

HCBS Settings Rule: Statewide Transition Planning

A new rule issued by the Centers for Medicare & Medicaid Services (CMS) affecting Home- and Community-Based Services (HCBS) became effective on March 17, 2014. In Georgia, this affects all waiver programs: NOW, COMP, ICWP, CCSP, SOURCE and GAPP. The rule is called the HCBS Settings Rule. Here is what you need to know about what's happening in Georgia. Transition Plan Public Forums were held in fall 2014.

What is the HCBS Rule about?

The rule says that individuals receiving services and supports must have full access to the benefits of community living and receive supports in the most integrated setting. **It means that “settings” are more about the nature and quality of individuals’ experiences, not only about buildings where the services are delivered.**

What does that mean to me?

If you are a **member who receives waiver services**, it means that you have the right to be supported with respect and in a very person-centered way so that you make decisions about how, when and where you get your services. It also means that you should have the opportunity to be involved in your community, coming and going where and when you want. You can also complete an assessment* to help the state understand where improvements are needed.

If you are a **provider of waiver services**, it means that you will be subject to new and enhanced policies that require providers to comply with the rule. It may mean that you will need to modify and adopt your own policies and provide training to assure your staff understand the expectations of the rule. It will also mean you must participate in an assessment* of how you deliver services now as part of the Transition Plan.

What Is the Transition Plan?

This is the first time CMS has put in regulation a description of HCBS in this way. Because it is new, states are allowed some time to come into compliance. States have to develop a Transition Plan to describe how they are going to determine if their HCBS services are complaint with the new rule. The Transition Plan requires states to assess every provider-owned and -operated HCBS setting, and if it does not comply, the state has to describe **how it will fix the areas that don’t comply.**

*Assessment?

The Transition Plan is intended to describe how the state will move toward and ultimately achieve compliance with the new HCBS Settings Rule. To describe the process, we have to assess where we are so we can compare to where we are going. The state will require all providers to conduct a self-assessment. Case managers will help the state validate the provider self-assessments. And we are inviting members to complete their own assessment, too.

The assessment will ask questions about individuals’ experiences based on the quality characteristics of how CMS has defined home and community based services such as:

- Does the individual have rental rights?
- Does the individual have privacy where he/she sleeps and a private space, such as where he/she sleeps, where the door can be locked? And where the individual, not the staff, has the key to the room?
- Did the individual have a choice of roommates?
- Does the individual have the freedom to furnish and decorate his/her residence to their liking?
- Does the individual have freedom and support to control his/her schedules and activities?
- Does the individual have the freedom to choose meals and have access to food any time?

FACT SHEET

- Does or may the individual entertain visitors at his/her choosing?

What should I do about this?

You should learn more! You should get involved in Georgia's assessment and Transition Planning process.

How do I do that?

Start by attending one of Georgia's Town Hall meetings. See *meeting options below*.

HCBS Statewide Transition Plan Public Forums				
Location		Date	Time(s)	RSVP
Marietta	The Mansour Center 995 Roswell Street NE Marietta, GA 30060 Room: Travis Duke A	Tuesday, 10/28/2014	1 to 2:30 p.m. Or 7 to 8:30 p.m.	mariettahcbs@gmail.com
Macon	Disability Connections 170 College Street Macon GA 31201 Conference Room	Thursday , 11/6/2014	1 to 2:30 p.m. Or 6:30 to 8 p.m.	maconhcbs@gmail.com
Athens	The Classic Center 300 N. Thomas Street Athens GA 30601 Room: Empire Room 1	Thursday, 11/13/2014	1 to 2:30 p.m. Or 6:30 to 8 p.m.	athenshcbs@gmail.com
Atlanta	Department of Community Health 2 Peachtree St, NW Atlanta, GA 30303 5 th Floor Boardroom	Friday, 11/14/2014	10 to 11:30 a.m.	virtual1114@gmail.com
Fayetteville	The Lafayette Educational Center Building D 205 Lafayette Avenue Fayetteville, GA 30214 Room: Media Center	Tuesday, 11/18/2014	1 to 2:30 p.m. Or 7 to 8:30 p.m.	southmetrohcbs@gmail.com
Atlanta	Department of Community Health 2 Peachtree St, NW Atlanta, GA 30303 5 th Floor Boardroom	Wednesday, 11/19/2014	3 to 4:30 p.m.	virtual1119@gmail.com
Atlanta	Department of Community Health 2 Peachtree St, NW Atlanta, GA 30303 5 th Floor Boardroom	Thursday, 11/20/2014	10:30 a.m. to noon	virtualnov20@gmail.com

Interested in learning more or participating? See the state website for this initiative at www.dch.georgia.gov/waivers or write us at HCBSTransition@dch.ga.gov or call 404-463-6059.