

## Additional Documentation Submitted

This site also submitted a PDF of a powerpoint used to train staff on the Settings Rule. This powerpoint is based on a template created and distributed by the Division of Aging. In addition to the powerpoint, the site included the following verbiage:

Dyer Assisted living would like to provide information about a new law called the Settings Rule that will ensure that anyone receiving Medicaid Home- and Community-Based Services, like those individuals receive through the Aged and Disabled or Traumatic Brain Injury Waiver, also sometimes called HCBS waiver services, has the rights of dignity, privacy, and respect in their home and community.

Under this law a recipient of Medicaid HCBS waiver services has the following rights:

1. The right to come and go from the site providing services as they wish;
2. The right to privacy, including things like locking bedroom and bathroom doors, medical privacy, and the right to privacy in communication;
3. The right to being treated with dignity and respect; and
4. The right to be part of your service planning meetings.

If there are reasons why an individual cannot have some of these rights, they need to be documented in the individual's person-centered service plan, which is kept on file with the service provider, and have a valid reason for any changes to those rights.

The Settings Rule will come into full effect on March 17, 2023. A team at the Division of Aging has worked hard on this project and has visited, conducted interviews, and reviewed Medicaid service plans at all Assisted Livings, Adult Day Services, Adult Family Cares, Supported Employment Sites, Structured Day Programs, and Structured Family Care sites to help ensure they are in compliance with the Settings Rule.

If you have any questions, please reach out to [da.hcbssettingsrule@fssa.in.gov](mailto:da.hcbssettingsrule@fssa.in.gov) or you may also ask [redacted], Administrator at [redacted phone number] or Medicaid case manager directly about anything related to the Settings Rule.

This site also had all staff sign off on a notice stating:

**STAFF NEVER IS ALLOWED TO ENTER ANY ROOM WITHOUT KNOCKING AND CONSENT GIVEN!** Period. Should a resident state that they do not mind you just walking in, Management needs to be aware to ensure this is in the resident's service plan. This is non-negotiable if seen one write up given, then termination will follow.

***ONLY TIME ALLOWED TO ENTER WITHOUT CONSENT:***

Resident request services and is documented in the service plan, prior written/oral notice documented in resident care plan, staff has firm suspicion something is wrong, resident calls for help.