



Joint Guidance for Providers of HCBS Residential Services

As you know, the Home and Community Based Services (HCBS) Final Rule establishes new requirements for characteristics that home and community based settings must have in order to receive Medicaid funding. The Michigan Department of Health and Human Services (DHHS) must assess settings for compliance with the characteristics outlined in the HCBS Final Rule.

As part of the assessment process, DHHS has been working with the Department of Licensing and Regulatory Affairs (LARA) to address issues related to residential services, and the licensing of Adult Foster Care (AFC) homes and Homes for the Aged (HFA). Stakeholders have raised questions about whether state licensing rules conflict with the HCBS Rule - upon review, DHHS and LARA have determined that the requirements under the licensing rules and HCBS rule are in alignment, and are issuing draft joint guidance on the following issues:

- Lockable Doors
- Visiting Hours
- Residency Agreements and State Landlord-Tenant Law
- Choice of Providers
- Freedom of Movement
- Choice of Roommate
- Access to Earned income

[Click to view the draft joint guidance document.](#)

If your organization provides residential services, and you would like to review and comment on this joint guidance, please provide feedback by Wednesday, February 1st 2017 to HCBSTransition@michigan.gov. Please include 'Draft Joint Guidance Feedback' in the subject line.

If you have questions, or would like additional information, please do not hesitate to contact me.

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