

February 28, 2018



Pete Ricketts, Governor

Dear Provider,

In January 2014, the Centers for Medicare and Medicaid Services (CMS) announced a requirement for states to review and evaluate current Home and Community-Based Services (HCBS) settings, including residential and non-residential settings, and to demonstrate compliance with the new federal [HCBS Setting rules](#) that went into effect March 17, 2014.

The Department of Health and Human Services-Division of Developmental Disabilities (DDD) provider relations team will be conducting on-site reviews of all HCBS day services settings to measure HCBS non-residential providers' current level of compliance with these HCBS Setting rules and provide a framework for assisting those providers with the necessary steps to compliance. These on site reviews began in February 2018 and will continue throughout the remainder of 2018.

These settings assessments will be scheduled with each provider at least one week in advance and will include both an administrative interview and an observation walk-through. Throughout the on-site review, the agency will be given informal verbal feedback regarding areas in which modifications are needed.

After the on-site review, the agency will be given written feedback. This feedback will consist of the results of the review, remediation that may be needed, and the determination of whether or not the setting is subject to heightened scrutiny. This feedback will be given within 60 business days of the on-site review. The agency will have an opportunity to address the findings of the review with DDD. If remediation is required, the agency will be issued a formal remediation plan which will outline which areas require modification and include a plan to remediate that is developed by the provider and accepted by DDD. If the setting is found to be subject to heightened scrutiny, a letter will be issued explaining the heightened scrutiny process and what additional information will be required.

If you have any questions about this process or the contents of this letter, please feel free to reach out to Katie Weidner (Katie.weidner@nebraska.gov – 402-471-8716) or Kim McFarland (kim.mcfarland@nebraska.gov –402-471-8783).

Thank you,

Katie Weidner
HCBS Program Manager
DHHS-Division of Developmental Disabilities

Cc: Jillion Lieske, Acting Field Operations Administrator
Tony Green, Deputy Director
Tammy Westfall, Deputy Director
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