Home and Community Based Services (HCBS) & The Settings Rule

Service Users and Self-Advocates

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What are Home and Community Based Services?

- Home and Community Based Services are sometimes called “HCBS”
- HCBS is offered through the state by the Division of Services for People with Disabilities (DSPD)
- HCBS helps people with disabilities live in their own homes and communities
“Community” can mean different things

- Interacting in places, such as your job, city or neighborhood, with people of all abilities
- People who are interested in the same things you are, whether or not they live in the same place you do
Definitions

- A “setting” is where individuals live or receive services
  - Residential settings: where individuals live, like in an apartment or group home
  - Non-residential settings: where individuals receive services such as a day program or employment services

- “Providers” are agencies who provide services and supports that help individuals with disabilities

- “Supports” are the help or tools that you need to do something successfully

- “Support coordinators” are people who help individuals with disabilities write a yearly service plan and make sure they get the supports they need
What is the HCBS Settings Rule?

- In 2014, the Settings Rule was announced
  - Set of rules that providers, support coordinators, and states must follow in regards to:
    - HCBS settings - Residential and Non-Residential Services
    - Person Centered Planning (PCP) process
  - The Settings Rule was created for people who receive HCBS and in response to self-advocates’ desire for more choice in where they live, work, and socialize
Standards for HCBS Settings

The Settings Rule says that there are five standards that all HCBS settings need to meet:

1. Integration into the Community
2. Individual Choice
3. Individual Rights
4. Autonomy
5. Choices Regarding Services and Providers
Settings Rule Standards: #1

1. Integration into the Community:
   a. You have the same chance to be an included member of your community as someone without disabilities
   b. You are not forced to go into the community if you don’t want to, but you should be given the opportunity
What Community Integration Looks Like...

Images courtesy of Charting the LifeCourse, lifecoursetools.com
2. **Individual Choice:**
you have the options, information, and experience to decide how you want to live your life.

\[ \text{Options} + \text{Information} + \text{Experience} = \text{Informed Choice} \]
3. Individual Rights: make sure you have the right to privacy, dignity and respect, and freedom from coercion and restraint

- **Privacy**: you can be alone if you want to and can decide when and with whom to share spaces, conversations, and information with
- **Dignity**: feeling good about yourself and being treated like someone that has value and worth
- **Freedom from coercion**: people cannot make you do something you do not want to do
- **Freedom from restraint**: people cannot hold you against your will, this includes physical restraints and other types of restraints
- **Respect**: being treated with kindness and consideration by others
4. **Autonomy** means that you do things on your own as much as possible and make choices about the activities you participate in and who you do them with.
5. Choice Regarding Services and Providers means that you choose your services and supports and who provides them.
You should have the opportunity to...

- Find a job
- Go out into the community
- Control your own money
- Choose what you eat
- Visit family and friends
- Decide who you want to spend time, or live with
- Decide who provides your services
- Spend time with people of all abilities
HCBS Provider Requirements for Residential Settings
Rights Restrictions and Modifications
Person Centered Planning (PCP)

- Person Centered Planning (PCP) is a way to help plan your services and supports in order to help meet your goals and get the life you want in your community.
- The Person Centered Support Plan (PCSP) is your yearly plan that is written in your words about what your goals, preferences, and interests are.
- You can make changes to the goals and services in your PCSP at any time, you do not have to wait.
How You Can Help with the Person Centered Planning Process

- Come ready to share information
- Include your support team, such as providers, support coordinators, family members, friends, medical professionals, etc.
- Make sure the Plan meets your needs and approve it!
- Give feedback on the services you receive!

**Remember**: you are the expert when it comes to your life and your involvement is important!
Who Can Help Me?

- Your support team is there to help you!
- If you do not understand what your provider or support coordinator are telling you, let them know that you don’t understand.

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What is Self-Advocacy?
How You Can Be a Self-Advocate in Settings

- Report any concerns about your setting to HCBSSettings@utah.gov
- Talk to your legislators about the Settings Rule and how it will impact your life
  - Find Your Legislators: [https://le.utah.gov/GIS/findDistrict.jsp](https://le.utah.gov/GIS/findDistrict.jsp)
- Tell other people you know about the Settings Rule
- Provide feedback and ideas for improvement about the services you receive to your support coordinator or provider
- Learn more about the work your state is doing
  - Participate in workgroups: email saskarajcevic@utah.gov
  - Share the flyer we are passing out with your staff/provider
Any questions?

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