



Department of Health and Human Services  
Commissioner's Office  
221 State Street  
11 State House Station  
Augusta, Maine 04333-0011  
Tel.: (207) 287-3707; Fax (207) 287-3005  
TTY Users: Dial 711 (Maine Relay)

April 15, 2015

Dear MaineCare Member:

I am writing to you today about new federal rules about services provided in the home and community, sometimes called HCBS for short. These are services that people get in a community setting. They are different than services in an institutional setting, like a hospital, nursing facility or intermediate care facility.

In Maine, the rules apply to the five **MaineCare "Waivers."** These waivers provide services to people who could get services in an institutional setting, but choose to get services in a community setting. The new rules apply to any services that are paid for by the waiver. They may also apply to other places where waiver members get services.

The reason for the new rules is to be sure that HCBS are provided differently than institutional services. Some community settings may have qualities that feel like an institution to the person getting the services, and the federal rules want to disallow payment for these services.

The new rules look carefully at whether the setting for a service separates a person from the community, or treats him or her differently than a community member. The new rules set new standards and requirements about the settings where waiver members may get services so that this does not happen.

Maine recently submitted its HCBS Transition Plan as required to the federal government. The plan is now available online <http://www.maine.gov/dhhs/oms/rules/transition-plan.shtml>. A printed version can be obtained by visiting any DHHS regional Office for Family Independence (a list of the offices/locations can be found at <http://www.maine.gov/dhhs/DHSaddresses.htm>) or by calling Ginger Roberts-Scott at (207) 624-4048 or Deb Halm at (207) 287-4265.

Even though the federal rules are final, there is a long process with many steps before any changes need to be made. A lot of information is still needed before anything happens. The process to get more information will involve talking to members, families and providers as well as a lot of other work. Maine has until *March 17, 2019*, to complete all the steps needed for the State to follow the new rules. It looks like most providers will be able to meet the new rules, but some changes may be needed.

I can assure you that we will work hard so that your needs are understood, and work with HCBS providers across Maine to delivery services that our consumers want and that we know are effective.

Sincerely,

Mary C. Mayhew  
Commissioner