

# HCBS Settings Rule: 2022 Compliance Timeline Update

On July 14, 2020 the Centers for Medicare and Medicaid Services (CMS) issued the Home and Community-Based Settings Regulation – Implementation Timeline Extension and allowed states an additional year to come into compliance with the Home and Community Based Services (HCBS) Settings Rule. The new compliance date for state's is March 17, 2023.

In light of this updated timeline, there has been some confusion of what the expectations are for settings/providers to demonstrate compliance with the HCBS settings rule criteria.

**Each Setting must be compliant with the HCBS Settings Rule by August 31, 2022\*.**

*\* Note: If your setting has an approved remediation plan with a timeline beyond August 31, 2022, the State will honor that already approved timeline.*

## **Why does each setting need to be compliant with the HCBS Settings rule by August 31, 2022?**

Each Setting must go through a thorough process to demonstrate compliance

- Review the [HCBS Settings Compliance Activities Flow](#) for all the steps required of a setting
- Once a setting completes all tasks on their approved remediation plan, it is the responsibility of the State to validate its compliance by March 17th, 2023; this step requires time to conduct a comprehensive review of the setting
  - There are times that settings may require multiple reviews by the State when the validation review process finds areas that the setting is not compliant in; additional time is required to conduct these additional reviews
- If at any time the setting determines they are unwilling or unable to come into compliance with the Settings Rule, the State requires time to transition the individuals served at that setting to HCBS compliant settings of their choice

**If you do not know the status of your setting, please reach out immediately to [HCBSSettings@utah.gov](mailto:HCBSSettings@utah.gov). The settings team is available to answer any questions or concerns you may have.**

Find additional resources at <https://medicaid.utah.gov/ltc/hcbstransition/>