



NADSA Public Policy Alert



Participation Creates Power!

Dear NADSA Member:

The Centers for Medicare & Medicaid Services (CMS) announced a [strategy](#) for implementation of the home and community-based settings regulation, in partnership with the Administration for Community Living (ACL), that aligns the focus of federal support and state compliance activities with the realities of the direct-service workforce crisis exacerbated by the COVID-19 public health emergency (PHE). CMS and ACL believe this strategy will ensure implementation of important regulatory criteria related to beneficiary rights in the short-term, with sustained state and provider efforts to fully implement all other settings criteria.

This multi-faceted implementation approach contains the following components, in order for states to continue federal reimbursement of home and community-based services (HCBS) beyond the transition period:

- States must receive final Statewide Transition Plan approval by March 17, 2023.
- States and providers must be in compliance with all settings criteria not directly impacted by PHE disruptions, including PHE-related workforce challenges, by March 17, 2023.
- Time-limited corrective action plans (CAPs) will be available to states to authorize additional time to achieve full compliance with settings criteria that are directly impacted by PHE disruptions, when states document the efforts to meet these requirements to the fullest extent possible, and are in compliance with all other settings criteria.

CMS will be holding multiple meetings with HCBS stakeholders to review this information. For more information related to this announcement on implementation of the home and community-based settings regulation, please visit: <https://www.medicaid.gov/medicaid/home-community-based-services/guidance/home-community-based-services-final-regulation/index.html>

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