

Fact Sheet – Choice of Setting

Authority: [42 CFR 441.301\(c\)\(4\)\(ii\)](#), [42 CFR 441.710\(a\)\(1\)\(ii\)](#), & [42 CFR 441.530\(a\)\(1\)\(ii\)](#)

There are new Federal Medicaid rules. These rules are about Home and Community-Based Services (HCBS) and settings. Under the new rules, you have a choice in where you live. You also have choices about who provides supports to you.

In Oregon This Means:

You have choices about where you:

- Live.
- Work.
- Receive other community-based services.

You may make choices from among setting options. Your personal resources may impact what choices are available to you.

Setting options are based on your needs and preferences.

They must include at least:

- Non-disability specific settings.
- A private bedroom or living unit for residential settings.

The setting options that you explore will be documented in your person-centered plan.

There may be times that your assessed needs provide reasons to consider some limits to choice of setting. Limits will not be used without your (or your legal representative's) informed consent. Limits will only be used when there is a health or safety risk.

The federal rules allow for a transition period for states to fully comply with the new rules. For additional fact sheets or more information regarding the Oregon HCBS Transition Plan, please visit the below link.

<http://www.oregon.gov/dhs/seniors-disabilities/HCBS/Pages/Transition-Plan.aspx>