

April 4, 2022

<Provider Name>
<Provider Address 1>
<City> <State> zipcode5-zipcode4

Dear Medicaid Provider:

The Michigan Department of Health and Human Services (MDHHS) provides Home and Community Based Services (HCBS) to individuals in the Medicaid program. These services help Michigan citizens with disabilities or other health issues to live at home or in the community. MDHHS offers many of these services through waivers which were approved by the Centers for Medicare & Medicaid Services (CMS).

In 2014, CMS released a rule for HCBS waivers called the HCBS Final Rule. This rule requires that all settings that provide HCBS-funded services meet specific criteria in order to continue to receive that funding. The final date for all settings to be HCBS-compliant is March 17, 2023.

MDHHS is responsible to ensure every setting providing HCBS services meets the requirements of the rule. In order to assess the compliance of a setting, each setting was surveyed to provide information related to the physical location of the setting as well as how the setting supports the rights and freedoms of individuals who receive HCBS-funded services.

Based upon a setting's response to the surveys, a compliance status was identified. The possible statuses for a setting were compliant, out of compliance, and requires heightened scrutiny (HS).

MDHHS is now providing an opportunity for all interested parties to review the evidence provided and then share their perspective. This is called the public comment period. **MDHHS will post the information gathered about a setting on a public facing webpage for review by and comment by the public, this information is specific to Behavioral and Physical Health and Aging Services Administration (BPHASA).** The public can see the areas of concern that caused the setting to require an HS review, and the evidence provided by the setting to support their claim that they are HCBS-compliant and should be allowed to continue to provide HCBS-funded services.

Once a member of the public has reviewed this information, there will be a link to a survey which will provide an opportunity for the public to tell the department whether they feel the setting has met the standard to be found HCBS-compliant.

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MDHHS welcomes all stakeholder feedback regarding the settings identified. MDHHS will begin the public comment period with the posting of all HS settings in Prepaid Inpatient Health Plan (PIHP) region 5.

The public comment period for region 5 will begin approximately April 8, 2022, and end 30 days later on approximately May 9, 2022. The start date for the public comment process may be delayed. The second public comment posting will include all other regions across the state of Michigan (regions 1-4 and 6-10). Those specific counties, cities, and names of settings will be provided on the HCBS Transition webpage at [MDHHS - Home and Community-Based Services Program Transition \(michigan.gov\)](https://hsrctest.azurewebsites.net/public/list) when that public comment period begins.

For additional information regarding non electronic access to the public comment information, or to provide a comment through non-electronic methods, please see below:

- Webpage address to review Public Comment information:
<https://hsrctest.azurewebsites.net/public/list>
- List of Region 5 HS settings: [MDHHS - Home and Community-Based Services Program Transition \(michigan.gov\)](https://hsrctest.azurewebsites.net/public/list)
- To request the paper version to make the public comment, commenters will call 517-241-0010 **or e-mail the HCBS transition team at HCBSTransition@michigan.gov.**

Thank you for your interest and support as we work to make all settings across the state of Michigan HCBS-compliant.

An electronic version of this document is available at www.michigan.gov/medicaidproviders >> Policy, Letters & Forms.

Sincerely,



Kate Massey, Director
Behavioral and Physical Health and Aging Services Administration