

Public Comment Period

- SCDHHS asked the public to nominate settings that may not meet the HCBS settings requirements.
- List of settings to be reviewed will be posted publicly.

State Review of Suspect Settings

- Site visit will be performed on any setting that has been nominated for review/selected by SCDHHS.
- Goal: Identify settings that have programmatic/physical characteristics of an institution.

Provider Submits Evidence

- Providers will be asked to submit evidence for SCDHHS review to show how program/physical characteristics of setting meet HCBS settings requirements.
- Suggested documentation to submit can be found on the SCDHHS HCBS website

State Submits Settings to CMS

- After site visit and review of evidence, SCDHHS will decide whether:
 - *Setting is institutional*: setting can no longer provide HCB services and beneficiaries will be transitioned to a new setting to receive services
 - *Setting is not institutional*: setting will be removed from suspect setting list; may still need corrective action for compliance
 - *Setting has characteristics of an institution but meets home and community-based setting requirements*: setting will be submitted to CMS for final review

CMS Heightened Scrutiny Process

- CMS will review suspect settings for final determination of whether setting can continue to provide HCB services