

Nov. 20, 2015

## PUBLIC NOTICE

**SUBJECT: Home and Community-Based Services (HCBS) Rule: South Carolina Waiver Specific Transition Plans for the Community Choices (CC), Mechanical Ventilator Dependent (Vent) and HIV/AIDS Waivers**

The South Carolina Department of Health and Human Services (SCDHHS) gives notice that Waiver Specific Transition Plan drafts, required per Centers for Medicare and Medicaid Services (CMS) Home and Community-Based Services (HCBS) Rule (42 CFR Part 430, 431, et al), have been submitted to CMS for review and will be effective upon CMS approval.

The Community Choices (SC.0405) and Mechanical Ventilator Dependent (SC.40181) waiver specific transition plans were revised to coincide with recent revisions to the Statewide Transition Plan. The original HIV/AIDS (SC.0186) waiver specific transition plan was also developed to coincide with the recent Statewide Transition Plan revisions.

The following is a summary of the documents:

### Communication and Outreach

Provides methods of communication with the public regarding general information on the HCBS Rule and Waiver Specific Transition Plan.

- Provides public notice and comment on the Waiver Specific Transition Plan.

### Assessment of System-wide Regulations, Policies, Procedures, Licensing Standards and Other Regulations

- Compiled a catalogue of regulations, policies, procedures, licensing standards and other regulations that directly impact Home and Community-Based (HCB) settings.
- Read and reviewed the catalogue to determine which applicable laws, regulations, etc. are not a barrier to the settings standards outlined in the HCBS Rule.
- Pursued changes as appropriate for the regulations, policies, etc. that did not meet the HCBS settings requirements outlined in the Code of Federal Regulations (CFR).

### Assessment of Settings

Identification of all HCB settings.



- Identification of any HCB settings that might be subject to the heightened scrutiny process.
- Distributed a self-assessment tool to providers for completion.
- SCDHHS will conduct site visits of HCB settings concurrently with self-assessments.
- SCDHHS will review individual self-assessments and site visit results and provide individualized responses to providers on each setting.
- Providers will develop action plans to be approved by SCDHHS to ensure compliance with the HCBS rule.

Draft waiver specific transition plans submitted to CMS may be found on the SCDHHS website, [scdhhs.gov](http://scdhhs.gov), under the “Waiver” section:

- [SC.0405 Community Choices Waiver](#)
- [SC.40181 Mechanical Ventilator Dependent Waiver](#)
- [SC.0186 HIV/AIDS Waiver](#)

Public comments and responses to the waiver specific transition plans may also be found on the SCDHHS website, [scdhhs.gov](http://scdhhs.gov), under the “Waiver” section.