



Date: February 28, 2025

To: Home and Community Based Services Stakeholders

From: Rebecca de Camara, Medicaid and Health Services Executive Director/Medicaid State Director

Subject: Montana Home and Community Based Services Heightened Scrutiny Package Submittal

This memo is to inform you that the Montana Department of Public Health and Human Services (DPHHS) will submit a Home and Community Based Services (HCBS) Heightened Scrutiny (HS) Evidentiary Packet to the Centers for Medicare and Medicaid Services (CMS) on or before March 31, 2025.

As part of the HCBS Final Rules, CMS defined settings presumed not to be home and community-based and will need to undergo HS. These settings include: 1) settings that are located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, 2) settings that are in a building located on the grounds of, or immediately adjacent to, a public institution, 3) any other settings that have the effect of isolating individuals receiving Medicaid HCBS from the broader community.

For settings presumed not to be home and community-based, states must present evidence of their home and community-based characteristics to CMS to determine if the setting has the qualities of a home and community-based setting and does not have the qualities of an institution and, therefore, can begin providing waiver services to individuals receiving Medicaid HCBS. Public comment on each setting is an important part of the home and community-based evidence package.

A summary of HS-7 (Montana's seventh HS setting), a description of their home and community-based characteristics, and the reason the setting requires HS can be found at <https://dphhs.mt.gov/SLTC> and <https://dphhs.mt.gov/hcbs>.

We invite your comments and questions postmarked **through March 30, 2025**. You may direct comments or request a hard copy from Carla Rime, Medicaid State Plan Amendment and Waiver Coordinator, at (406) 444-2584 or CRime2@mt.gov; or Director's Office, PO Box 4210, Helena, MT 59604-4210.