



## **Community Rule Grievance Process Fact Sheet**

### **Home and Community Based Services Waivers**

#### **Background**

A federal rule—the Community Rule—requires home- and community-based services (HCBS) covered by Medicaid HCBS waivers to be provided in settings that meet certain criteria. The Community Rule ensures that HCBS waiver participants have access to the benefits of community living, and that they live and receive services in integrated, non-institutional settings.

The Community Rule applies to

- The participant’s home—that is, where the waiver participant lives, and
- Other settings where participants receive services. This could include where a waiver participant works or goes to a day program.

The following lists describe some features of home or other settings that comply with the Community Rule.

#### **Characteristics of the Home**

- It’s part of the community.
- You can be active in the community.
- You can go into the community when you want to.
- You can choose your roommates.
- You can decorate how you choose.
- You have legal protections relating to eviction.
- You can access all shared living space in the home.
- You have privacy and can lock your bedroom door.
- You can have visitors when you want.
- You decide your schedule.
- You can eat when you want.
- You can spend your money how you want.
- You can interact with people with and without disabilities.

#### **Characteristics of Other Service Settings**

- It’s part of the community.
- You can be active in the community.
- You can go into the community when you want to.
- You choose whether you want to work and where.
- You have input on hours and schedules.
- You can choose to volunteer.
- You can interact with people with and without disabilities.

An HCBS waiver participant may file a grievance with the state if they believe that one of their settings does not have these characteristics.

To report a setting that you believe does not comply with the Community Rule, you may:

- Visit the website at [www.mass.gov/info-details/community-rule-grievance-process](http://www.mass.gov/info-details/community-rule-grievance-process), fill out the Community Rule Grievance Form, and email it to us at [CommunityRuleGrievance@mass.gov](mailto:CommunityRuleGrievance@mass.gov), or
- Call us at (617) 573-1751