



# What Does the Home and Community Based Services Rule Mean for You?



Developmental Disabilities Institute  
**Wayne State University**



# What is the Home and Community Based Services (HCBS) Rule?

- In January 2014 the Centers for Medicare and Medicaid Services (CMS) announced the HCBS Settings Final Rule.
- HCBS are Medicaid services.
- These services are for people with disabilities to help them live in their own homes and communities.

# Why is the Rule Important?

- The rule will:
  - Make sure that you have the benefits of community living.
  - Make sure you have the same access to the community as individuals who do not have disabilities.
  - Protect your individual rights.
  - Give you the opportunity to pick your services and get them where you want them.

# What Does this Mean for You?

As a person who receives long-term services or supports through home and community-based services:

- You should start thinking about how you want your services to best support you!
- You are the **expert** when it comes to your life! This is why your involvement is important.
- This guide is a tool you can use to help you think about the community life you want.

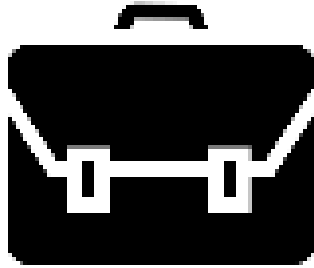
# Your Services and Supports

What services and supports do you receive that help you live in your community?

List your services and supports below.



**Support at Home**



**Support at Work**



**Support in the  
Community**

# You are the Expert!

- You know best what you want and what can make everyday better for you.
- Use the list of services from the last page and think about these questions:
  - What are some things that could make everyday better for me?
  - How can my services work better for me?
- Use the space below to take notes, draw or paste pictures that help represent how you want your services to help you live the life you want.

# How to Use this Guide

- In this next section we will learn the 3 main ideas in the HCBS Rule.
- Think about your answers from pages 5 and 6 when learning about the 3 main Ideas.
- Think about your answers from pages 5 and 6 when answering questions at the end of each section.



# Main Ideas in the HCBS Rule



Individual Rights



Full Participation  
in Community Life



Independence in  
Making Life  
Decisions



# Individual Rights



- The HBCS Rule protects your right to:
  - **Privacy:**
    - Individuals control when and with whom they want to share their personal spaces, conversations, and information.
    - Individuals receive personal care support (if they need it) in a space away from others.
    - Individuals can make space in their home away from others, for example a locked or closed door, be in a space without visual cameras or audio monitors.
  - **Dignity:** You are born valuable and worthy and should be treated as such.
  - **Respect:** You are important and have control and decision-making power over your life.
  - **Freedom:** You control your life; you can go where you want and do what you want.

# In Your Life...



- Do you have the privacy you want?



Yes



No

- Are you able to come and go as you please?



Yes



No

- Are you able to turn down activities that you don't want to participate in?



Yes



No

- Do you know who to contact to file a complaint?



Yes



No

# In Your Life...



- Do staff who help you at home talk to you using the name you prefer?



Yes



No

- Do you have a lease for your home?



Yes



No

- What changes should be made to ensure your individual rights are respected?

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# Full Participation in Community Life



- Full participation in community life means:
  - You are able find a job.
  - You work with individuals who do not have disabilities.
  - You can take part in your community to the same degree of access as other individuals in your community

# In Your Life...



- Do you get to do as much as you want in your community?



Yes



No

- Do you spend time with the people you want to?



Yes



No

- Do you have a chance to find a paid job in the community?



Yes



No

- Do you work, volunteer, or go to school with individuals without disabilities?



Yes



No



# What are some Community Activities You Enjoy?

- Shopping



Yes



No

- Religious or spiritual services



yes



No

- Meals with friends or family



Yes



No

- Volunteer/community services



Yes



No

- School or education



Yes



No

- If you want, do you participate in activities in the community?



Yes



No

- What do you want to do more of?

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# Independence in Making Life Decisions



- You make your own decisions about your life.
- You control and pick:
  - Where you live
  - Who you live with
  - Who provides your services
  - How you want to spend your day
  - How you spend your money
  - What you eat



# In Your Life...



- Do you have the chance to set your own schedule?



Yes



No

- Do you choose when and what to eat?



Yes



No

- Do you decide what to wear?



Yes



No

- Do you choose who provides your services and where your services are provided?



Yes



No

- Do you decide how to spend your money?



Yes



No

- If you live with others, did you pick the people you live with?



Yes



No

- What types of supports do you need to live as independently as you want?

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## Next Steps:

- Now that you have learned about the HCBS Rule and answered all of the questions in this guide, you might be wondering how can you use what you learned.
- Here are some suggestions for how to use your answers:
  - Take this information to your **Person-Centered Planning (PCP)** meeting and share it with your supports coordinator or case manager. For more information on PCPs check page 20.
  - You can share this guide and your answers with people who provide you services and supports so they can better serve you.
  - You can talk to your family and/or friends.

# Person-Centered Planning

- The person-centered planning (PCP) process has been required by the Michigan Mental Health Code since 1996.
- Person-Centered Planning helps you to direct the process of planning for your services and supports.
- PCPs have helped individuals get the life he or she wants in the community.
- Individuals have used PCPs to pursue their goals to live, work, and be involved in the community with the support they want and need.
- PCP is one way for you to make sure you live the life the way you want!

# Summary

The main goal of the HCBS Rule is to make sure that the services you get, give you the opportunity for independence in making life decisions  , to fully participate in community life  and to make sure that your individual rights  are respected.

# Resources



## **Centers for Medicare & Medicaid Services:**

<https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>



## **Michigan Department of Health and Human Services**

### **Home and Community-Based Services Program Transition:**

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

## **Michigan Department of Health and Human Services**

### **How Person-Centered Planning Works for You:**

[https://www.michigan.gov/documents/mdch/How\\_Person-Centered\\_Planning\\_Works\\_for\\_You\\_367101\\_7.pdf](https://www.michigan.gov/documents/mdch/How_Person-Centered_Planning_Works_for_You_367101_7.pdf)



Developmental Disabilities Institute

## **Developmental Disabilities Institute at Wayne State University**

### **Home and Community Based Services Transition:**

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## **HCBS Advocacy Coalition:**

<http://hcbadvocacy.org>



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

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



## **The Riot Issue 35 Spring 2015**

### **Now We Can**

<http://www.theriotrocks.org/blog/wp-content/uploads/2015/05/Riot-2015IssueFINAL.pdf>