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**OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES****Indiana Family and Social Services Administration  
Notice of Public Comment Period for  
Statewide Transition Plan for Compliance with  
Home and Community-Based Setting Rules  
July 27, 2016**

Notice is hereby given that the Indiana Family and Social Services Administration (FSSA) will submit to the Centers for Medicare and Medicaid Services (CMS) a revision to Indiana's Statewide Transition Plan for compliance with the Home and Community-Based Services (HCBS) regulations of 42 CFR 441.301(c)(4)-(5) and Section 441.710(a)(1)-(2).

**PURPOSE**

Effective March 17, 2014, CMS has issued regulations that define the settings in which it is permissible for states to pay for Medicaid HCBS. The purpose of these regulations is to ensure that individuals receive Medicaid HCBS in settings that are integrated and that support full access to the greater community. This includes opportunities to seek employment and work in competitive and integrated settings, engage in community life, control personal resources, and receive services in the community to the same degree as individuals who do not receive HCBS. These changes will maximize the opportunities for participants in HCBS programs to have access to the benefits of community living and to receive services in the most integrated setting.

States must ensure all HCBS settings comply with the federal requirements by completing an assessment of existing state standards including rules, regulations, standards, policies, licensing requirements, and other provider requirements.

FSSA has created a Statewide Transition Plan to assess compliance with the federal regulations and identify strategies and timelines for coming into compliance with the regulations as they relate to all FSSA HCBS programs. States must be in full compliance with the federal requirements by March 17, 2019.

**FSSA PROGRAMMATIC IMPACT**

The programs currently under review include 1915(c) HCBS Waivers and 1915(i) State Plan benefits administered by the following divisions within FSSA:

**Division of Aging**

- Aged & Disabled (A&D) Waiver – IN.210
- Traumatic Brain Injury (TBI) Waiver – IN.4197

**Division of Disability and Rehabilitative Services**

- Community Integration and Habilitation (CIH) Waiver – IN.378
- Family Supports Waiver (FSW) – IN.387

**Division of Mental Health and Addiction**

## Youth Services:

- Psychiatric Residential Treatment Facility Transition (PRTF) Waiver – IN.03
- Child Mental Health Wraparound Services (CMHW) – TN 12-013

## Adult Services:

- Behavioral and Primary Healthcare Coordination (BPHC) – TN 13-013
- Adult Mental Health & Habilitation (AMHH) – TN 12-003

**SUBMISSION OF COMMENTS**

Additional information on the Statewide Transition Plan for compliance with the federal regulations of 42 CFR 441.301(c)(4)-(5) and Section 441.710(a)(1)-(2) can also be found at <http://www.in.gov/fssa/4917.htm>. Copies of the updated Statewide Transition Plan will also be made available at local DFR offices and at the address contained herein.

The public comment period will run from July 27, 2016, to August 26, 2016. All comments must be received during the comment period.

Written comments may be sent via e-mail to: [kelly.flynn@fssa.in.gov](mailto:kelly.flynn@fssa.in.gov) or by mail to:

State of Indiana  
Family and Social Services Administration  
Office of Medicaid Policy and Planning  
Attn: HCBS Final Rule – Kelly Flynn, Manager of State Plan and Waivers  
402 W. Washington St., Rm. W374 MS-07  
Indianapolis, IN 46204-2739

Additionally, the State would be happy to schedule a phone or in-person consultation to discuss the program in further detail.

*Posted: 07/27/2016 by Legislative Services Agency*

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