

Home and Community Based Settings Regulations

Idaho's Compliance Timeline

The new federal home and community based setting (HCBS) regulations, passed in March of 2014 required states to submit their statewide transition plan for coming into compliance to CMS by March 17, 2015. It further states that all home and community-based settings must be fully compliant with the HCBS setting regulations by March of 2019. However, states are permitted flexibility in the timeline for coming into compliance as long as it is complete by the stated deadline and approved by CMS. To reach compliance in Idaho, the following timeline was proposed to CMS:

- The Transition Plan was submitted to CMS in March of 2015
- Idaho rules will be promulgated during the 2016 legislative session, taking effect July 1, 2016
- Providers will be given until December of 2016 to reach full compliance
- The state will take one year to complete its initial assessment of home and community-based settings, January 2017 through December 2017
- Corrective action plans will be issued as needed during that assessment process. A corrective action plan initiated in December 2017 could take until March of 2018 to resolve
- Participants will be notified of any setting that is not or will not be HCBS compliant and they will be provided assistance in finding an alternate HCBS compliant setting
- All settings where a participant is residing or receiving services that are funded with HCBS dollars will be compliant by March of 2019

Medicaid believes it is important to complete the assessment of setting compliance in this time frame so that participants have a reasonable amount of time to transition to a compliant setting if needed. Setting assessments will take a full year. Assessment cannot begin before rule is promulgated and providers have time to comply.