



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Larry Hogan, Governor - Boyd Rutherford, Lt. Governor- Van Mitchell, Secretary

To: DDA Licensed Service Providers
Office of Health Care Quality

From: Bernard Simons
Deputy Secretary
Developmental Disabilities Administration

CC: DDA Headquarters and Regional Offices

Date: August 14, 2015

Re: Group Home Moratorium

As you know, the Developmental Disabilities Administration (DDA) is required to implement the Centers for Medicare and Medicaid Services (CMS) Community Rule. That Rule requires that individuals receiving long-term services and supports through home and community-based service (HCBS) programs under the 1915(c), 1915(i) and 1915(k) Medicaid waivers must have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate. The DDA's Community Pathways Waiver is under the 1915(c) federal authority. To transform current practices to align with the federal rule and create a flexible person-centered system of supports, DDA is imposing a moratorium on new development on group homes for adults with developmental disabilities, effective August 14, 2015.

DDA will continue to support new community residential living arrangements of no more than four individuals. Expansion of larger group home capacity or continuation of funding in such settings is inconsistent with national trends in terms of individual choice and fiscal efficiency. It is my sincere hope that we continue to lead our State in this arena by providing individuals with developmental disabilities the opportunity to live in the most individualized setting possible. Serving people in their home provides them and families maximum choice to be a valued member in their community.

CMS indicates that states may use their transition plan to "establish that certain settings currently in use in a home and community-based services waiver may continue within the waiver, as long as they will be able to meet the minimum standard set in the rule on or before the end of the transition period, but the state may suspend admission to the setting or suspend new provider approval for those settings." At the same time, "the state may establish new or existing models of service that more fully meet the state's standards for home and community-based services. Therefore, DDA will form a task force to review and design a "tiered standard" for the State of Maryland.

If you have any questions regarding this memorandum, please contact Patricia Sastoque, Deputy Director for Programs at 410-767-5567.