

**Oregon’s Home and  
Community-Based Services (HCBS) Setting  
Statewide Transition Plan  
Executive Summary**

This summary is provided to explain the main changes to Oregon’s recently released HCBS Statewide Transition Plan.

- Request to extend the statewide deadline for full compliance until March 2022.** The previous Federal deadline was March 2019. In May 2017, the Centers for Medicare and Medicaid Services (CMS) issued a letter to states extending the transition period deadline for up to three years. Oregon intends to maintain the current transition pace and adjust timelines only if needed to solve issues. Provider timelines for compliance were pushed out 9 months. The new deadline for most providers is July 2019. Please see the attached timeline. The time from July 2019 to March 2022 will be used to move regulatory responsibility for HCBS compliance into each program area’s normal Licensing/Surveyor structure.
- Details initial assessment process for all HCBS settings.** Describes in detail how Oregon used a variety of methods to assess settings, including Individual Experience Assessments, Provider Self-Assessments, and, in all cases, on-site reviews for each facility setting. This task covered approximated 4,900 residential settings and 400 non-residential settings (see pages 19-21 of transition plan). The following chart summarizes the outcomes of the assessment:

<b>Program</b>	<b>Meets Expectations</b>	<b>Expected to Meet Expectations</b>	<b>Requires Heightened Scrutiny review</b>	<b>Will not Meet HCBS Requirements</b>
<b>OHA, HSD</b>	74	170	4	0
<b>DHS, APD</b>	454	1,720	5	0
<b>DHS, ODDS (residential)</b>	586	1,751	10	0
<b>DHS, ODDS (non-residential)</b>	2,038	108	0	48 (Sheltered workshops)

- **Identifies sites for Heightened Scrutiny.** Heightened Scrutiny is a Federal term for the CMS review process that is required when certain Federal criteria exist that may make a setting appear institutional. For Oregon two criteria applied:
  - Being on the grounds of or adjacent to a public institution.
  - Having potentially isolating qualities.

While Oregon believes that the settings listed under “Requires Heightened Scrutiny Review” in the table above can overcome the presumption of being institutional, they must go through this review. Individuals interested in reviewing each program area’s heightened scrutiny evidence packages may review those at:

<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCBS/Pages/Transition-plan.aspx>

- **Provides detailed updates to timelines, milestones, rules and other plan activities.** Individuals interested in learning more about Oregon’s HCBS Transition Plan are encouraged to review the full plan located at:  
<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCBS/Pages/Transition-Plan.aspx>

**Request for Public Comment.** Public review of the Oregon HCBS Transition Plan is highly desired and encouraged. Please take the time to review and provide feedback.

**Send e-mail comments to:** [hcbs.oregon@state.or.us](mailto:hcbs.oregon@state.or.us)

**Send written comments via mail to:**

HCBS Transition Plan Comments  
500 Summer Street NE, E09  
Salem, OR 97301

# HCBS Transition Extended Timeline

HCBS rights implementation - **Rooms:** Locks on Doors, Decorating, Choice of roommate  
**Personal:** Food and Visitors at any time, Control of own schedule, Freedom from Restraints

## July 2017 -June 2018

**APD:** Educating consumers, identifying future representatives.

**ODDS:** Implementation of Individually-Based Limitations to coincide with person-centered service planning.

**HSD/All:** Training and technical assistance to case management entities, providers, and community members. Ongoing compliance monitoring of HCBS settings.

## July 2018 -June 2019

**APD/HSD:** Individually Based Limitations formally documented throughout year.

**ODDS:** Ongoing implementation of Individually-Based Limitations as the need for IBLs arise in service planning /delivery. Employment providers implement plans, request variance to extend.

**All:** Ongoing compliance monitoring of HCBS settings and service plans. Training and technical assistance.

## July 2019 -June 2021

**APD/ODDS:** HCBS compliance expected. Full cycle of Licensing Surveys.

**ODDS Employment:** Full compliance by June 2020 if variance is in place

**HSD/All:** Technical assistance, corrective action, provider status used for tracking, onsite reviews as needed.

## July 2021 – March 2022

Closure and Resident moves from any non-HCBS Compliant Residential settings.