

# Provider Bulletin

Molina Healthcare of New Mexico, Inc.

July 25, 2024

**Dear Provider,**

**Molina Healthcare received the following update from the state regarding the CMS Home and Community-Based Services (HCBS) Settings Final Rule:**

The Division of Long-Term Service and Supports (DLTSS) is a branch of the Centers for Medicare and Medicaid (CMS). The DLTSS is responsible for analyzing and evaluating Medicaid community-based long-term care services.

The DLTSS is contracting with New Editions (NE) Consulting Inc to examine the states' compliance with the CMS Home and Community-Based Services (HCBS) Settings (Final) Rule.

NE will be in New Mexico in September 2024 conducting site visits to assess provider adherence to this rule. Here's what we know so far:

- Prepping for site visits:
  - NE will visit 4-6 settings in New Mexico.
  - Each setting will need to provide each served member's person-centered service plan (PCCP), member agreements (including lease agreements), and staff training materials.
  
- Process for NE's onsite visit:
  - NE will tour the setting.
  - Interview direct support staff.
  - Interview individuals receiving services.
  - Interview management to assess their understanding of the HCBS settings rule.
  - NE will also meet with the State Medicaid Agency to discuss operations and compliance.
  - Community Benefit Medicaid staff will also be present at the visit to observe.
  
- After the visit:
  - NE will issue a report of their final findings.
  - The State Medicaid Agency will have 30 days to provide a written response if necessary.
  - Report will be posted on Medicaid.gov.



How can you be ready if NE comes to visit your service delivery site?

- Make sure each member's PCCP/CCP and member agreement are available on-site.
- Staff members should be ready to discuss person centered planning, how PCCP/CCP's are developed and monitored, and the purpose of the HCBS Setting Rule.
- Confirm all staff members have the required training.
- Be able to explain how staff are trained and monitored.

Examples of questions CMS may be asking:

- Does the setting encourage visitors to be present?
- Is there transportation (public or otherwise) available and do individuals use it?
- Do the setting policies ensure informed choice of the individual?

To review New Mexico's Statewide Home and Community Based Services Transition Plan, which details the HCBS Setting Rule and requirements, please visit <https://www.medicaid.gov/medicaid/home-community-based-services/statewide-transition-plans/index.html>

**Thank you for your commitment to serving Molina Healthcare of New Mexico members and the community!**