

Why is the setting presumed not to be home and community based?  
(Isolation)

The setting appears to have:  
The effect of isolating individuals receiving home and community based services (HCBS) from the broader community of individuals not receiving HCBS

What the evidence must demonstrate:  
The setting does not isolate participants from the broader community of individuals not receiving HCBS.

How the evidence can demonstrate this:

The setting is integrated in the community to the extent that a person or persons without disabilities in the same community would consider it a part of their community and would not associate the setting with the provision of services to persons with disabilities. **Photographs of residence. Individuals receiving HCBS live/receive services in the same area of the setting as individuals not receiving Medicaid HCBS. The setting is in the community among other private residences not providing services to HCBS participants exclusively.**

The individual participates regularly in typical community life activities outside of the setting to the extent the individual desires. Such activities do not include only those organized by the provider agency specifically for a group of individuals with disabilities and/or involving only paid staff; community activities should foster relationships with community members unaffiliated with the setting .**Evidence that: individuals come and go at will, that visitors have been present at regular frequencies, the setting is in the community among other private residences not providing services to HCBS participants exclusively. Individual participants have varied activities based upon their interests and abilities. Individuals have access to materials to become aware of activities occurring outside of the setting?**

Services to the individual and activities in which the individual participates, are engaged with the broader community. **Individual schedules that demonstrate community activities apart from the provider or other HCBS participants. Evidence of transportation options that do not rely solely on paid supports. Progress notes or other documentation that the participant has been involved in community activities recently. Evidence that visitors have been present at regular frequencies**

**Evidence Tables Heightened Scrutiny – Isolation**  
**Table 2**