



# Home and Community Based Services Rule Guide for Individuals and Family Members



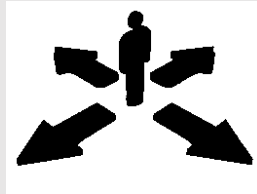
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# The Home and Community Based Services (HCBS) Rule

## Purpose and Survey Participants

### Why is the HCBS Rule Important?



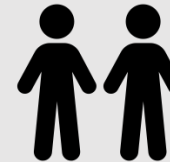
The goals are to make sure individuals have the opportunity to make decisions about their lives, are supported in their desire to participate in the community, and have their rights respected.

### Who is Surveyed?

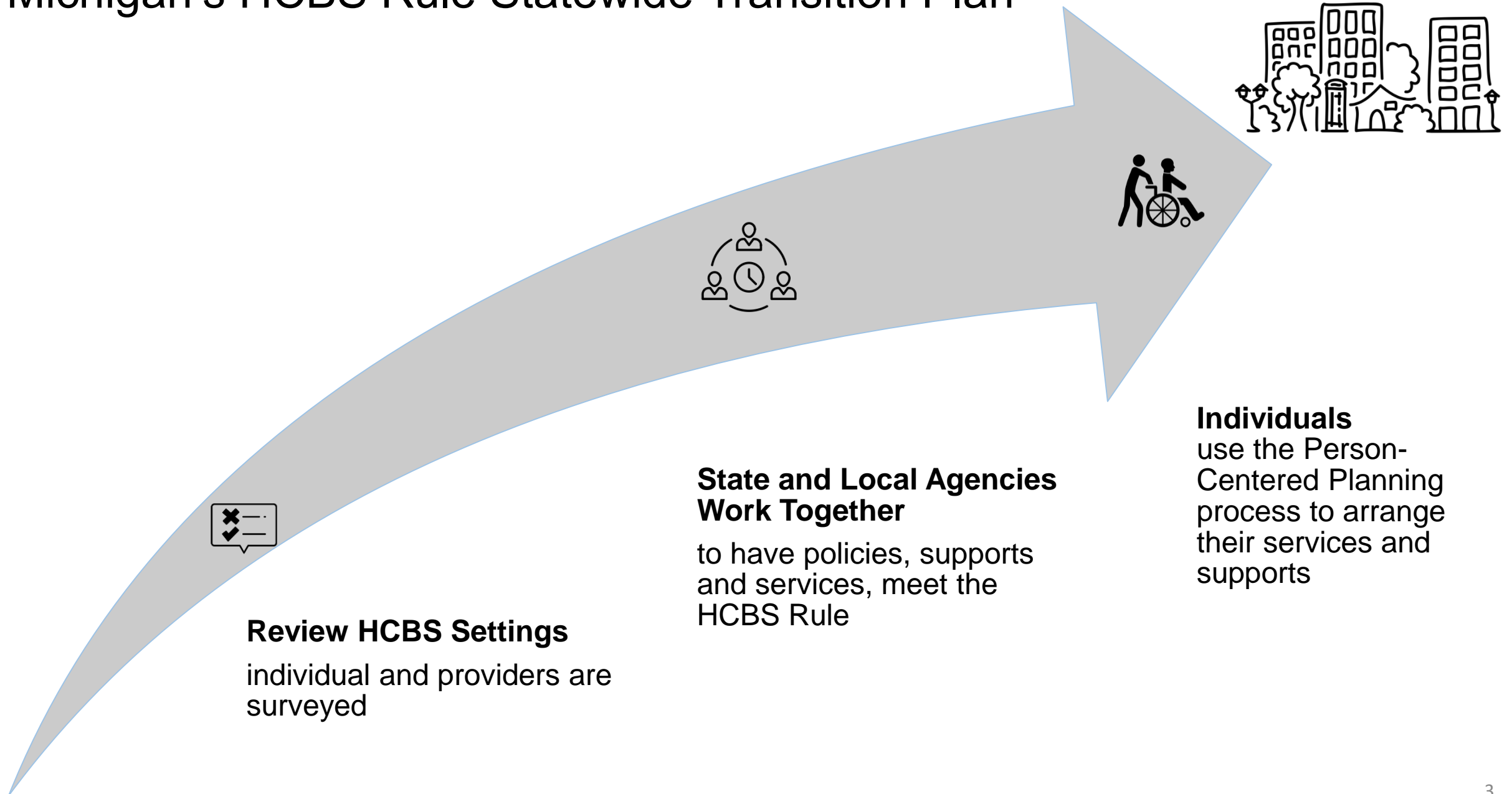
Adults with disabilities who receive at least one waiver service.



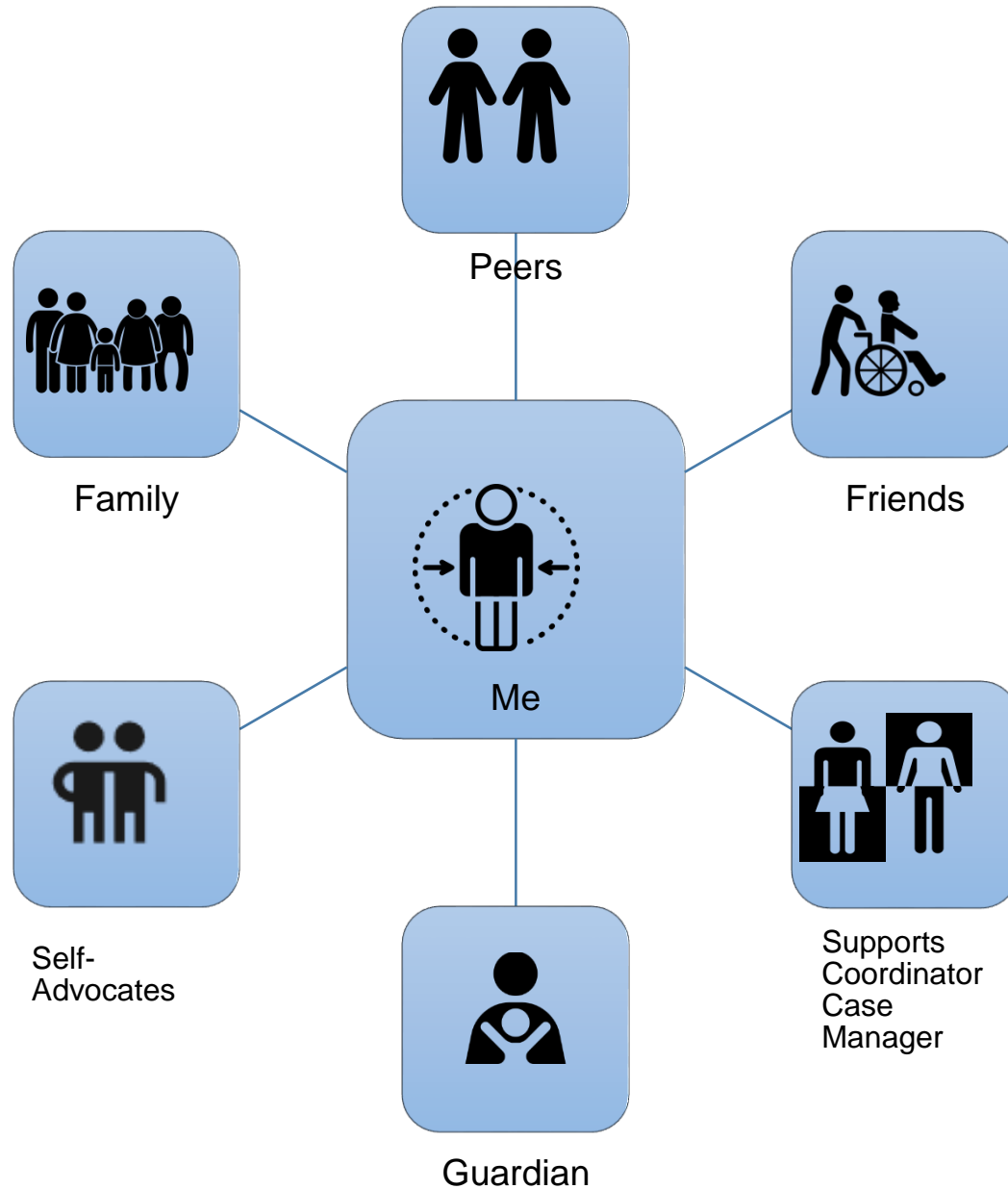
Providers who are providing the service.



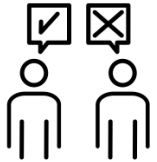
# Michigan's HCBS Rule Statewide Transition Plan



# Who Can Help Me with the HCBS Rule Process?



# What Do the HCBS Surveys Say about Providers?



Shows the views of participants and providers and individuals, and if there are any differences.



There are providers that will need to make changes to how they provide supports and services through a strict review process of **Heightened Scrutiny**.



There are providers in the process of making changes to meet the HCBS Rule through a **Corrective Action Plan**.



There are providers whose supports and services give individuals opportunities to make decisions about their lives, support their participation in the community, and have their rights respected. These providers' supports and services **Meet the HCBS Rule**.

# Your Provider is in Heightened Scrutiny, Out of Compliance, or Compliant Status



## Heightened Scrutiny:

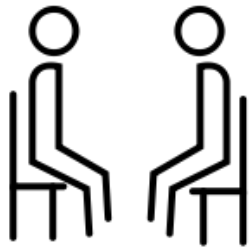
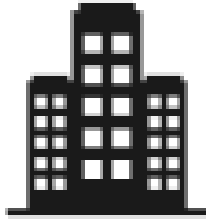
Provider has a strict review process and will need to make changes about how they provide supports and services.

## Out of Compliance:

Provider has a plan to make changes.

## Meet the HCBS Rule:

Provider continues to provide services



## What Happens if my Provider is **Not** Meeting the HCBS Rule?

- Your Community Mental Health Services Programs (CMHSP) or Prepaid Inpatient Health Plan (PIHP) will tell you the status of your Provider.
- Your Supports Coordinator/Case Manager will tell you if your Provider is going through the Heightened Scrutiny Process (HS) or is developing a Corrective Action Plan (CAPs).
- Individuals using supports and services that do **not** meet the HCBS Rule can choose to change to a provider that meets the HCBS Rule.



# You Choose Your Providers

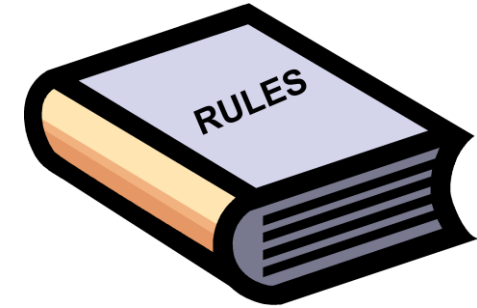
The HCBS Rule says the individuals choose what services they want. Individuals can choose services in a non-disability setting.

Examples of non-disability services and settings include:

- A person living and receiving services in their own apartment or home instead of a group home.
- Working and receiving employment supports at one's job in the community instead of in a sheltered workshop.



# Why Do You Need to Make Changes to Your Provider?



Goal of the HCBS Rule:  
Individuals decide how to  
participate in their  
community, and ensure the  
rights of individuals are  
respected

Medicaid-funded HCBS  
supports and services must  
meet the HCBS Rule.

The HCBS Rule applies to all  
residential and non-residential  
settings:

- One's home
- Day programs
- Employment supports
- Transportation

# Do I Need to do Anything if I Choose to Keep My Current Provider Who Meets the HCBS Rule



You do not need to make changes with your services and supports when the provider meets the HCBS Rule.



Your local Community Mental Health Services Programs (CMHSPs) and Prepaid Inpatient Health Plan (PIHP) will make sure your services and supports continue to meet the HCBS Rule.

# What If I Want to Change My Provider



- Talk with your supports coordinator/case manager, family, friends, and peers about changing providers.
- Use the Person-Centered Planning process to explore options.



## The Person-Centered Planning Process

- Person-Centered Planning (PCP) is a process for planning and supporting an Individual.
- The Person-Centered Planning process must happen at least once a year with person-centered thinking, planning, and practice.



## Meet with your Supports Coordinator or Case Manager

- You can meet with your Supports Coordinator/Case Manager to make changes to your Person-Centered Plan at any time.
- You do not need to wait until the scheduled yearly time of a PCP.
- You determine your Person-Centered Plan goals using your strengths to connect to what is important to and for you.

# Get the Supports and Services in your Home, Job, and Community that you want in your life

Use the Person-Centered Planning process to make changes to where you live-work-have fun to develop the supports and services you want in your life:

- **Live:** Your home and belongings
- **Work:** Your job and money
- **Have fun:** Your community, health, happiness, and friends



# Explore Your Options

- Think about your options. How will the HCBS Rule provide you with more opportunity to live the life you desire?
- Learn about how the HCBS Rule guides services and supports providers offer to help you live in the community.
- You may want to think about whether changes made to meet the HCBS Rule will result in you being happier with your current provider of supports and services.



# Groups that can help with the HCBS Rule Process:



My State Agency:  
Michigan  
Department of  
Health and  
Human Services  
(MDHHS/BHDDA)



My Prepaid  
Inpatient Health  
Plan (PIHP)



My Community  
Mental Health  
Services  
Programs  
(CMHSP)



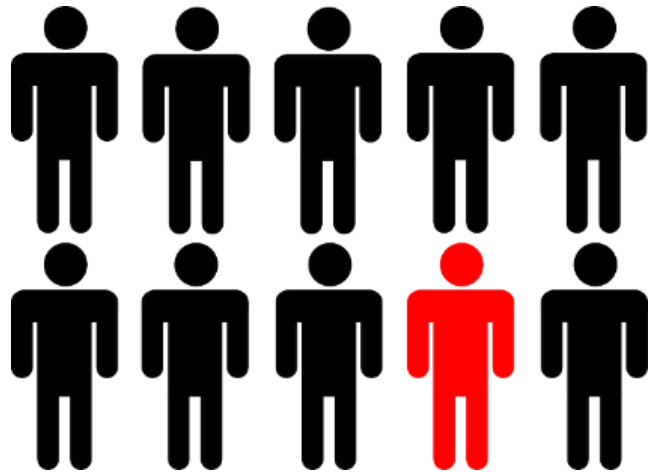
Providers



Advocacy and  
Educational  
Organizations



# Adjustments to the HCBS Rule for Health and Safety Needs



## Modifications/Adjustments to the HCBS Rule must meet the following:

- Based on the health or safety needs of an individual.
- Written in the Person-Centered Plan.
- Must meet all other requirements under the HCBS Rule.

## What should not occur when changes are made to your plan:

- Your rights change because it is easy for the provider or guardian or for any reason that is not based on a health or safety need.
- Change to your supports without agreement.
- A modification in place for all individuals living in a setting.



Individuals with disabilities can make their own decision about their lives.

# Resources



**Centers for Medicare & Medicaid Services:**

<https://www.medicaid.gov/medicaid/hcbs/guidance/index.html>



**Michigan Department of Health and  
Human Services Home and Community-Based  
Services Program Transition:**

[https://www.michigan.gov/mdhhs/0,5885,  
7-339-71547\\_2943-334724--,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943-334724--,00.html)

or call Customer Service 844-275-6324



**Michigan Developmental Disabilities Institute  
Wayne State University  
Home and Community Based Services Transition:**

<https://ddi.wayne.edu/hcbs>



**HCBS Advocacy Coalition:**

<http://hcbsadvocacy.org>



**Self-Advocates Becoming Empowered (SABE):**

<http://www.sabeusa.org/>

# Home & Community Based Services Transition



For communications related to the HCBS Rule please contact: Michigan Department of Health and Human Services Behavioral Health and Developmental Disabilities Administration Home and Community Based Services HCBS Transition Team:  
[HCBS@Michigan.gov](mailto:HCBS@Michigan.gov)

If further information is needed you may contact the regional HCBS PIHP lead. Contact information for the HCBS leads can be found at the MDHHS HCBS web page.  
MDHHS Home and Community Based Services Webpage:  
[https://www.michigan.gov/mdhhs/0,5885,7-339-71547\\_2943-334724--,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943-334724--,00.html)



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