



MISSISSIPPI DIVISION OF

MEDICAID

Home and Community-Based Setting Final Rule

For Members and Families

People enrolled in the Medicaid Waivers are provided many home and community-based services across our state. These services are paid for with state and federal money from the federal Centers for Medicare and Medicaid Services (CMS). To receive this funding, Mississippi must comply with the Home and Community-Based Services (HCBS) Final Rule. This rule sets requirements for places where people receive Medicaid long term services and supports. The goal of this rule is to:

- ❖ Encourage full access to the community so individuals have opportunities to spend time with other people in their community who do not have disabilities
- ❖ Support choices for individuals including options related to work
- ❖ Ensure individual preferences are supported and rights are protected
- ❖ Establish person-centered service planning requirements, which includes a process directed by the individual to identify needed services and supports

The Rule Applies To:

- ✓ Residential and non-residential settings
- ✓ Day programs and other day-type services
- ✓ Employment options/work programs

The Rule Does Not Apply To:

- ✓ Nursing Homes or Hospitals
- ✓ Intermediate Care Facilities for individuals with intellectual disabilities (ICF/IID)
- ✓ Institutions for mental diseases (IMD)

Requirements of the Rule

In all settings, members must be allowed to:

- ✓ Spend time in and be a part of their community
- ✓ Work with people who do not have disabilities
- ✓ Have choices regarding services and supports and who provides them
- ✓ Have control of their schedule and activities

Plus, if the setting is owned/controlled by the provider:

- ✓ Choice about their roommates
- ✓ Privacy in their room, including a lock on their door
- ✓ The ability to have visitors of their choosing at any time
- ✓ Freedom to furnish and decorate their room
- ✓ A lease protecting them from eviction

To ask questions or report any concerns regarding this rule, please contact DOM at LTSS@medicaid.ms.gov or 1-800-421-2408.