

Monthly Provider Meeting

March 23, 2026, noon



DEPARTMENT OF
**PUBLIC HEALTH &
HUMAN SERVICES**



Home and Community Based Settings Rule

HCBS Settings Rule Summary

- In 2014, the Centers for Medicare and Medicaid Services (CMS) announced the Home and Community Based Services (HCBS) Final Rule, or Settings Rule.
- The Settings Rule is a set of rules established by CMS that providers, case managers, and states **must** follow regarding HCBS settings and the person-centered planning (PCP) process.

HCBS Settings Rule General Requirements

- Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS

- Ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint

- Optimizes individual initiative autonomy, and independence in making life choices

- Facilitates individual choice regarding services and supports, and who provides them

HCBS Settings Rule Residential Agreements

- A member's agreement and/or a residential agreement does not have the legal authority to permit a provider to not comply with federal rule. The Settings rule is a federal rule.
- The provider does not have the legal authority to bypass/waive the requirements outlined in The Settings rule. The Settings Rule **is the default** that must be followed.

HCBS Settings Rule Health and Safety Modification

- The state ensures that any modification of the HCBS Settings qualities and conditions is supported by a member's specific assessed need, justified and employed on an individual basis in the person-centered service plan, established through a Health & Safety Modification.
- The H&S modification must not be used to address preferences/needs of a provider or member's family and that modifications to the settings criteria are limited only to a specific assessed member need as opposed to a blanket modification.

HCBS Settings Rule Resources

DPHHS' website dedicated to Home and Community Based Services. The website outlines the Settings Rule, provides training resources and key facts.

<https://dphhs.mt.gov/hcbs>

SDMI Administrative Rule which includes the requirements of the Settings Rule.

[ARM 37.90.406 SDMI Provider Requirements](#)



Questions?

Stay Informed

Provider qualifications

General SDMI
provider
requirements

ARM 37.85.401-.416

SDMI service-
specific provider
requirements

ARM 37.90.401-.463



Questions?

Referral Updates





Enrollment List Data

Information on the SDMI Enrollment List

- a. There are over 500 individuals on the SDMI enrollment list.
- b. There are over 25 approved referrals for the SDMI program per month.

We have identified a variance between the initial reported referrals and the actual approved referrals processed by Mountain Pacific from September 2025 forward. This will be reflected as an increase to individuals on the wait list and the average volume of approved referrals received each month.

Information on enrollment requests

The OPA is working to process 64 new enrollment financial assessments for applicants.

The program's goal is to continue pursuing enrollment evaluations until the enrollment list is exhausted, all new referrals have been evaluated and/or the program meets capacity.

Financial
Assessments
for Applicants



Enrollment
List

The program continues to evaluate opportunities to create efficiencies on the enrollment list process.



Provider
Questions

We will have more information
in coming months regarding
enrollment data including the
types of placements
(community or residential
habilitation)

Provider Question

Where can **applicants and Medicaid recipients** receive assistance with the Office of Public Assistance's financial eligibility process?

- Call the Montana Public Assistance Helpline at 1-888-706-1535 to find the nearest OPA.
- Reach out to their local Office of Public Assistance.

Applicants and Medicaid recipients are encouraged to create an online account through the OPA website apply.mt.gov

Answer a few questions to see if you may qualify for food, heating, medical, or cash assistance.	Am I Eligible?
Apply for food, heating, medical, or cash assistance.	Apply for Assistance
View details about your case.	Check My Benefits
View mail for your case.	My Mail
Report a change or renew benefits for your case.	Report Change & Renew

SDMI Provider Education

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