



What is HCBS?

In March 2014, the U.S. Centers for Medicare and Medicaid Services (CMS) passed the “HCBS Settings Final Rule.” The rule is meant to ensure that individuals receiving home and community-based services, like AMHH and BPHC, live in settings that are fully integrated into the community and offer opportunities for full community access, in the same manner as individuals not receiving these services.

A setting which meets federal HCBS settings requirements has these qualities:

- Is integrated in and supports full access to the greater community
- Is selected by the individual from among setting options
- Ensures an individual’s rights of privacy, dignity and respect, and freedom from coercion and restraint
- Optimizes individual initiative, autonomy and independence
- Facilitates individual choice regarding services and supports

There are additional requirements for residential settings which are owned, controlled or operated by a provider of AMHH and/or BPHC services.



State of Indiana

Family and Social Services Administration

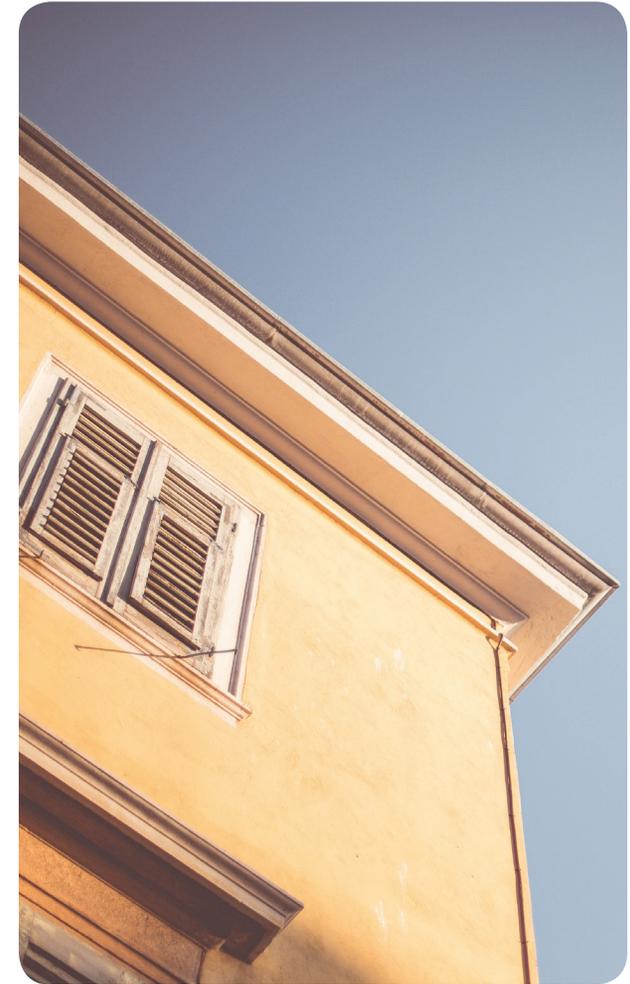
402 W. WASHINGTON STREET, P.O. BOX 7083
INDIANAPOLIS, INDIANA 46207-7083

www.fssa.IN.gov

The Indiana Family and Social Services Administration does not discriminate on the basis of race, color, creed, sex, age, disability, national origin, or ancestry.

FSSA 1067 (6-16)

Home- and Community-Based Services (HCBS) Settings Requirements



Important information for Medicaid members enrolled in AMHH or BPHC

Home- and Community-Based Services (HCBS) settings requirements and me.

Due to a new Medicaid rule, Medicaid members who receive services through the Adult Mental Health Habilitation (AMHH) or Behavioral and Primary Healthcare Coordination (BPHC) programs are required to live in a place that meets federal guidelines for home- and community-based services (HCBS) settings.

This pamphlet helps explain what the new rule means to you, and how it may affect where you live and the services you receive.

Does this mean I have to move?

In most cases, no.

How the HCBS Settings Final Rule affects you depends in large part on where you currently live.

Most people who receive services through the AMHH and/or BPHC programs live in their own home, which automatically meets federal HCBS settings requirements. Nothing will need to change for these individuals.

A “Private/Independent Home” is one owned or leased by an individual, or a member of the individual’s family, for their personal private use.

Some people who receive services through the AMHH and/or BPHC programs live in residential settings owned or operated by a provider of those services. These settings may need some changes in order to meet federal HCBS settings requirements.

Your provider will work with the Division of Mental Health and Addiction (DMHA) to ensure that

provider owned, controlled or operated (often referred to as “POCO”) residential settings will be fully compliant with federal HCBS settings requirements.

If you are homeless or live in a homeless shelter or temporary (transitional) housing, you are eligible for AMHH and BPHC services.

What if the place where I live doesn’t meet the rules?

Indiana has until March 2019 to ensure that everyone enrolled in AMHH and BPHC lives in a place that meets HCBS settings requirements. Between now and then, your provider will work with DMHA and other state agencies to help where you live meet all requirements.

There may be a very few instances where a person who receives services through the AMHH and/or BPHC programs lives in a residential setting which is unable to meet federal HCBS settings requirements. For these individuals, they will choose whether to move or to stay where they live but stop receiving AMHH and/or BPHC services. If this situation occurs, your provider will inform you well in advance, so you can begin to consider options and make plans.

You have the right to choose anyone you want to help you make the decision on whether to move or to stop receiving AMHH and/or BPHC services, including:

- Family members
- Friends
- Other people important to you
- Your legal guardian
- Your case manager

In addition, you may choose to ask for assistance from advocacy organizations who can help you make an informed decision:

- Indiana Protection and Advocacy Services, toll-free (800) 622-4845
- Mental Health America of Indiana (MHA) Mental Health and Addiction Ombudsman, toll-free (800) 555-6424 ext. 239
- DMHA Consumer Service Line, toll-free (800) 901-1133

What will be different for me in the meantime?

Beginning April 1, 2016, your provider will ask you to assist completing a new HCBS Residential Setting Screening Tool (RSST) when you apply or re-apply for AMHH and/ or BPHC services.

The RSST is a brief series of questions about where you live, and will only take a few extra minutes of your time. The RSST will help you and your provider identify what kind of setting you live in and whether that setting is or is not fully compliant with federal HCBS settings requirements.

Individuals who live in POCO residential settings may see some changes where they live, such as:

- A new or revised lease or residency agreement
- Updated visiting hours and visitation policies
- Lockable bedroom and bathroom doors
- Wheelchair ramps and other accessibility aids for people with physical disabilities
- New meal and food availability options