

Medicaid 102

Home and Community Based Services Settings Rule:

Participants Choice of Setting

Presented By Hawai'i Department of Human Services
Med-QUEST Division, Health Care Services Branch

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HCBS Settings Rule

New federal rule says participants have a

- ▶ Choice in where they live
- ▶ Choice in providers and supports provided to them

Participant Choice

- ▶ Live.
- ▶ Work.
- ▶ Receive community-based services.



42 CFR441.301(c)(4)(ii)

Choice of Settings

- ▶ Setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting.
- ▶ Setting options are identified and documented in the person-centered service plan, and
- ▶ Setting options are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.

42 CFR441.301(c)(4)(ii)

Choice of Settings

You may make choices from among setting options.

- ▶ Your personal resources may impact what choices are available to you.

42 CFR441.301(c)(4)(ii)

Setting Options

Setting options are based on your needs and preferences.

They must include at least:

- ▶ Non-disability specific settings.
- ▶ A private bedroom or living unit for residential settings

42 CFR441.301(c)(4)(ii) Documentation of Choices

- ▶ Setting options that you explore will be documented in your person-centered plan.

42 CFR441.301(c)(4)(ii)

Limitations to Choice

- ▶ There may be limitations to choice of settings based on your assessed needs.
- ▶ Limitations will not be used without your (or authorized representative's) informed consent.
- ▶ Limitations will only be used where there is a health and safety risk and shall be documented in your person-centered plan.



Case Study: Tammy

Video or case examples



Big Tent

<https://www.bigtent.com/groups/mcmwhi>

Search Group Name:
MCMWHI

The screenshot shows a web browser window with the address bar displaying <https://www.bigtent.com/groups/mcmwhi>. The main content area features a header for the group titled "My Choice My Way - Hawaii" in purple. Below the title is a photograph of several colorful 3D human figures holding speech bubbles. To the right of the photo is a white box with the following text: "Join us Today!" in orange, "Requirement for Membership" in black, "You must be a resident of Springfield, USA" in black, a "Join Group" button, and "Already a member? [log in](#)". At the bottom of the page, there is a copyright notice: "©2016 My Choice My Way - Hawaii".

For More Information

**Hawai'i Department of Human Services
Med-QUEST Division
My Choice My Way, HCBS Transition Plan**

Website: <http://www.med-quest.us/#HCBSTran>

Email: mychoicemyway@dhs.hawaii.gov