

## Public Notice Summary

### Heightened Scrutiny Review Requests

#### Background

In 2014, the Centers for Medicaid and Medicare Services (CMS) issued its [final rule](#) regarding settings for home and community-based services (HCBS) offered through home and community-based waivers, which include the Assisted Living Waiver and the PASSPORT Waiver. This rule was established to ensure Medicaid's HCBS programs provide individuals full access to the benefits of community living and offer services in the most integrated settings no matter where an individual resides.

#### Heightened Scrutiny Review

For settings that are presumed not to possess the required home and community-based (HCBS) characteristics, the state may submit evidence to CMS requesting a [heightened scrutiny review](#).

- The request must include sufficient evidence to demonstrate the setting does not possess the characteristics of an institution and evidence a public comment period has been held to obtain public input on the identified settings.

#### New settings seeking ODA-Certification to furnish the assisted living waiver service

The Ohio Department of Aging received applications from three licensed residential care facilities seeking to provide Medicaid-funded assisted living services:

<b>Name of Setting</b>	<b>County</b>	<b>City</b>
Canal Winchester Care Center	Franklin	Canal Winchester
Diversicare of St. Theresa, LLC	Hamilton	Cincinnati
Van Wert Manor	Van Wert	Van Wert

Each setting was presumed to be institutional. An on-site precertification review of each setting was conducted in accordance with Chapter 173-39 of the Administrative Code, including a review of whether the setting meets the HCBS setting requirements and collecting additional evidence to determine if the setting can overcome the institutional presumption.

**The State has determined there is enough evidence to demonstrate these three settings possess the required home and community-based characteristics and do not have institutional qualities.**

## **Public Input Requested**

The state is posting the evidence packages for the public's review and comment prior to submitting the heightened scrutiny review requests to CMS.