

Locks and the HCBS Settings Rule

Privacy and the opportunity to have the same rights and protections as other tenants is part of the Settings Rule.

The setting ensures the individual has privacy in their sleeping or living unit including lockable doors, choice of roommates, and freedom to furnish or decorate the unit.

42 CFR 441.301(c)(4)(v)441.710(a)(1)(v)
441.530(a)(1)(vi)(B)

A workgroup comprised of various stakeholders met and discussed locks in a residential setting where an individual's room is their private living space in depth on April 17, 2018.

The workgroup came to the consensus that having a lock on both the bedroom and bathroom door is the default.

- 1. It is the choice of the individuals when or how they use the lock.**
- 2. Individuals must be able to close and lock their bedroom and bathroom door unless there is a restriction to the individual for health and safety reasons and implemented on a case-by-case basis for an assessed need that has been approved through the appropriate processes and are documented in the person centered plan.**

When installing locking door hardware, locks also need to comply with R432-6, ADA, and the International Fire Code. To be in compliance, lock need to be:

- 1. Equipped with hardware which permits emergency access from the outside,**
- 2. Of the lever type,**
- 3. Operable with one hand,**
- 4. Unlatching by one operation,**
- 5. Fully operable without tight grasping, pinching, or twisting of the wrist,**
- 6. Operable with a maximum force of 5 pounds.**
- 7. Provided with a maneuvering clear space on both sides complying with ADA 404.4.2.**

Submit any questions to HCBSSettings@utah.gov

