

Home and Community Based Services (HCBS) Rule

Home and Community Based Settings Overall Requirements

Website for more information:

www.scdhhs.gov/hcbs

How home and community-based settings look in South Carolina will be guided by the requirements outlined in the HCBS Rule. Every home and community-based setting must meet the five overall requirements outlined in the HCBS Rule and listed below. SCDHHS will be working with providers as we move forward with the South Carolina HCBS Statewide Transition Plan to ensure settings meet these requirements. Providers need to be compliant with the new HCBS requirements by the end of 2022 to ensure the state's compliance by March 17, 2023.

Home and community-based settings must have all the following qualities:

- The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS. This includes:
 - Opportunities to seek employment and work in competitive integrated settings
 - Opportunities to engage in community life
 - Opportunities to control personal resources
 - Opportunities to receive services in the community
- The 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.
 - The setting options are identified and documented in the person-centered service plan and are based on the individual's:
 - Needs, and
 - Preferences
 - For residential settings, resources available for room and board.
- Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
- Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to:
 - daily activities,
 - physical environment, and
 - with whom to interact.
- Facilitates individual choice regarding services and supports, and who provides them.