

Oct. 28, 2016

PUBLIC NOTICE

SUBJECT: Home and Community-Based Services (HCBS) Rule: South Carolina Statewide Transition Plan

The South Carolina Department of Health and Human Services (SCDHHS) gives notice that the revised draft Statewide Transition Plan, required per Centers for Medicare and Medicaid Services (CMS) Home and Community-Based Services (HCBS) Rule (42 CFR 441.301(c)(6)), was submitted to CMS for review. It will be effective upon CMS approval.

The following is a summary of the revisions made in the draft Statewide Transition Plan (last submitted March, 31, 2016):

Introduction, numbered section 1

- Included the proportional breakdown of the HCBS Rule Workgroup membership (page 3).

Communication and outreach, renumbered section 2

- Update provided on this public notice and comment period for the Aug. 17, 2016, draft of the Statewide Transition Plan (page 7).

Assessment of system-wide regulations, policies, procedures, licensing standards and other regulations, renumbered section 3

- Systemic Crosswalk reformatted to include language that indicates compliance or non-compliance, remediation actions and timelines for those actions. It is no longer Appendix B but incorporated into the narrative (pages 10-26).
- All residential setting self-assessment information moved together to sections 3.5-3.8 for easier reading.
- “Ongoing Compliance of System” has been expanded to provide greater detail on ongoing compliance actions (page 29).

Assessment of settings, renumbered section 4

- Reordered the setting type listing in 4.1 to make “Pediatric Medical Day Care” 4.1.3 and “Residential Homes” 4.1.4 (page 34).
- Updated section 4.2 to include beneficiary survey and family survey information (page 35).
- Delineated section 4.2 into the “C4 Individual Facilities/Settings Self-Assessment” (section 4.2.1) and the “C4 Individual Facilities/Settings Independent Site Visits” (section 4.2.2) to describe each part of the process in chronological order.
- Included information about the Pediatric Medical Day Care assessment that was previously only in the Medically Complex Children waiver transition plan (section 4.2.1, “Assessment Review,” and section 4.2.2).

- Updated the timeframe for when individual site visits will occur (page 37).
- Included information on who will conduct the individual site visits (page 37).
- Included more information on the assessment review of the individual site visits (page 38).
- Under “Outcomes” (section 4.3), updated the setting types estimated to fall into each of the HCBS Compliance Categories to delineate “AAC, WAC and Unclassified” day program types (table, page 39).
- Under “Outcomes” (section 4.3), delineated outcomes into “C4 Individual Facilities/Settings Self-Assessment Outcomes” (section 4.3.1) and “Final HCBS Compliance determination” (section 4.3.2).
- “Relocation of Waiver Participants” section added current estimated number of beneficiaries that will need to be relocated from non-compliant settings (page 42).
- The timeline for the relocation of waiver participants was clarified (page 43).
- “Ongoing Compliance” has been expanded to provide greater detail on ongoing compliance actions for HCBS settings (page 44).
- Delineated in “Ongoing Compliance” the compliance actions by setting type to make the section easier to read.

Heightened Scrutiny, renumbered section 5

- Clarified in section 5.1 the criteria to be used to determine which settings will be subject to the Home and Community-Based (HCB) Settings Quality Review.
- Moved section 5.3 “Outcomes” under section 5.2 “Initial C5 Heightened Scrutiny Assessment” to be section 5.2.5 as the outcomes in that section are specific to the Initial C5 Heightened Scrutiny Assessment.
- All sections that follow 5.2 subsequently renumbered.
- Section 5.8 (subsequently renumbered to Section 5.7) entitled “Next Steps” includes a new introductory section that identifies what information will be used in the review of settings that go through the Quality Review Process. This information will help SCDHHS determine which settings will be submitted to CMS for their Heightened Scrutiny review.
- Updated anticipated timelines for heightened scrutiny submission to CMS (page 53).

South Carolina Home and Community-Based Services Statewide Transition Plan Timeline

- The timeline was removed to reduce confusion to the reader. All information was incorporated into the narrative.

Overall revisions

- Document renumbered to make the “Introduction” section 1, all other sections subsequently renumbered as noted above.
- As the original Appendix B was incorporated into the main narrative, in its place is “Systemic Listing and Links,” the listing of all the laws, regulations, policies, standards, directives, etc., that was in the March 31 submission in the Systemic Assessment section. It is found online (with links to the direct appendix in the document) at <https://msp.scdhhs.gov/hcbs/site-page/statewide-transition-plan>.
- The following appendices were removed from the main document and placed online (with links to the direct appendices in the document) at <https://msp.scdhhs.gov/hcbs/site-page/statewide-transition-plan>:
 - C4 Day (non-residential) Setting HCBS Self-Assessment (Appendix C)
 - C4 Residential Setting HCBS Self-Assessment (Appendix D)

Public Notice/SC HCBS Statewide Transition Plan

- Non-residential Self-Assessment Global Analysis (Appendix E)
- Residential Self-Assessment Global Analysis (Appendix F)
- Relocation Guidelines: Community Residential Care Facility (CRCF) Residents (Appendix G)
- Admissions/Discharges/Transfer of Individuals to/from SCDDSN-Funded Community Residential Settings (Appendix H)
- TAC, Inc. Report: Review and Feedback on the HCBS Final Rule Transition (Appendix I)

The public comment summary is attached to the Statewide Transition Plan as Appendix A-3.

A copy of this notice and the revised draft SC HCBS Statewide Transition Plan is available at:

- [SCDHHS County Offices](#)
- CLTC Regional Offices
- Online at scdhhs.gov/public-notices
- Online at <https://msp.scdhhs.gov/hcbs/site-page/statewide-transition-plan>