

INFORMATION FOR PEOPLE THAT RECEIVE SERVICES

New Rules About How You Are Assisted at Home and in the Community

The federal government gives money to Vermont to help pay for the support that people with disabilities need where they live, work and have fun. Vermont shares in paying for the support and agrees with rules about what will and will not be paid with this money. These rules are about rights that are in the Constitution and that are protected by courts. The federal government has called this type of spending Medicaid and the rules say that it should be used for Home and Community Based Services. This has been shortened to HCBS. New rules were added two years ago. The federal government has asked Vermont and other states to make sure that they are following the new rules.

The rules are about the places where you live and spend time during the day. The rules say that Medicaid HCBS should be used to help you to do certain things:

- Be where other people live, work and enjoy themselves;
- Help you be your own person and give you choices;
- Be in places that you have chosen as the best for you;
- Give you privacy, dignity and respect with no locked areas to keep you away from other people;
- Give you a chance to have a job;
- Give you a room by yourself if you want it; and
- Give you a chance to decide who helps you and what agency they work for.

If your home is owned by someone else you must have different opportunities. These include:

- An agreement that is written down and describes the rules about how long you can stay and any reasons why you may be asked to leave;
- A private room that you can lock with a key;
- The chance to choose who you live with if you have a roommate;
- The chance to decorate your room the way that you want to;
- Control of your schedule and activities;

- Access to food when you are hungry;
- Visitors of your choosing at any time; and
- Ramps if you need them.

If any of these things are limited, the reason must be written down in your service agreement, and

- Be about you and describe ways that you can learn to do them some day;
- Describe the reasons clearly;
- Explain when you will not be limited;
- Have dates where you can talk about the agreement again;

There must be a part in your written service agreement that explains what has been tried before. There must be a part of the written plan that explains that you will not be hurt by the limit. There must be a part in the plan that explains what will be written down over time to show that things are moving forward.

Vermont's Plan to Follow the New HCBS Rules

Each agency that provides services to people with disabilities and that is paid with HCBS money has completed a survey. The survey questions ask them if the rules are being followed now. Employees from the state of Vermont have collected the survey answers. The next step is for staff from the state of Vermont to visit places where people live, work and spend time in the day to see if the rules are being followed. The state and the agency can make a plan to follow the rules within five years.

Reference: Keeping the Promise: Self Advocates Defining the Meaning of Community Living;
<http://www.nasdds.org/uploads/documents/KeepingthePromiseofCommunitySABEFinalApproved.pdf>