

# NACDD HCBS Slides used during weekly updates

The slides were taken from weekly legislative updates from June – October, although HCBS Rule is a standing line item and might not have a slide every week. Date of slide is in lower left corner.

Erin Prangle, Policy Director

[Eprangley@nacdd.org](mailto:Eprangley@nacdd.org)

# ACL/NACDD HCBS Settings Rule Project

---

Problem: ACL identified states with final state transition plans (STPs) that had NO STAKEHOLDER input.

Solution: Engage DD Act partners to put HCBS settings rule on the front burner.

Goals: 1) DD Act sister organizations in all states partner to draft comments on pending STPs and engage stakeholders to extent possible; 2) Re-educate self-advocates and stakeholders about the game-changing new rule; 3) Prepare for March 2024 effective date.

Tactics: 1) NACDD webinar on July 13; 2) NACDD state policy committee/mentors; 3) Technical assistance on strategies to analyze STPs and engage state stakeholders; 4) DD Council Survey and white paper.

## June 2022



<u>Initial Approval</u>	<u>CMIA</u>	<u>Final Approval</u>
Alabama	Illinois	Alaska
Arizona	Maine	Arkansas
California	Massachusetts	Connecticut
Colorado	Nevada	Delaware
Florida	New Jersey	District of Columbia
Georgia	Texas	Hawaii
Indiana		Idaho
Iowa		Kentucky
Kansas		Minnesota
Louisiana		Missouri
Maryland		North Dakota
Michigan		Ohio
Mississippi		Oklahoma
Montana		Oregon
Nebraska		South Carolina
New Hampshire		South Dakota
New Mexico		Tennessee
New York		Utah
North Carolina		Virginia
Pennsylvania		Washington
Rhode Island		
Vermont		
West Virginia		
Wisconsin		

June 2022

# Each State Status

## **Initial Approval (AKA) "Heightened Scrutiny Package."**

CMS notified the state that while the STP is sufficient, but the state needs to identify settings that are presumed to have institutional characteristics and any information the state may wish CMS to consider under the heightened scrutiny process.

**CMIA:** The communication CMS sends to the state notifying the state that public comment, input and summary requirements are met, but CMS has identified issues that must be resolved in the STP prior to initial approval.

**Final Approval:** The communication CMS sends to the state notifying the state that public comment, input and summary requirements are met, the STP has provided all necessary information including but not limited to; systemic assessment, site specific assessment, settings presumed to have institutional characteristics, information regarding heightened scrutiny or the state's decision to let the presumption stand, and clear remedial steps with milestones are delineated.

**View STPs:** <https://www.medicaid.gov/medicaid/home-community-based-services/statewide-transition-plans/index.html>

# Resources and Toolkits



## HCBS Settings Rule Implementation – Moving Forward Toward March 2023 & Beyond

## This Rule Rules! The HCBS Settings Rule and You

- Designed for state programs to strengthen their infrastructure and develop stronger HCBS for beneficiaries
- Toolkit contains four modules
  - State strategies to help increase the share of long-term services and supports (LTSS) provided in community-based settings (history/context of LTSS reform and rebalancing)
  - Tools designed to assist states with policy and programmatic strategies (describes key elements of HCBS systems that are economically sustainable and equitable for all individuals with LTSS needs)
  - Cases studies of innovative programs and creative ways states are leveraging available federal authorities to transform LTSS systems (describes the various Medicaid authorities that states can choose from to cover their HCBS programs)
  - Links to resources (provides examples of state models of care and strategies to reform LTSS systems and expand HCBS)
- Go to <https://www.medicaid.gov/medicaid/home-community-based-services/guidance/home-community-based-services-final-regulation/index.html>
- Published a toolkit for advocates, families, and administrators on how to ensure that people with disabilities receive Medicaid-funded HCBS in integrated settings that offer full access to the community
- Includes four different resources
  - A resource for advocates and their families that explains what the new HCBS rule means and how to make their voices heard as their states make their transition plans. It also includes scripts for writing to their state's Medicaid agencies on how they think their state's HCBS program needs to change
  - A resource for state administrators and professionals on how to come into compliance with the new rule. It includes detailed guidance on the implications of the new rule, suggestions for elements to be included in the transition plan, and examples of useful tools and questionnaires for accessing provider compliance.
  - A research brief explaining how scattered-site supported housing can help states meet the integration and choice standards in the new rule.
  - A fact sheet on integrated housing for people with disabilities.
- Go to <https://autisticadvocacy.org/policy/toolkits/hcbsrule/>

June 2022

# HCBS Settings Rule Stakeholder Engagement Partnership

Funded by ACL and administered by NCAPPS at HSRI.

Kate Brady, PhD ABD  
Project Manager, NCAPPS at HSRI



HCBS Settings Rule Webinar

Settings Rule Refresher  
Ways to Engage

Update: ACL/NACDD  
HCBS Settings Rule Project

## Speakers

Erin Prangley, Director, Policy, National Association of Councils on Developmental Disabilities

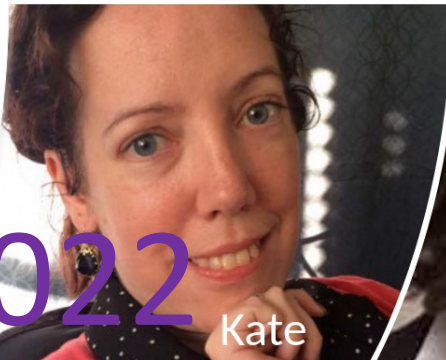
Kate Brady, PhD, ABD is Project Manager for NCAPPS & HCBS Setting Rule Engagement at Human Services Research Institute (HSRI)

Kirsten Murphy, Executive Director for the Vermont Developmental Disabilities Council

Brett Williams, Public Policy Analyst for the Michigan Council on Developmental Disabilities and NACDD Public Policy Committee Chairman



Kirsten



Kate



Erin



## Vermont Stakeholder Engagement

How the Green Mountain State is influencing implementation of the HCBS Settings Rule

July 2022



July 2022

# What's next to make sure people are getting HCBS as their right to live in the community?

---

1. Watch recording of NACDD webinar "Deadline 2023: No More Waiting for the Home and Community Based Services Settings Rule" at

[https://us02web.zoom.us/rec/share/PVK00hyKImZZc-DIVif3nrS\\_PHiDK3WTphIhTYg9vPFfo\\_MQH4WM0dBM8r6rZ0hz.7qkCGgw2xunwfCZh](https://us02web.zoom.us/rec/share/PVK00hyKImZZc-DIVif3nrS_PHiDK3WTphIhTYg9vPFfo_MQH4WM0dBM8r6rZ0hz.7qkCGgw2xunwfCZh) Passcode: xv85!tzu

The webinar explains ways to engage with your state Medicaid agency and organize stakeholders.

2. Make a plan with your DD Act sister organizations to 1) engage in the public comment of STP, heightened scrutiny packages, and corrective action plans; and 2) educate the public about their rights after March 17, 2023. Let's make some noise!

3. Join Public Policy Committee's State Task Policy Task Force meetings to get updates and best practices from policy staff in other states.

Next meeting: Tuesday, August 9, 3-4pm Eastern

Zoom <https://us02web.zoom.us/j/81259741397?pwd=aldscuhkeYv4WBwVvKw79JGjuK9FN.1>

Meeting ID: 812 5974 1397 Passcode: 840657

# HCBS Settings Heightened Scrutiny Visits

---

## Completed site visits

AL

FL

IL

MN

NC

OH

VT

WI

---

## Scheduled site visits

IN (10/21)

NY (10/21)

SC (1/23)

TX (2/13/23)

KS (3/12/23)

## Process:

1. ACL initial contact
2. ACL stakeholder plan call
3. CMS/ACL pre-visit call
4. CMS/ACL visit

## Next steps:

Stakeholder follow up.

CMS report (sent to state, not stakeholders)

Stakeholder request for report.

# October 2022

# NACDD / Autism Society of America Workshop

Recording available at  
[https://youtu.be/l\\_vlps44KWg](https://youtu.be/l_vlps44KWg).

The workshop empowered self-advocates and family members to understand and make a plan to exercise their rights under the new HCBS settings rule effective March 17, 2023.

- 109 Registered, many of whom received HCBS services.
- 51 Participated in breakout room discussions.
- 84% agreed or strongly agreed that this workshop helped them understand their rights to receive supports better.
- 92% agreed or strongly agreed that they are better prepared to work with their support team to create the life they want because of this workshop.

# October 2022

