

Home & Community Based Services Final Rule

Created by Julie Parrish and Hillary Spears December 2017

WHAT IS THE HCBS FINAL RULE?

It is a series of requirements created to ensure that individuals receiving services and supports funded through Medicaid's HCBS programs have

full access to the benefits of community living

and

March 17, 2022

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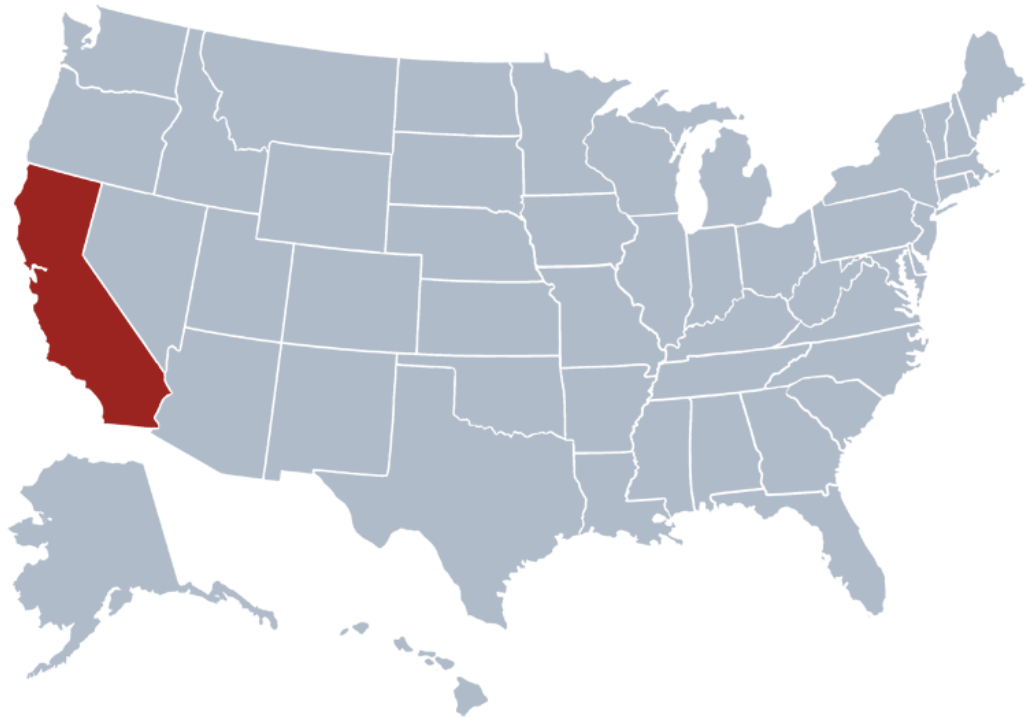
Every state has until March 17, 2022 to come into compliance with the Final Rule.



Specific to California

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- 21 HCBS specialists
- HCBS funding for providers



Person-Centered Service Plan

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“Those who treat Person-Centered Planning simply as a technique and those who fail to provide for their own development and support will offer little benefit to the people they plan with.”

-John O'Brien and Herbert Lovett in *Finding a Way Toward Everyday Lives*



Think of the HCBS Final Rule as a Recipe

6



The ingredients are the different requirements that make up the HCBS final rule...

Result of Adding the Ingredients =

7



People living in their communities,
having more experiences,
making their own choices ***and...***

(oh yeah, by the way)

now the services and supports being provided are in compliance with the HCBS final rule!

1st Ingredient

8

The setting is integrated, and supports full access of individuals receiving services to the greater community ***to the same degree of access as individuals not receiving services.***





2nd Ingredient

9

The setting is ***selected by the individual*** from among setting options [available], including non-disability-specific settings and an option for a private unit in a residential setting.

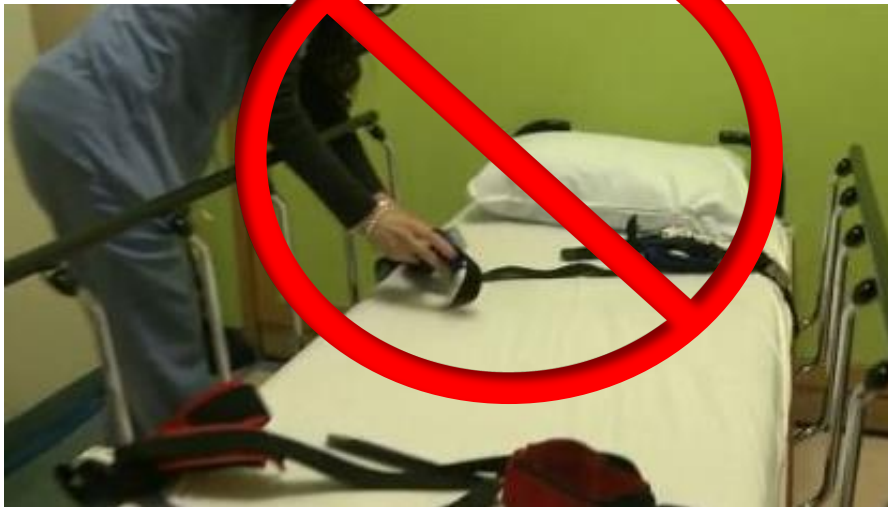




3rd Ingredient

10

The setting ensures an individual's rights of privacy, dignity and respect, as well as freedom from coercion and restraint.

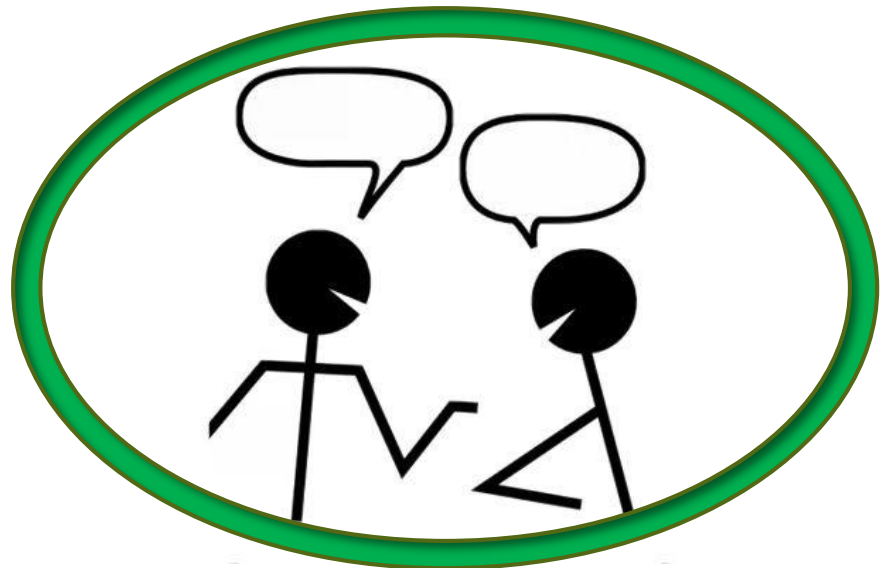




4th Ingredient

11

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.





5th Ingredient/

12

The setting **facilitates individual choice** regarding services and supports, and who provides them.





6th Ingredient

13

The unit or dwelling is a specific physical place that can be owned, rented or occupied under a **legally enforceable agreement** by the individual receiving services.





7th Ingredient

14

Each individual has **privacy** in their sleeping or living unit; including **doors lockable** by individual, **choice of a roommate** if sharing a unit, and the **freedom to furnish and decorate** their sleeping or living units within the lease or other agreement.





8th Ingredient

15

Individuals have the freedom and support to **control their own schedules and activities**, and have **access to food any time**.



9th Ingredient

16

Individuals are able to **have visitors of their choosing at any time.**





10th Ingredient

17

The setting is **physically accessible** to the individual.



DDS Information

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- More information on the HCBS rules and this form can be found at: <http://www.dds.ca.gov/HCBS/>.

Here you will find enclosure C along with the concept form.

- Questions may be directed to HCBSregs@dds.ca.gov.
- <http://www.dds.ca.gov/HCBS/providerList.cfm>

Due Dates for HCBS 2018 Projects

19

- Deadline 1/5/18 (Enclosure C) for proposals to be submitted to Program Evaluators
- DDS will inform providers of status of application by March of 2018.
- DDS will provide the final approval by March of 2018, but the regional center will be responsible for dispersing the approved funding to the service provider.

**** (If a provider is vendored for multiple regional centers for a service, the provider only needs to submit one proposal, but they will need to mention the regional centers in the narrative).

<http://www.dds.ca.gov/HCBS/docs/contactInfo.pdf>

Questions?

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