

Public Comment Summary

In response to the formal public comment period, four major changes were made to statewide transition plan:

1. The plan was modified to specify how individuals receiving HCBS services will be involved in the assessment and ongoing monitoring processes of settings where they receive service.
2. The plan was modified to reflect that a determination of whether a setting possess the HCBS characteristics will be made based upon the on-site evaluation and acknowledges that integration is a product of individual experiences rather than a physical location.
3. The plan was modified to eliminate the reference to settings “presumed to have the qualities of an institution” to those presumed to have the “effect of isolating individuals”.
4. The plan was modified to address technical changes and provide administrative efficiencies.

In response to the formal public comment period, the following recommendations did not result in changes to statewide transition plan:

1. Adopt new language that maintains congregate settings as viable, creative “solutions of choice”.
2. Formal recognition of the legal rights of parents/legal guardians in the entire process
3. Recognize the accumulated experience, insight, and inherent authority of the State Legislature in the process.
4. Retain the current non-residential integrated day and employment services model.
5. Exclude specific settings from either being subject to the heightened scrutiny process or being given the opportunity to furnish evidence of compliance with the regulation.
6. Provide adequate funding, training, and staffing is needed to implement the changes.
7. Retain flexibility and choice of settings options, based on individuals’ person-centered plans
8. Age restricted admission policies create segregated settings.