



Home and Community-Based Settings Final Rule Provider Compliance

Statewide Transition Plan(STP)-Updates

Statewide Transition Plan

- The HCBS Rule includes a provision requiring states to develop a transition plan to ensure that service sites will meet federal requirements March 2023.
- The Department received initial approval of its STP on August 30, 2016 which can be accessed at <https://www.dhs.pa.gov/about/DHSInformation/Documents/Advocates%20and%20Stakeholders/Statewide%20Transition%20Plan.pdf>.

Statewide Transition Plan-Updates

To receive final approval of Pennsylvania's STP, the Department is required to complete the following remaining steps and submit an updated STP with the following information included:

- Complete a thorough, comprehensive site-specific assessment of all HCBS settings, implement necessary strategies for validating the assessment results, and include the outcomes of this assessment within the STP;
- Draft remediation strategies and a corresponding timeline that will resolve issues that the site-specific settings assessment process by the end of the HCBS rule transition period (March 17, 2023);

Statewide Transition Plan-Updates

- Outline a detailed plan for identifying settings that are presumed to have institutional characteristics including qualities that isolate HCBS participants, as well as the proposed process for evaluating these settings and preparing for submission to CMS for review under heightened scrutiny;
- Develop a process for communicating with participants that are currently receiving services in settings that the state has determined cannot or will not come into compliance with the HCBS settings rule by March 17, 2023; and
- Establish ongoing monitoring and quality assurance processes that will ensure all settings providing HCBS continue to remain fully compliant with the rule in the future.

Statewide Transition Plan-Public Comment Period

OLTL is collaborating with other Departments within DHS to draft an updated statewide transition plan

- Public Comment Period
- Webinar Planning
- Process



Timeline for Provider Compliance

New Timeline for Provider Compliance

- September
 - 1) Public notice of sites targeted for Heightened Scrutiny published with 30-day stakeholder comment period
- October
 - 1) Comments from stakeholders will be reviewed, and their input considered
 - 2) Identification of providers who qualify for Heightened Scrutiny
- October
 - 1) Heightened Scrutiny submission to CMS

New Provider Timeline for Compliance

- December-January
 - 1) OLTL anticipates that CMS will notify OLTL and affected providers of their final decisions on Heightened Scrutiny
- January-March
 - 1) Non-Compliant Providers will work with OLTL to safely transition HCBS participants to an OLTL-enrolled provider
- March 2023 onward
 - 1) Continued provider monitoring process

Questions?

