

HCBS Rule Deadline Extension: Moving Forward in South Carolina

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HCBS Rule Deadline Extension

- CMS issued Home and Community-Based Services regulation Jan. 2014
- Effective March 17, 2014
- Three primary areas in waivers impacted:
 - Person-centered planning – *immediate compliance*
 - Conflict-free case management – *immediate compliance*
 - HCB settings (where waiver services provided) – up to five years to come into compliance
 - **Deadline: March 17, 2019**

HCBS Rule Deadline Extension

- On May 9, CMS extended the deadline for settings to **March 17, 2022***

“in light of the difficult and complex nature of this task, we will extend the transition period for states to demonstrate compliance with the home and community-based settings criteria until March 17, 2022, for settings in which a transition period applies. We anticipate that this additional three years will be helpful to states to ensure compliance activities are collaborative, transparent and timely.”

*CMS (May 9, 2017). *CIB: Extension of Transition Period for Compliance with Home and Community-Based Settings Criteria*. Retrieved from: <https://www.medicaid.gov/federal-policy-guidance/downloads/cib050917.pdf>

South Carolina HCBS Settings

- Adult Day Health Care: Dec. 31, 2018
 - Ongoing feedback from 46 completed site visits
 - 47th completed yesterday
 - 33 approved Compliance Action Plans in place
 - 13 remaining under review
 - Working with CLTC staff on incorporating HCBS requirements into ongoing compliance
 - Follow up site visits will occur within the time frame for compliance
 - No later than March 17, 2019

South Carolina HCBS Settings

- SCDDSN Residential Settings: Dec. 31, 2018
 - SCDDSN directives, standards have requirements in them
 - Many changes are concrete (list is not exhaustive):
 - Leases
 - Keys
 - Food
 - Visitors
 - Decorating
 - For settings with geographical issues, will have until Dec. 31, 2021
 - SCDHHS and SCDDSN will work with providers individually on specific location challenges

South Carolina HCBS Settings

- SCDDSN Non-residential Settings: March 17, 2022
 - Emphasis on employment first and community-based services and programming
 - Systemic paradigm shift
 - This includes training for staff
 - Want Compliance Action Plans in place by March 17, 2019
 - Allowing more time will allow for better planning by providers
 - Goal is to achieve compliance and avoid heightened scrutiny

Comments or Questions?

Contact

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