

## **Missouri - Settings with the Potential Effect of Isolating Individuals Receiving HCBS from the Broader Community**

The final federal rule identifies settings that are presumed to have institutional qualities and do not meet the rule's requirements for home and community-based settings. These settings include:

1. Settings located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment
2. Settings in a building on the grounds of, or immediately adjacent to, a public institution (public institution is a facility that is owned or operated by a government such as city, county, or state);
3. Or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS

The third category above, settings that have “the effect of isolating people receiving HCBS from the broader community”, is the most difficult to define. The purpose of this document is to provide more information about settings that may potentially be included in this category. A setting that has one or more of the following characteristics may be at increased risk for having the effect of isolating people from the broader community:

- The setting is designed to provide people with disabilities multiple types of services and activities on-site, including housing, day services, medical, behavioral and therapeutic services, and/or social and recreational activities.
- People in the setting have limited, if any, interaction with the broader community.
- Settings that use/authorize interventions or restrictions that are used in institutional settings or are deemed unacceptable in Medicaid institutional settings (e.g. seclusion).

The following are examples of residential settings that may have the effect of isolating people receiving HCBS from the broader community. None of these settings will be automatically excluded from providing HCBS; however, these settings may indicate increased risk of having the effect of isolating people from the broader community.

- Multiple settings co-located and operationally related (i.e., operated and controlled by the same provider) that congregate a large number of people with disabilities together and provide for significant shared programming and staff, such that people's ability to interact with the broader community is limited. Often these settings are located in areas without other types of residences used by persons not receiving HCBS. Depending on the program design, this could include, for example, group homes on the grounds of a private ICF/ID; numerous group homes co-located on a single site; multiple homes within close proximity (i.e. multiple units on the same street and operated by the same provider); apartment complexes where the majority of residents receive HCBS. People in these settings typically interact primarily with people with disabilities and staff who work with those individuals. Individuals typically live in homes only with other people with disabilities and/or staff. Daily activities are typically designed to take place on-site so that an individual generally does not leave the setting to access HCBS services or participate in community activities. When people do leave the setting to participate in community activities it is often only with a group of other people with disabilities and staff.