

Home-Like Settings for Assisted Living Waiver

Mississippi Medicaid has determined our Assisted Living Waiver state standards, regulations, policies and other requirements are consistent with Federal requirements for Home-like settings based on the following assessment.

The Assisted Living Waiver renewal was accepted by CMS effective 10/01/13 and home-like settings is included in the renewal. In accordance with 42 CFR 431.151, a waiver participant may select any willing provider, provided they meet the Division of Medicaid's provider requirements, to furnish waiver services included in the service plan. The participant exercises freedom of choice by choosing to enter the waiver in lieu of receiving institutional care. Services are provided in a home-like, residential or community living environment. Personal assistance and supervision is provided twenty-four (24) hours a day to meet scheduled or unpredictable needs in a manner that promotes maximum dignity and independence while meeting the safety and welfare needs of the waiver participants.

Under Appendix C of the current approved waiver, the home-like setting requirements are listed as follows:

1. The setting must be integrated in, and facilitate the individual's full access to the greater community, including opportunities to seek employment and working competitive integrated settings, engage in community life, control personal resources, and receive services in the community in the same manner as individuals without disabilities.
2. The setting is selected by the individual from among all available alternatives and is identified in the person-centered plan of care.
3. An individual's essential personal rights of privacy, dignity and respect, and freedom from coercion and restraint are protected.
4. Individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact are optimized and not regimented.
5. Individual choice regarding services and supports, and who provides them, is facilitated.
6. Safety needs of an individual with dementia must be supported by a specific assessed need and addressed in the plan of care.
7. The waiver participant's unit or room is a specific physical place than can be owned, rented or occupied under another legally enforceable agreement.
8. Each waiver participant has privacy in their sleeping or living unit.
9. Waiver participants have the freedom and support to control their own schedules and activities and have access to food at any time.
10. Participants are able to have visitors of their choosing at any time.
11. The setting is physically accessible to the participant.

Mississippi Division of Medicaid has conducted training sessions with the provider community to ensure the providers are aware of the changes. The slides used in the training sessions are attached. The Division conducts compliance reviews with 100% of the assisted living participants quarterly and the annual participant recertification includes a compliance review of each facility.

Medicaid enacted new provider requirements, in several areas, to ensure compliance with the home-like settings rule, as well as person centered planning. These requirements are included in the CMS approved Assisted Living waiver renewal effective 10/01/13.