



# Home and Community Based Settings (HCBS) rules

# Featured speaker

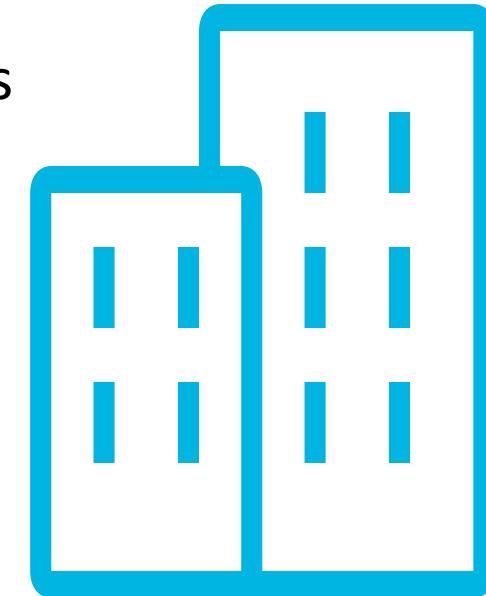
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- Manager of Quality Management

# Who is affected by HCBS rules?

## Residential settings:

- Assisted living facilities (home, center, adult foster care)
- Division of Developmental Disabilities (DDD) group homes
- DDD adult and child developmental homes
- Behavioral health residential facilities



## Non-residential settings:

- Adult day health
- DDD day treatment and training programs
- DDD center-based employment programs
- DDD group - supported employment programs

# What are the rules?

1. The setting is integrated in and supports full access to the greater community, including opportunities to:

- Seek employment and work in competitive integrated settings,
- Engage in community life,
- Control personal resources, and
- Receive services in the community to the same degree of access as individuals not receiving Medicaid home and community based (HCB) services.

## Rules (con't)

2. The setting is selected by the individual from among setting options including
  - a. non-disability specific settings
  - b. an option for a private unit in a residential setting
3. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.

## Rules (con't)

4. The setting ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint
5. The setting optimizes, but does not regiment, individual initiative, autonomy and independence in making life choices including, but not limited to, daily activities, physical environment and with whom to interact
6. The setting facilitates individual choice regarding services and supports and who provides them.

## Rules (con't)

7. In provider-owned or controlled home and community-based residential settings, the following additional requirements must be met:

- The individual has a lease or other legally enforceable agreement providing similar protections
- The individual has privacy in their sleeping or living unit including:
  - Doors the individual can lock (with only appropriate staff having keys)
  - Individuals sharing units have a choice of roommates
  - Freedom to furnish or decorate the unit within the lease or agreement

8. The individual has freedom and support to control his/her own schedules and activities including access to food at any time

- The individual can have visitors at any time
- The setting is physically accessible

# Timeline and auditors

## Timeline

- Audits are currently underway
- Must be able to complete two by March 2023

## Auditors

- Foundation for Senior Living (FSL)
- Mercy Care
- United Healthcare
- Banner Health
- Arizona Department of Economic Security (DES)/Division of Developmental Disabilities (DDD)

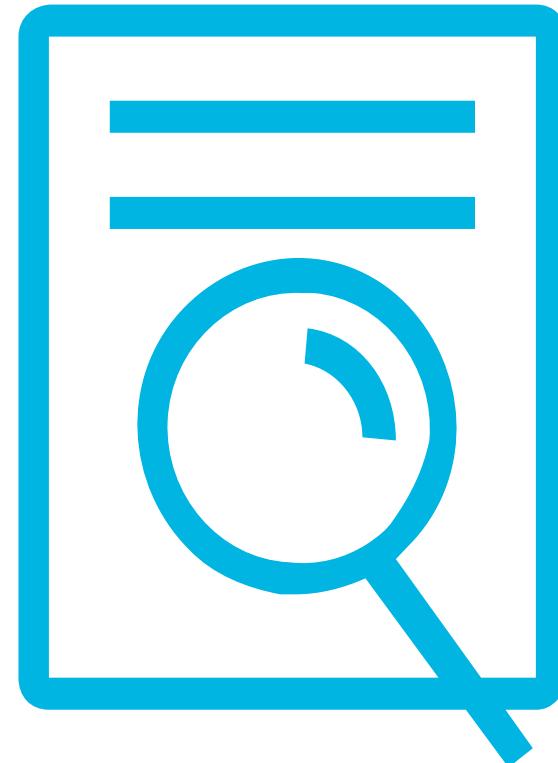
# Person-centered planning

**Rights may be limited, on a case-by-case basis, if they jeopardize the health and safety of the member and/or others**



# Resources

- <https://www.azahcccs.gov/shared/HCBS/>



# Q&A

# Reminders and upcoming sessions

**We'll send out a post survey to all participants. We hope you'll take a few minutes to provide your feedback**

## November 17

- Welcome to Mercy Care: Back to Basics
  - 12:30 – 1:30 p.m.
- Mercy Care DCS CHP: Where we are today and where we are going
  - 2 – 2:30 p.m.

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# Thank you

