

March 31, 2016

PUBLIC NOTICE

SUBJECT: Home and Community-Based Services (HCBS) Rule: South Carolina Statewide Transition Plan

The South Carolina Department of Health and Human Services (SCDHHS) gives notice that the revised draft Statewide Transition Plan, required per Centers for Medicare and Medicaid Services (CMS) Home and Community-Based Services (HCBS) Rule (42 CFR 441.301(c)(6)), was submitted to CMS for review. It will be effective upon CMS approval.

The following is a summary of the revisions made in the draft Statewide Transition Plan (originally submitted Feb. 26, 2015):

Communication and outreach

- Update provided on this public notice and comment period for the Feb. 24, 2016, draft of the Statewide Transition Plan (page 5).

Assessment of system-wide regulations, policies, procedures, licensing standards and other regulations

- Laws, regulations and licensing standards for Pediatric Medical Day Care settings were added and reviewed as they are a setting in the Medically Complex Children's waiver (page 11).
- Residential setting self-assessment was moved to this section as the self-assessment was a policy review by setting type and not by individual setting (page 8).
- Under "Outcomes of System-wide Review," the identified policy in #7 for waiver participants traveling out of state was identified in SCDHHS policy in addition to SCDDSN policy (page 13).
- "Outcomes of Residential Systemic Review" added on page 14.
- "Actions to Bring the System into Compliance" has been expanded to provide greater detail on immediate compliance actions (page 15).
- "Actions to Bring the Residential System into Compliance" added on page 18.
- "Ongoing Compliance of System" has been expanded to provide greater detail on ongoing compliance actions (page 19).
- "Ongoing Compliance of Residential System" added on page 20.

Assessment of settings

- In the identification of settings, differentiated between Community Residential Care Facilities (CRCFs) that contract with SCDDSN to provide residential habilitation and those CRCFs that do not (page 21).
- Added the Pediatric Medical Day Care setting (page 22).
- Updated the timeframe for when individual site visits will occur (page 23).
- Under "Outcomes," updated the number of settings, by setting type, estimated to fall into each of the HCBS Compliance Categories (tables, pages 24 and 25).

- “Actions for Facilities Deemed not in Compliance” has been expanded to provide greater detail on immediate compliance actions (page 25).
- “Actions for Facilities Deemed not in Compliance” includes a section on “Relocation of Waiver Participants” (page 26).
- “Ongoing Compliance” has been expanded to provide greater detail on ongoing compliance actions for HCBS settings (page 28).

Heightened Scrutiny

- This section was pulled out of the “Assessment of Settings” section and given much more detail on what this process will look like for providers with settings subject to heightened scrutiny. It begins on page 30.

South Carolina Home and Community-Based Services Statewide Transition Plan Timeline

- The timeline was updated to reflect the changes and additions listed above along with updated dates (page 35).

Overall revisions

- The following appendices were added:
 - Systemic Review Spreadsheet (Appendix B)
 - C4 Day (non-residential) Setting HCBS Self-Assessment (Appendix C)
 - C4 Residential Setting HCBS Self-Assessment (Appendix D)
 - Non-residential Self-assessment Global Analysis (Appendix E)
 - Residential Self-assessment Global Analysis (Appendix F)
 - Relocation Guidelines: Community Residential Care Facility (CRCF) Residents (Appendix G)
 - Admissions/Discharges/Transfer of Individuals to/from SCDDSN-Funded Community Residential Settings (Appendix H)
 - TAC, Inc. Report: Review and Feedback on the HCBS Final Rule Transition (Appendix I)

The public comment summary is attached to the Statewide Transition Plan as Appendix A-2.

A copy of this notice and the revised draft SC HCBS Statewide Transition Plan is available at:

- [SCDHHS County Offices](#)
- CLTC Regional Offices
- Online at scdhhs.gov/public-notices
- Online at <https://msp.scdhhs.gov/hcbs/site-page/statewide-transition-plan>