




# States Transition to HCBS



Center for Medicaid and Medicare (CMS),  
Disabled and Elderly Health Programs Group  
(DEHPG), Division of Long-Term Services and  
Supports (DLTSS)

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# Five-Year Transition Period

- **CMS published the Home and Community-Based Regulation on January 16, 2014.**
- **The regulation became effective on March 17, 2014.**
- **The transition period began March 17, 2014 and ends March 17, 2019.**
- **All States are required to be in compliance with new HCBS requirements by March 17, 2019.**

# Five-Year Transition Period

- States were required to submit a Statewide Transition Plan for all settings in 1915(c) HCBS waivers, section 1915(i) HCBS state plan benefit programs or a section 1915(k) Community First Choice program, as well as an 1115 Demonstration Waiver or 1915(b)(3) authority that authorizes home and community-based services (in effect on or before March 17, 2014) no later than March 17, 2015.

# Five-Year Transition Period

- CMS responded to the STP submissions with Clarifications and/or Modifications on the Initial Application (CMIA) letters.
- States are currently submitting redrafted STPs based on the comments in the CMIA letters.
- CMS is working with the states toward providing approval of their redrafted STPs.
- There will be two categories of approval: initial and final.

# Statewide Transition Plan (STP) Criteria for Initial Approval

- **Initial Approval:** Systemic Assessment is complete and outcomes and/or results are incorporated in the amended STP (i.e., crosswalk, remedial strategy within the STP), and all other aspects of the STP processes (e.g., site specific assessment, monitoring compliance, relocation strategy, remediation, heightened scrutiny) are clearly laid out for CMS and the public
- Prior to the STP submission to CMS, the STP must have gone through public notice per regulatory requirement (42CFR 441.301(c)(6) (iii) (iv)).

# Statewide Transition Plan (STP) Criteria for Final Approval

- **Final Approval:** Systemic Review and Site Specific Assessments are complete and outcomes and/or results are incorporated into the amended STPs. The STP would include remedial action steps and key milestones, and a process for identifying settings presumed institutional for heightened scrutiny.
- Prior to the STP submission to CMS, the STP must have gone through public notice per regulatory requirement (42CFR 441.301(c)(6) (iii) (iv)).