College of Arts & Sciences, Undergraduate Honors Program, Louisiana State University, Baton Rouge, LA, 1975.

Professional Experience

H&W Independent Solutions, Inc., Founder & President, 2001 - present.

H&W Independent Solutions' focus is assisting agencies to strengthen their supports, management and quality systems enabling them to better serve individuals with varying disability issues who rely on them for support & services. Services have been provided in 30 states. Projects include:

- TX: Monitor for Improvement Plan for Regulatory Compliance at one state supported center.
- CA Internal Monitoring Regulatory Compliance: Monitoring and Technical Assistance for CA DDS at large ICF/IID to assist with decertification actions and quality improvement efforts. Designing monitoring and technical assistance for all five state run ICF/IIDs.
- TN: As part of the Exit Plan for the dismissal of the lawsuit, H&W was retained to provide training to a new division of community ICF/IID surveyors, to enable them to take over the survey function for all the community based ICF/IID providers in TN.
- Texas QA Contract: Included design and delivery of mock surveys by coordinating on onsite survey team to assist providers in understanding regulations, survey process and improving quality enhancement efforts for all 13 State Supported Living Centers. Design and delivery of training and tools to improve Quality Assurance Services at all 13 sites.

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- Consultant to Healthcare Management Solutions for ICF/IID Surveyor training on behalf of the Centers for Medicare and Medicaid Services (CMS). Assisted with redesign/delivery. Served as trainer/mentor in state surveyor training.
- Design/delivery of mock ICF/IID surveys to train providers in understanding ICF/IID regulations, survey process and quality enhancement efforts (NE, TX, ARK, VA, CA).
- Supported Nebraska, Community-Based Services for I/DD staff to design survey review process for newly adopted waiver review requirements. Delivered training to new reviewers.
- Serve as consultant and trainer to intellectual/developmental disability provider organizations (ANCOR, DSN, PPAT, IARF, INARF, NAQ, NYSACRA, APDDA) on variety of topics, including assistance in developing quality enhancement plans and plans of corrections, active treatment, inter-disciplinary team process, QIDP training.
- Consult with public and private agencies to review CMS ICF/IID requirements, assure compliance and overcome immediate jeopardy citations.
- Provided jointly agreed upon expert monitoring to U.S. Department of Justice and Attorney General of State of Washington for system review, community placement and risk management analysis at Rainer.
- Conducted external review of PASSR implementation for State of Washington for individuals transferred from state run ICF/IID to state run SNF.
- Provided Monitoring Services on Behalf of the North Dakota Department of Human Services for a private provider.
- Joint venture with Pennhurst for Assessment/Technical Assistance – State Division of Developmental Disabilities for review of nine Illinois Developmental Centers.
- Provide review, analysis and training to State providers including Nebraska (Beatrice Developmental Center), Washington (Fircrest School), Montana (Montana Developmental Center), Kentucky (Oakwood, Hazelwood), Virginia (All Five Training Centers) Wyoming (Wyoming Resource Life Center), Texas (DADS – all 13 sites) and Oklahoma (DDSD), California (Harbor and Westside Regional Centers) on Active Treatment, Risk Management, ICF/IID compliance and certification assistance.
- Provide Expert Consultant support services to states under review by the United States Department of Justice (Illinois for Howe Developmental Services and Virginia for Central Virginia Training Center and Community Service System). Included first ADA DOJ review.
- Serve as expert consultant and provide litigation support including review of case records regarding personal injury, alleged abuse, neglect and wrongful death cases; analysis of licensing/certification files, deficiencies and complaints; interdisciplinary team notes and individual service plans to assess quality of care and compliance with ICF/IID regulations.
- Served as Expert Consultant to US Department of Justice for CRIPA reviews in Louisiana, New Jersey and Kentucky for protection from harm and community transition.
- Served as expert to Disability Rights Center of Maine, a Protection & Advocacy agency, for review of Individual Service Plans in community settings for AMHI trial. Testified at trial.
- Design and delivery of abuse and neglect training, including overview of national prevention system.
- Design and delivery of *Think Like a Surveyor* training incorporating how to understand Federal regulations, including QIDP requirements, Individual Program Plans and active treatment.
- Provided training to national Protection and Advocacy network on abuse and neglect, investigations and understanding ICF/IID regulations.
- Consulted with Quality Trust in Washington D.C. on informed consent/guardianship.
- Deliver training programs to private providers throughout the United States, including Connecticut (Ability Beyond Disability), Florida (Florida Mentor), California (Mentor Network), Florida (Mentor Network), South Dakota (Children's Care and Hospital).

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- Develop publications in association with ANCOR: "Positive Outcomes: A Providers' Guide to Active Treatment", "The Surveyors Are Coming – Now What", "ICF/IID Assessments: From Admission to Discharge – What is Expected", and State Medicaid Fact Sheets.
- Developed written training modules for providers based on Abuse and Neglect Prevention CMS May 2001 surveyor training. Offered through www.hwisolutions.com

University of Phoenix, Adjunct Faculty, General Studies, Woodland Hills, CA (2000 – 2003). Served as faculty for adult learners. Classes interactive. Topics included Critical Thinking, Writing Skills, Oral Presentations and Team Dynamics.

Centers for Medicare & Medicaid Services (CMS) (formerly Health Care Financing Administration (HCFA), Branch Chief - Continuing Care Provider Services, Baltimore, MD (1999-2001). Supervised National Survey and Certification Staff responsible for regulation interpretation, writing survey procedures, issuing national clarifications for State surveyors and training State surveyors for: Intermediate Care Facilities for Persons with Mental Retardation (ICF/IID), Home Health Agencies, Hospice Services, Psychiatric Hospitals, End Stage Renal Disease, Community Mental Health, Habilitation Services (OT & PT), and Organ Donations.

Specific accomplishments:

- Organized Forum-Abuse and Neglect Prevention Initiative. Resulted in design of the Seven Key Components to Prevent Abuse & Neglect and changes in Federal training and guidelines.
- Assisted with redesign of CMS Appendix Q: Guidelines for Determining Immediate Jeopardy.
- Assisted staff designing the Regulations for the Psychiatric Residential Treatment Centers (AKA Psych under 21). Guided through understanding for legislation governing rule, assisted in designing an implementation plan, reviewed guidelines and survey procedures.
- Active in CMS input into Legislation regarding new restraint and seclusion requirements.
- Liaison and consultant to the United States Department of Health and Human Services, Office of Inspector General on Abuse Investigations review. Provided orientation to OIG Inspectors and ongoing guidance in understanding CMS rules and requirements. Resulting OIG reports included "Reporting Abuse of People with Disabilities".

Centers for Medicare & Medicaid Services, Program Analyst - ICF/IID Team Leader, Continuing Care Providers Branch, Baltimore, MD (1995-1999). Responsible for organizing effort to review and rewrite the Intermediate Care Facilities for People with Mental Retardation (ICFs/MR) regulations. Provided training and guidance to CMS regional offices and State surveyors on regulations, interpretations and survey procedures. Developed and delivered extensive training for State and Federal surveyors.

Specific accomplishments:

- Lead regulator; led implementation of Joint/Partnership surveys to increase Federal oversight and ICF/IID regulations enforcement, without increase in staff.
- Regulation Revisions meetings - Facilitated meetings for CMS staff, providers, consumers, advocates to solicit input re: ICF/IID regulations.
- Established Crosscutting Developmental Disabilities Workgroup to increase overall communication/coordination among Central and Regional CMS staff who served people with developmental disabilities. Included Waiver and ICF/IID staff.
- Coordinated ICF/IID services with Department of Justice, Civil Rights of Institutionalized Persons Act (CRIPA).

Austin State School (AUSS), Quality Improvement/Accreditation Council Coordinator, TX Department of Mental Health & Mental Retardation, Austin, TX (1990-1995). Managed Quality Enhancement Program for large State institution serving people with mental retardation; assured compliance with ICF/IID regulations and national accreditation standards of care.

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Specific accomplishments:

- Provided training, consultation and guidance to staff concerning intent and implementation of Accreditation Council (CQL) Standards, State and ICF/IID regulations. AUSS attained Accreditation from the Council on Quality and Leadership.
- Assisted with continuous quality improvement design and implementation. Supported long and short-term planning process.
- Provided professional supervision to over thirty Qualified Mental Retardation Professionals (QIDP). Supervised quality assurance & records department. Provided support for admissions, assessment, habilitation planning, active treatment, and community integration.
- Served as staff advisor to self-advocate organization.

The Accreditation Council (now the Council on Quality and Leadership), Director-Operations and Development (1987-1989) Boston, MA. **Lead Surveyor and Trainer (1989-1995)**, Towson, MD. As Director of Operations and Development - Managed day-to-day operations of The Council, including recruiting, hiring, and performance reviews. Set goals for performance and budget. Marketed services. Lead surveyor and trainer -- throughout nation applying Accreditation and ICF/IID Standards. Provided training/consultation on standards.

Specific accomplishments:

- Directed planning and implementation of Accreditation Surveys throughout the country. Assisted in writing and publication of Accreditation standards of care.
- Conducted training for new surveyors.
- Participated in the development of the initial outcome measures.
- Coordinated review project at 7 institutions in Texas as part of Lelz lawsuit requirements.
- Evaluated agencies to determine if in compliance with standards. Wrote survey reports. Composed, edited and approved reports for use by Board of Directors.

MACRO, Senior Consultant, Silver Spring, MD (1986-1987). Responsible for design and delivery of training workshops delivered to national network of Migrant Seasonal Farm Worker Programs. Co-authored and edited 4 manuals.

Jewish Vocational Services, Coordinator/Professional & Community Services, Cincinnati, OH (1984-1986). Worked in extensive day treatment and supported employment program serving people with various disability issues, including developmental disability and mental health. Responsible for community outreach, client admissions, program evaluation, statistical management, CARF accreditation, grant writing, and community resources and agencies.

Epilepsy Foundation of America, National Director - Training and Placement Services (TAPS), Landover, MD (1980-1983). Managed TAPS, a national demonstration program funded by Department of Labor. Included: thirteen sites, nationwide, a national advisory committee, thirteen local Advisory and thirty staff who provided services to people with epilepsy.

Louisiana Epilepsy Association, State Director - TAPS, New Orleans, LA (1978 - 1980). Designed and administered model statewide employment project. Provided services to people with epilepsy including intake, job counseling and placement in community-based jobs. Established state advisory group of business/government officials for people with disabilities.

State of Louisiana, Employment Counselor, Baton Rouge, LA (1976-1978). Provided counseling, testing and placement services. Coordinated youth employment project. Provided counseling for elderly individuals and individuals with varying disability issues.

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Awards Received

- United States Office of Inspector General Exceptional Achievement Award. Given for Significant Contributions in Identifying Opportunities to Improve Safeguards for Persons with Disabilities in Residential Settings. 2001
- HCFA Administrator Employee of the Month for May 1999. Given for Creating Strong Partnerships between HCFA, ICF/IID Providers and Advocates in order to address the needs of the people served. 1999
- Department of Health and Human Services Secretary Team Award for Nursing Home Initiative. Given for Organizing Abuse and Neglect Prevention Forum. 1999
- Outstanding Women in Texas Government, Certificate of Appreciation for Civic Involvement and Quality Services. 1993

Selected Publications

Disability and Medicaid State Fact Sheets, American Network of Community Options and Resources (ANCOR), 2006, 2007, 2008, 2009, 2010.

"CMS ICF/IID Clarifications". *Links*, ANCOR, September 2009.

The Surveyors are Coming: Now What? A Guide to Survey Expectations and Preparations. www.hwisolutions.com, H&W Independent Solutions, 2008.

ICF/IID Regulations Compliance Worksheet. www.hwisolutions.com, H&W Independent Solutions, 2008.

"Abuse and Neglect Prevention Systems: Evaluation and Implementation Guide". A seven-part series. www.hwisolutions.com, H&W Independent Solutions, 2008

ICF/IID Assessments: From Admission to Discharge – What is Expected? www.hwisolutions.com, H&W Independent Solutions, 2007

The Surveyors Are Coming: Now What? American Network of Community Options and Resources (ANCOR), 2007.

"Requesting Clarifications or 'Challenging' a Deficiency". *Links*, ANCOR, April 2006.

"CMS Responds to Regulatory Clarification". *Links*, ANCOR, March 2006.

Positive Outcomes: A Provider's Guide to Active Treatment. American Network of Community Options and Resources (ANCOR), 2005.

"Immediate Jeopardy, Fast Track and Appendix Q – What do they have in common?" Leading Practices – Program Quality Enhancement, *Links*, ANCOR, July/August 2005.

"W198 and Active Treatment – Are You Meeting The Needs Of Your Consumer?" *Links*, ANCOR, March 2004.

"Crisis - Danger or Opportunity?" Program Quality Enhancement. *Links*, ANCOR, February 2003.

"Learning to Think Like a Surveyor". *H&N Update*, Developmental Services Network, 2002.

Chapter 10: "Federal Policy and Practice in Transition: A Look Ahead at the ICF/IID Program" For *Quality Enhancement in Developmental Disabilities: Challenges and Opportunities in a Rapidly Changing World 2003 update*. Paul Brookes Publishing. Co-authored Linda Joyce & Elizabeth Couchoud. November 2002.

Guest Editor, Journal of American Medical Association, 1993.

"Genetic Testing for Huntington's Disease - A Family Issue". *The New England Journal of Medicine*, 12 Nov. 1992, p.1449.

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Selected Training Presentations

"My IPP – Facilitating a Person Centered Annual Plan Meeting", National Association of QIDPs, Nashville, TN 2014.

"Human Rights Committee, Rights and the Role of the IDT", TX DADS, 2013.

"Minor Injuries: Investigating, Tracking and Trending", National Association of QIDPs, Chicago, August 2012.

"Protection from Harm: Investigations, Prevention and Quality Assurance" Three days training for Arkansas Human Development Centers, Conway, Arkansas, February 2012.

"Doing It Right and Avoiding the Survey/Review Hassle!" NAQ, Kansas City, August 2011.

"Investigation and Survey Training", Four days training for Nebraska Department of Developmental Disabilities, Community Waiver Reviewers, September 2010.

"Community Transition, Private Agencies, DOJ and You", NAQ, New Orleans August 2010.

"The Active Treatment Loop: ICF/IID Surveyor Basic Training", Webinar for CMS ICF/IID Basic Surveyor Training, June 2010.

"Behind the Regulations - ICF/IID Guiding Principles and Values", Two days training for Maryland ICF/IID State Providers, Holly Center, Salisbury, MD May 2010.

"Aging with Dignity: Supporting Persons with I/DD", 17th Annual Developmental Disabilities Nurses Association Education Conference, Orlando, FL, May 2009.

Demystifying ICF/IID Regulations, Presented for Illinois State Centers, Dec '08 & Feb '09.

Aging and People with Developmental Disabilities, Presented for NDCPD, Minot State University Center of Excellence. September 2008

Quality Enhancement: Creating Services that Make a Difference, Presented for NDCPD, Minot State University Center of Excellence. September 2008

"Putting the QIDP in Quality", 13th National Conference of QIDPs, Memphis, TN, August 2008.

"Investigate: Conducting Effective and Timely Investigations" Indiana Association of Rehabilitation Facilities (INARF), Indianapolis, March 2008.

"Abuse and Neglect Detection and Prevention: Seven Key Components", Illinois Association of Rehabilitation Facilities (IARF), Chicago, Illinois, March 2008.

"Positive Outcomes: A Providers Guide to Active Treatment", Two day training session for Washington State Developmental Centers, January 2008.

Active Treatment and Survey Prep Training, Two day training session for Mentor Network, Florida, January 2008

"Aging and People with DD", Wyoming Life Resource Center, Lander, WY August 2007.

"Values, Team Planning and Habilitation Plans: Pulling it All Together." 12th National Conference of QIDPs, Atlanta, GA, August 2007.

"Alternatives to Guardianship and Conservatorship", Developed for the Quality Trust Informed Consent Project, Washington DC, 2007

"Investigations – An Overview", INARF, Indianapolis, IN, 2006.

"Overview - A QIDP's Guide to Active Treatment", TX Department of Aging and Disability Services Provider and ICF/IID Surveyor Training, Austin, TX 2006.

"Restraint and Seclusion - Overview of Federal Laws and Regulations", The Disability Law Center, Oklahoma P&A, Oklahoma City, OK, 2006

"Guardianship: The Basics! What You Need to Know", Developed for the Quality Trust Informed Consent Project, Washington DC, 2006

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Additional examples prior to 2006 available upon request

Examples of Training provided while at CMS (1995 – 2001):

“Abuse and Neglect Detection and Prevention Training”: Supervised development of a train-the-trainer manual “Abuse and Neglect – Detection and Prevention” for HCFA now CMS, Baltimore, MD, May 2001

“ICF/IID Basic Surveyor Training” Coordinated development of agenda, selection of speakers, and development of extensive training materials for the ICFs/MR National Basic Surveyor Training. MD 1995-1999.

“ICF/IID Advanced Surveyor Training”: Coordinated development of topics, agenda, selection of speakers and development of extensive training materials for the Intermediate Care Facilities for People with Mental Retardation (ICFs/MR) National Surveyor Advance Training. 1996-1999

CMS Satellite Training National Broadcasts: Designed to educate ICF/IID surveyors nationwide regarding: Person Centered Planning: Similarities and Differences between Person-Centered Planning and ICF/IID; Active Treatment: Aging and People with Developmental Disabilities; Interviewing People with DD: Techniques for Communicating with People who do not Speak. 1997

Selected Presentations/Lectures

“DOJ, ADA & Olmstead – What Does it Mean for You?”, ANCOR, Washington DC May 2012.

“Balancing Choice, Freedom and Rights in a Regulatory World”. 2010 ICF/IID Provider and Surveyor Conference. The Department of Aging and Disability Services (DADS) annual ICF/IID Provider & Surveyor Conference. November 2010.

“Essential Elements of the IPP Process” 14th National Conference of QIDPs, Las Vegas, NV, August 2009.

“QIDP Services: Strategies for Increased Coordination” 14th National Conference of QIDPs, Las Vegas, NV, August 2009.

“Abuse and Neglect Detection and Prevention: Seven Key Components”, 13th National Conference of QIDPs, Memphis, TN, August 2008.

“Quantum Leap: From Look-Behinds to Looking Ahead”, Keynote, SouthWest Society of Service Coordinators, San Antonio, TX, April, 2008.

“Preparing your Staff for Surveys” Association of Public and Private Developmental Disability Administrators (APDDA), Phoenix, AZ February, 2008.

“ICF/IID Surveys: Planning for the Future Learning from the Past, 12th National Conference of QIDPs, Atlanta, GA, August 2007.

“CMS ICF/IID Look-Behinds & State Surveys Top 10 Deficiencies: What You Need to Know” San Diego, ANCOR Leadership Conference, March 2007.

“Making A Difference: Washington D.C.’s Efforts to Promote Alternatives to Guardianship”, 11th National Conference of QIDPs, Atlanta, GA, August 2006.

Additional examples prior to 2006 available upon request