

HCBS Final Rule Reminders

What to look for:



Access to Visitors

- Prohibiting overnight guests.
- Limits on number of visits an individual can receive.
- Staff preventing a person from having visitors or restricting the time of day the person can have visitors.
- Participants reporting they need approval to have guests.



Lease Agreement

- Restrictive language, for example, “The individual may be evicted if the individual’s needs increase even if resources are available to provide additional support.”
- For shared living settings, the lease agreement must be an agreement between the SLP and the individual, with the provider being an optional third party.



Rights Restrictions

- Not having locks on bedroom or bathroom doors, restricted access to the community (e.g., locked building entrance doors with no keys or other accommodations afforded to the individual), behavior plans requiring individuals to earn activities that are their right or using the loss of activities and rights as a negative consequence, and restrictions on visitors, smoking, and access to food.