



Eric Holcomb, Governor
State of Indiana

Office of Medicaid Policy and Planning
MS 07, 402 W. WASHINGTON STREET, ROOM W382
INDIANAPOLIS, IN 46204-2739

To: FSSA Home and Community-Based Services stakeholders
From: FSSA Office of Medicaid Policy and Planning
Re: Public Comment period for DMHA residential settings that require heightened scrutiny
Date: July 24, 2019

The Indiana Family and Social Services Administration is seeking public input for its Division of Mental Health and Addiction's submission of a Home and Community-Based Services waiver setting requiring heightened scrutiny. The Centers for Medicare and Medicaid Services adopted new federal regulations, known as HCBS Final Rules, which address home and community-based setting requirements for Medicaid HCBS waivers. CMS has defined settings presumed not to be home and community-based and will need to undergo heightened scrutiny as part of the HCBS Final Rules.

For settings presumed not to be home and community-based, states must present evidence of their home and community-based characteristics to CMS to determine if the setting has the qualities of a home and community-based setting and does not have the qualities of an institution, and therefore, can continue providing waiver services to individuals receiving Medicaid HCBS.

The DMHA settings will be open for public comment for 30 days, from July 24, 2019, to August 23, 2019. Visit the [HCBS Final Rule webpage](#) for more details.

This comment period will allow all HCBS members, providers and stakeholders an opportunity to provide input to the plan. Comments and input regarding the settings may be submitted by email to HCBSrulecomments@fssa.in.gov and written comments should be sent to:

State of Indiana FSSA/OMPP
Attn: HCBS Final Rule – BreAnn Teague, Manager Program Administration
State Plan and Waivers
402 W. Washington St., Rm. W374 MS - 07
Indianapolis, IN 46204-2739

The Heightened Scrutiny Evidence Packets are available for review and public comment on the [HCBS Final Rule webpage](#) and hard copies are available upon request by emailing HCBSrulecomments@fssa.in.gov. Copies of the renewal are also available at local Division of Family Resources offices. In-person consultations or phone calls are available upon request.

Jennifer Walthall, MD MPH

Secretary
Family and Social Services Administration

