59G-13.075 Home and Community Based Services Settings.

(1) This rule applies to all settings where Florida Medicaid waiver services are rendered to individuals enrolled in home and community-based service (HCBS) waiver programs authorized under Sections 1915(c), 1915(i), and 1915(k) of the Social Security Act.


(4) Settings where HCBS services were rendered prior to March 17, 2014, and that are determined to be noncompliant with the HCB Settings Rule through site-specific assessment, must remediate deficiencies in accordance with a plan of remediation developed by the provider and agreed upon by the Agency or its designee.

(5) Settings that fail to comply with the HCB Settings Rule will be ineligible to participate in the provision of HCBS to Florida Medicaid recipients. The State must be in compliance with the HCB Settings Rule by March 17, 2022, in accordance with the Extension Period for Compliance with the home and Community-Based Settings Criteria informational bulletin, incorporated by reference available at http://www.flrules.org/Gateway/reference.asp?No=Ref-10079 and available on CMS’ Web site at https://www.medicaid.gov/federal-policy-guidance/downloads/cib050917.pdf.