

- a. settings, engage in community life, control personal resources, and receive services in the community, like individuals without disabilities;
- b. The setting is selected by the individual among all available alternatives and identified in the person-centered service plan;
- c. An individual's essential personal rights of privacy, dignity and respect, and freedom from coercion and restraint are protected;
- d. Individual initiative, autonomy and independence in making major life choices, including but not limited to, daily activities, physical environment, and with whom to interact are optimized and not regimented;
- e. Individual choice regarding services and supports, and who provides them, is facilitated;
- f. Any modifications of the conditions (for example to address the safety needs of an individual with dementia) must be supported by a specific assessed need and documented in the person-centered services plan;
- g. The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, there must be a lease, residency agreement, or other form of written agreement in place for each HCBS participant, and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law;
- h. Each individual has privacy in their sleeping or living unit.
- i. Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors;
- j. Individuals sharing units have a choice of roommates in that setting;
- k. Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- l. Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time;
- m. Individuals are able to have visitors of their choosing at any time; and
- n. The setting is physically accessible to the individual.

For 1915(i) State plan home and community-based services, settings that are not home and community-based are defined at §447.710(a)(2) as follows: A nursing facility, an institution for mental disease, an intermediate care facility for individuals with intellectual disabilities, a hospital, or any other locations that have qualities of institutional setting, as determined by the Secretary.

Setting Requirements

The state assures that this amendment will be subject to any provisions or requirements included in the state's most recent and/or approved home and community-based settings Statewide Transition Plan. The state will implement any required changes by the end of the transition period as outlined in the home and community-based settings Statewide Transition Plan

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 14
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 15
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 15
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 16
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 17
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 18
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 19
Supersedes: IA-21-0010

Reserved.

State: IOWA
TN: IA 23-0023
Effective:

§1915(i) State plan HCBS

Approved:

Attachment 3.1-C
Page 20
Supersedes: IA-21-0010

Reserved.