



HEALTH SYSTEMS DIVISION

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**Date:** June 29, 2018

**To:** Home and Community-Based Services (HCBS) providers

**From:** LuAnn Meulink, Licensing and Certification Unit Manager  
Quality and Compliance, Health Systems Division 

**Subject:** Implementation of HCBS Individually-Based Limitations

As you are aware, federal HCBS rules allow individually-based limitations (IBL) in residential and non-residential settings for the following resident rights, only when required to ensure resident safety:

- Access to food at any time
- Choice of visitors and visiting times
- Ability to lock their entrance door (with appropriate staff having access)
- Choice of roommate when sharing a unit
- Freedom to furnish and decorate the unit as agreed to in the Residency Agreement
- Control of their schedule and activities
- Privacy in their bedroom unit

OHA's Independent and Qualified Agent, KEPRO, is responsible for developing Person-Centered Plans (PCPs) for all residents receiving HCBS authorized under section 1915(i) of the Social Security Act. As part of PCP development, KEPRO will now review IBL submissions and include IBLs in the resident's PCP.

KEPRO will also review IBLs during their annual PCP reviews.

### Why is this happening?

All HCBS facilities must follow Oregon's HCBS requirements for PCP and IBLs as outlined in Chapter 411, Division 4 of Oregon Administrative Rules (OARs).

### What should you do?

Starting July 1, 2018, please submit IBL requests to KEPRO at [OR1915i@kepro.com](mailto:OR1915i@kepro.com) using the IBL request form (attached and posted on the Oregon HCBS website).

Please review the HCBS OARs in the residential rules (Chapter 309 Division 35 and Chapter 309 Division 40), and share this information with any partners or providers who may need to request approval of IBLs.

### Questions?

For questions about the IBL process, please contact KEPRO at [OR1915i@kepro.com](mailto:OR1915i@kepro.com).

Thank you for your prompt attention to this matter and for your work helping Oregonians live in safety and independence.