



Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

Date: [Click here to enter a date.](#)

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From: ND Department of Human Services, Developmental Disabilities Division

Regarding: New Federal Home and Community Based (HCB) Setting Requirements

In March 2014, the Centers for Medicare and Medicaid Services (CMS), which is a part of the federal government that oversees the federal funds used to pay for Home and Community Based waiver services, issued new requirements. These requirements will impact the day support services that you or your family member/person legally responsible for is currently receiving.

These new requirements requires that all home and community based settings meet certain qualifications. These include:

- *The setting is integrated in and supports full access to the greater community;*
- *Is selected by the individual from among setting options;*
- *Ensures individual's rights of privacy, dignity and respect, and freedom from restraint;*
- *Optimizes individual initiative, autonomy, and independence in making live choices;*
- *Facilitates choice regarding services and who provides them.*

The new requirements also identify settings that are not home and community based and where they should not occur, which include the following:

- *A nursing facility;*
- *An institution for mental diseases;*
- *An intermediate care facility for individuals with intellectual disabilities (ICF/IID);*
- *A hospital; or*
- *Any other locations that have qualities of an institutional setting.*

The Day Support location where you are receiving services has been identified as a setting which is an ICF/IID. Based on the new federal requirements, your Day Supports may no longer

be provided and funded at the current location and other home and community based setting options are to be pursued.

With assistance from your DD Program Manager, you and your guardian, if applicable, will be provided choices and opportunities to tour potential alternative Day Support services and providers that meet your needs, preferences, and home and community setting requirements. Once a new Day Support setting is selected, the team will meet to develop a plan to assist in a seamless transition. You will be afforded time to plan and prepare. A new Day Support location must be secured and begun by March 1, 2017.

If you have any questions, please contact your DD Program Manager, [Click here to enter text..](#)

Thank you.

C: DD Program Manager
Day Support Provider