

HCBS Settings Rule: Statewide Transition Planning

What is the HCBS Rule About?

Effective March 17, 2014, the Home- and Community-Based Services Settings Rule was issued by the Centers for Medicare and Medicaid Services (CMS) affecting Home and Community Services (HCBS). This rule affects Georgia Medicaid Waiver programs.

What Does That Mean to me?

Waiver service members have an opportunity to be within their communities with the ability to arrive and leave at their choosing. In a person-centered assessment, the waiver member can express how, when and where the services are rendered. Waiver service providers will be required to comply with the rules as outlined in DCH Policy and Procedures. New policies may prompt changes to a provider's internal policies and provide training to direct care staff. As part of the transition plan, there's a possibility that an assessment be completed so that the delivery of those services is outlined.

What is the Transition Plan?

The Statewide Transition Plan requires Georgia to describe how they will become compliant with the final rule. The plan will assess every provider owned and operated under the HCBS setting and identify areas that do not comply with the final rule. Georgia's transition plan is currently under review with CMS.

The HCBS Statewide Transition Plan is intended to describe how the state will move forward and ultimately achieve compliance with the new Settings Rule. Questions about individual's experiences based on the quality characteristics of how CMS has defined home- and community-based service such as:



- Does the individual have rental rights?
- Does the individual have privacy where he/she sleeps and have a private space, such as where he/she sleeps, or where the door can be locked?
- Does the individual, not the staff, have a 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?
- Does or may the individual entertain visitors at his/her choosing?