Background

The Centers for Medicare and Medicaid Services requires Home and Community-Based Services follow certain rules. States must follow and enforce these rules to maintain federal funding. These rules are known as the HCBS Setting rules.

You can read more about these rules:

- HCBS Settings Rules
- Home and Community Based-Settings - Washington Administrative Code

For more information about Home and Community-Based Services

Visit our website:
https://www.dshs.wa.gov/dda/developmental-disabilities-administration-services-programs

Washington State Department of Social & Health Services
Transforming lives

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Home and Community-Based Services

What You Need to Know as a Provider

Washington State Department of Social & Health Services
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As a provider of Home and Community-Based Services, there are specific federal rules to follow.

You must ensure all services are provided with…

- Privacy.
- Dignity and respect.
- Freedom from bullying and threats.
- Freedom from restraint by physical force or with medication.

You must honor the participant(s) right to make all decisions about their life including…

- How they schedule their day.
- How they decorate their space.
- How they spend their money.
- If they want to work.
- How they spend their time, and the people they spend it with.
- What activities they choose to participate in.

If you are providing residential services, you must guarantee participants' rights to…

- Live in a home they choose and can afford.
- A signed lease, rental agreement, or admission agreement.
- A physically accessible home.
- A key to their home.
- Privacy in their bedroom and bathroom, including having locking doors.
- The choice to decorate their space as they would like and to display their personal items.
- Visitors and friends in their home.
- Visitors of their choosing at any time.
- Input about the staff that work in their home.
- A choice of who they share a home with.
- The right to plan their daily schedule, including when they wake up and go to bed.
- The choice of what and when they eat.
- The choice of where they go in the community and how long they are there.
- Information about recreation, education and employment opportunities in their community.

You or a client might have concerns about their health or safety. Restrictions can only be put in place as a last resort, if the person agrees, AND it's included in the person-centered service plan. The federal rules state that their plan must:

- Identify a specific and individualized assessed need.
- Document the positive interventions and supports used prior to any modifications to the person-centered service plan.
- Document less intrusive methods of meeting the need that have been tried but did not work.
- Include a clear description of the condition that is directly proportionate to the specific assessed need.
- Include regular collection and review of data to measure the ongoing effectiveness of the modification.
- Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.
- Include the informed consent of the individual.
- Include an assurance that interventions and supports will cause no harm to the individual.

If a participant disagrees with a restriction or plan modification, you must…

1) Immediately stop the restriction.

2) Contact the DDA Case Manager for next steps.

If you or a client has a concern about abandonment, abuse, neglect, self-neglect or financial exploitation, 1-866-END-HARM or 1-866-363-4276 can be called.