



COMMISSIONER
Jon Weizenbaum

Date: April 11, 2016

To: Community Living Assistance and Support Services (CLASS) Program Providers
Deaf Blind with Multiple Disabilities (DBMD) Program Providers
Home and Community-based Services (HCS) Program Providers

Subject: Information Letter No. 16-15
Residential Provider Self-Assessment Concerning Medicaid Home and Community-Based Services (HCBS) Settings

The purpose of this provider information letter (IL) is to notify CLASS, DBMD, and HCS program providers that they may be selected to complete a mandatory, online residential provider self-assessment concerning Medicaid HCBS settings.

The residential provider self-assessment is designed to enable the Texas Department of Aging and Disability Services (DADS) to evaluate the extent to which DADS regulations, standards, policies, licensing requirements, and other provider requirements comply with federal regulations issued by the Centers for Medicare & Medicaid Services (CMS). The CMS regulations, known as the "HCBS Final Rule," require all HCBS settings to meet certain qualifications, including a requirement that the settings:

- are integrated in and support full access to the greater community;
- are selected by individuals from among setting options that include non-disability specific settings;
- ensure rights of privacy, dignity and respect, and freedom from coercion and restraint;
- optimize autonomy and independence in making life choices; and
- facilitate choice regarding services and service providers.

Under the HCBS Final Rule, states must submit a statewide transition plan (STP) that evaluates their compliance with the HCBS Final Rule and proposes actions to assure initial and ongoing compliance with the HCBS settings requirements. In February 2016, the Texas Health and Human Services Commission submitted a revised STP to CMS. As referenced in the STP, DADS developed an online provider self-assessment survey to help evaluate the state's compliance with the HCBS Final Rule. The residential provider self-assessment questions are based on questions provided by CMS and input from external stakeholders, including providers, provider associations and advocacy organizations.

DADS will select, from a random sample based on geographical location, type of setting, and Level of Need (LON), a number of CLASS, DBMD, and HCS program providers to complete the online residential provider self-assessment.

Selected program providers will be notified by e-mail in March 2016.

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Providers selected to complete the residential provider self-assessment must complete and submit the **residential provider self-assessment**, along with any supporting documentation, to DADS within 14 calendar days after receipt of the e-mail notification.

Providers who are not selected by DADS may obtain and complete a residential provider self-assessment on the DADS website or request a mailed copy. Completed residential provider self-assessments received by DADS will assist the State with developing guidance for the remediation process in efforts to comply with the HCBS Final Rule. Please note, completed residential provider self-assessments from providers who were not selected will be analyzed separately from the completed residential provider self-assessments of selected providers, in order to maintain survey randomization.

To learn more about the HCBS Final Rule, please visit:

<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>.

To review the state's amended Statewide Transition Plan, please visit:

<http://www.hhsc.state.tx.us/medicaid/hcbs/amendment-to-stp-0216.pdf>.

If you have questions regarding the content of this letter, please contact Carrie Bruns:

HCBSurvey@dads.state.tx.us.

Sincerely,

[signature on file]

S. Michelle Martin
Director
Center for Policy and Innovation