



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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LME-MCO Joint Communication Bulletin # J411

Date: April 28, 2022

To: Local Management Entities-Managed Care Organizations (LME/MCOs) and CAP-DA

From: Saarah Waleed, Interim Assistant Director for Policy and Programs, DMH/DD/SAS
Deb Goda, Associate Director, Behavioral Health and Intellectual and Developmental Disabilities, NC Medicaid

Subject: **Update to Home and Community-Based Services (HCBS) Validation Processes**

The North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS) and the Division of Health Benefits (DHB) are providing the following guidance to support the continuation of North Carolina's HCBS Validation processes amidst response to the COVID-19 public health emergency.

It remains critical that person-centered planning, individual choice, and efforts to comply with the HCB Settings Rule continue to be at the forefront of our service delivery system. Effective March 8, 2022, the NC HCBS Statewide Transition Plan was updated to include the use of telehealth for Care Coordination monitoring as an allowable method of HCBS Validation. The flexibility will ensure the State's existing HCBS settings comply with the Settings Rule by March 17, 2023.

DHHS has adjusted the following HCBS timelines accordingly:

- **March 8, 2022:** HCBS validation and DHHS look-behind efforts relaunched.
- **April 15, 2022:** Identification of all HCBS settings unwilling or unable to comply with HCBS settings requirements submitted to the DHHS HCBS Internal Team. Process began for providing technical assistance to providers of non-compliant HCBS settings, beneficiary and family engagement, and transition planning for individuals receiving waiver services from sites unwilling or unable to comply with HCBS settings requirements.
- **May 1, 2022:** **Conclude** identification of all non-compliant HCBS settings, HCBS settings unwilling or unable to comply with HCBS settings requirements and individuals needing to transition to HCBS compliant settings.

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- **May 15, 2022:** Re-posting of Statewide Transition Plan for 30-day public comment.
- **June 8, 2022:** Validation Quarterly Reporting Tool (Final Submission) due to the DHHS HCBS Internal Team.
- **July 1, 2022:** Re-submit Statewide Transition Plan for final approval to the Centers for Medicare and Medicaid Services (CMS).
- **Dec. 31, 2022:** Transitions conclude for individuals receiving waiver services from sites unwilling or unable to comply with HCBS settings requirements to HCBS compliant sites.

If you have any questions, please contact the DHHS HCBS Internal Team at HCBSTransPlan@dhhs.nc.gov.

HCBS final rule resources and information can be accessed at: <https://www.ncdhhs.gov/about/department-initiatives/home-and-community-based-services-final-rule/hcbs-resources>

Previous bulletins can be accessed at: www.ncdhhs.gov/divisions/mhddsas/joint-communication-bulletins

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