



Home and Community Based Services (HCBS) Rule

Home and Community Based Settings Requirements

Website for More information:

www.scdhhs.gov/hcbs

How home and community-based settings look in South Carolina will be guided by the requirements outlined in the HCBS rule. Below are some of these requirements. SCDHHS will be working with providers as we move forward with the South Carolina Transition Plan to ensure settings meet these requirements. Providers will need to become compliant with the HCBS rule by March 2019.

- Specific unit/dwelling is owned, rented, or occupied under legally enforceable agreement.
- Same responsibilities/protections from eviction as all tenants under landlord tenant law of state, county, city or other designated entity.
- If tenant laws do not apply, state ensures lease, residency agreement or other written agreement is in place providing protections to address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.
- Each individual has privacy in their sleeping or living unit.
- Units have lockable entrance doors with the individual and appropriate staff having keys to doors as needed.
- Individuals sharing units have a choice of roommates.
- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.
- Individuals have freedom and support to control their schedules and activities and have access to food any time.
- Individuals may have visitors at any time.
- Setting is physically accessible to the individual.

This list is not exhaustive. SCDHHS will keep providers informed of the HCBS requirements.