

Reminder: HCBS Final Rule Requirement for Member Driven PCP Process

Good Afternoon,

The New York State (NYS) Department of Health (DOH) would like to remind Managed Long Term Care (MLTC) plans of the following Home and Community Based Services (HCBS) Settings Final Rule guidance related to the person-centered planning (PCP) process:

*“The service provider does not lead the person-centered service planning process; it is **driven by the individual** and includes people chosen by the individual.” ([HCBS Final Rule](#))*

Based on the above referenced guidance, MLTC plans should work with contracted Social Adult Day Care (SADC) sites to ensure that their policies and member materials are aligned with the Centers for Medicare & Medicaid Services directive that the member **direct** the PCP process. Any policies or procedures referencing the member “participating” or the PCP process being done “in conjunction with” the member should have been updated to accurately reflect that the member (or their legal representative/guardian) “direct” the PCP process, to be compliant with the HCBS Final Rule as of March 17, 2023.

Please contact HCBSADCSiteAssessments@health.ny.gov with any questions.

NYS DOH
Bureau of Managed Long Term Care (BMLTC)
BMLTC Surveillance Unit
Social Adult Day Care (SADC) Compliance Team