



Home and Community Based Services Settings Community Rule

What is the Home and Community Based Services (HCBS) Settings Community Rule?

The Community Rule is a federal rule that ensures 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 requires that home and community-based service locations (known as “settings”) meet certain qualifications. Under this rule, all settings must:

- Be part of the broader community and support full access to community life
- Be chosen by the individual from a range of available options
- Respect each person’s privacy, dignity, and freedom from coercion and restraint
- Support each person’s independence and ability to make their own life choices
- Offer meaningful choice in services and who provides them

There are additional requirements for service locations where individuals live that are owned or operated by a service provider. In these homes, individuals must:

- Have a lease or other legal agreement that protects their rights as tenants
- Have privacy in their own living space, including lockable doors, choice of roommates, and the freedom to furnish or decorate their space
- Be able to control their own daily schedules, including access to food whenever they choose
- Be able to have visitors at any time
- Live in homes that are physically accessible

Other important information about the HCBS Community Rule.

If any of these requirements need to be adjusted in a provider-owned service location, the change must be based on the person’s specific needs and clearly documented in the person-centered service plan.

If an HCBS waiver participant in Massachusetts believes that one of the settings where they live or where they receive services does not comply with the Community Rule, they may file a grievance with the state.

To learn more about this rule or to file a grievance, please visit www.mass.gov/HCBSCommunityRule.