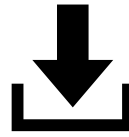


# The Download



DECEMBER 2025 / ISSUE  
#4

## Guidance on the HCBS Settings Rule

### HCBS Compliance Spotlights



As we wrap up the final newsletter of 2025, we'd like to share some inspiring examples of best practices in Home and Community-Based Services (HCBS) that we observed during our provider reviews.

*A sponsored residential provider received a citation for not supporting an individual's ability to make meaningful choices about her daily routine and community activities. Documentation often showed that the sponsor would ask the individual if she wanted to accompany them on a specific errand, rather than offering a range of options. The individual has limited verbal communication and typically expresses her preferences by repeating words or phrases when given choices. In more recent documentation, the sponsor asked her, "What do you want to do today?" The individual responded with "go to the park" and "go mommy." The sponsor then called the individual's mother so they could speak. When the individual pushed the phone away, the sponsor asked the mother if she could meet them at the park. The individual appeared very excited, and later that day, she was able to visit the park and walk around with her mother.*

*The review showed that the individual lives in a rural area and receives sponsored residential services from his brother and sister-in-law. He has his own ATV which he uses to visit neighbors and family members whenever he chooses. Although he has very limited verbal communication, the providers support his decision-making by offering a variety of options. When he hears something he likes, he communicates his choice by squeezing their hand.*

*An individual shared that they have a goal of becoming a professional golfer. Staff encouraged the individual to pursue this dream and helped connect them with a semi-professional golfer, who has since become a natural support. The individual has even served as a caddy for their new friend during golf tournaments. Staff continue to support this interest by providing transportation to the individual can participate.*



### HCBS SUCCESS STORIES

The individual's bedroom reflects their personal interests and style. It includes Dallas Cowboys memorabilia, a ring light to support their TikTok video creations, walls painted in their favorite color, and framed photos of family and friends.

"I like having my own place and getting to sleep in without being told when to get up."

"I finally get to go on a date!"

"Having control over my schedule helps me to become more independent."

"I get to tell staff what I like to do."

"I belong to our neighborhood watch program!"

"I love going to concerts. This year I've seen Chris Stapleton and Allison Kraus!"

[https://youtu.be/h1\\_W4N-4KW8](https://youtu.be/h1_W4N-4KW8)

[https://youtu.be/h1\\_W4N-4KW8](https://youtu.be/h1_W4N-4KW8)

## What Can DSP's Do?

Direct Support Professionals (DSPs) play a vital role in helping individuals live meaningful lives in the community – and they are key to ensuring compliance with the HCBS Settings Rule. Below are examples of how DSPs can support each of the core requirements of the rule:

### Community Integration and Access:

- Identify clubs, events, and activities
- Help individuals to learn about and use public transportation
- Help individuals go grocery shopping

### Personal Resources:

- Support individuals to use banking apps
- Support individuals in choosing where they want to shop and what they want to buy

### Privacy:

- Knock before entering and ask permission to enter
- Shut the door when helping with personal care

### Dignity and Respect:

- Support individuals in ways that promote their self-esteem
- Don't use pet names (honey, sweetie, etc.)
- Ask what is important to them and provide support in those ways

### Freedom from Coercion and Restraints:

- Encourage individuals to make their own choices
- Support individuals to file grievances and complaints
- Use less intrusive interventions
- Modifications may be necessary for safety reasons – become familiar with the modification process

### Choice of Services:

- Talk to individuals about what they like and don't like

## DID YOU KNOW THAT THE AVERAGE PERSON MAKES 35,000 DECISIONS A DAY?

- How many of those are you making FOR the person you support?
- Support individuals to make lots of choices throughout each day.

## HCBS REVIEWS UPDATE

We're in the final stages of launching a new portal to streamline the HCBS review process. We understand that using eDocs and REDCap has sometimes been challenging, and we're working to make things easier. The new portal will serve as a single location for providers to:

- Communicate with reviewers
- Upload and store required documents
- Access Corrective Action Plans (CAPs)
- View compliance letters

Updates will be provided on the ListServ. If you are not signed up, you can register here:

[Signup Form](#)

**REMINDER:** HCBS Compliance is not a one-time achievement. Providers are expected to remain in compliance and will be reviewed on an on-going basis.

## HCBS RESOURCES

[HCBS-stories-v2.pdf](#)



[Illustrated Guide: The HCBS Final Rule | Institute on Disabilities | Temple University Institute on Disabilities](#)

[https://youtu.be/BHDtJ\\_ShT4A](https://youtu.be/BHDtJ_ShT4A)

[Beyond Compliance: Embracing The Values of the HCBS Settings Rule](#)

<https://youtu.be/PtDjTZfvR94?si=0BikW33RCIs4fbRi>

[Home & Community Based Services Training Series | Medicaid](#)

### What do I do if I see a HCBS Settings Rule Violation?

Report it to your local Human Rights Advocate at the link below and they will forward your concern through the appropriate channels:

[OHR Contact Information - Virginia Department of Behavioral Health and Developmental Services \(DBHDS\)](#)

**When in doubt, report it!**