

HCBS Settings Rule: Individual Choice

What is Individual Choice?

Individual choice is a foundational principle of the Home and Community-Based Services (HCBS) Settings Rule. It ensures that individuals receiving Medicaid-funded HCBS have the freedom to make informed decisions about their lives, services, and settings. This principle supports autonomy and aligns services with the unique preferences and goals of each individual.



Key Requirements of Individual Choice:

1. Choice of Settings:

- Individuals must be offered a range of setting options, including non-disability-specific settings.
- For residential settings, individuals must have the option of a private unit or a shared unit with a chosen roommate. ***Selecting a private unit may result in changes in cost.

2. Choice of Services and Providers:

- Individuals must select the services they receive and the providers who deliver those services.
- Care/Support Coordinators must respect and document the individual's preferences in the person-centered service plan.

3. Informed Decision-Making:

- Care/Support Coordinators must ensure that individuals receive information about their options in an accessible and understandable format.
- Information must include the benefits, risks, and limitations of each option to empower informed decisions.

4. Documentation of Preferences:

- Service plans must clearly document the individual's choices, preferences, and rationale for their decisions.
- Updates to the plan must reflect any changes in the individual's preferences or needs.



Provider Responsibilities:

Offer Diverse Options:

- Present a range of settings and services that align with the individual's goals and needs.
- Include non-disability-specific settings in the options provided.

Facilitate Informed Choice:

- Use plain language and accessible materials to explain options.
- Provide additional support, such as interpreters or advocates, if needed.

Document and Respect Preferences:

- Record the individual's choices in the person-centered plan.
- Ensure service delivery aligns with documented preferences.

Examples of compliant practices:

- Offering a variety of residential settings, such as shared affordable apartments, private units, or community-based housing.
- Allowing individuals to interview and choose their direct support staff or case managers.
- Providing detailed explanations of service options and ensuring individuals understand their choices before making decisions.

Benefits of supporting individual choice:

- Empowers individuals to take control of their lives and services.
- Enhances satisfaction with services and quality of life.
- Promotes autonomy and self-determination.
- Aligns service delivery with individual goals and preferences.

Monitoring and Compliance:

Documentation Reviews:

- Internal quality reviews by each case management agency, case manager, or support coordinator will review person-centered service plans to ensure they reflect individual choices and preferences.

Site Visits:

- DCH will facilitate desktop reviews and possibly site visits will assess whether individuals' choices are being respected and implemented. This will be managed at least quarterly by the Care/Support Coordinator.

Corrective Actions:

- DCH may require corrective action plans (CAPs) to be developed and implemented by providers to address any deficiencies.

DCH's Role in Supporting Providers:

1. Training and Resources:

- Provide training on facilitating and documenting individual choice in compliance with the HCBS Settings Rule.
- Develop templates and tools for documenting preferences in person-centered plans.

2. Technical Assistance:

- Offer one-on-one technical support to providers struggling with compliance.

3. Stakeholder Engagement:

- Host forums to gather input from individuals, families, and advocacy groups on how to better support individual choice.

Resources for Providers:

- **CMS Guidelines on Individual Choice:** <https://www.medicaid.gov/medicaid/home-community-based-services/home-community-based-services-guidance/index.html>
- **DCH Technical Assistance:** www.dch.georgia.gov
- **Provider Training Materials:** [HCBS State Transition Plan Provider Guidance manual](#)
- **Contact Information:**
 - Email: hcbstransition@dch.ga.gov