



POLICY MEMO

POLICY MEMO NUMBER: HCPF PM 18-004

TITLE: HCBS SETTINGS FINAL RULE—ANNOUNCEMENT OF FAQ PART III

SUPERSEDES NUMBER: N/A

ISSUE DATE: NOVEMBER 15, 2018

EFFECTIVE DATE: NOVEMBER 15, 2018

**DIVISION AND OFFICE: POLICY, INNOVATION, AND ENGAGEMENT DIVISION,
OFFICE OF COMMUNITY LIVING**

PROGRAM AREA: HCBS WAIVERS

APPROVED BY: BONNIE SILVA, INTERIM OFFICE DIRECTOR

**KEY WORDS: HOME AND COMMUNITY-BASED SERVICES SETTINGS FINAL
RULE, HCBS, FREQUENTLY ASKED QUESTIONS, FAQs, LEASE, RESIDENTIAL
AGREEMENT**

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Purpose and Audience:

The purpose of this Policy Memo is to inform providers, case managers, and other stakeholders of the issuance of guidance regarding the [Home and Community Based Services \(HCBS\) Settings Final Rule](#).

Background:

On January 30 and June 21, 2018, the Department published responses to frequently asked questions (FAQs) regarding general requirements of the HCBS Settings Final Rule and miscellaneous aspects of its implementation ([FAQ Part I](#); [FAQ Part II](#)). The Department stated that separate FAQs would address the requirement of a lease or other written agreement providing protections against eviction.

Information/Policy:

FAQ Part III, published today as an attachment to this Policy Memo, addresses the requirement of a lease or other written agreement providing protections against eviction. Individuals receiving HCBS, as well as their family members, friends, and advocates, are invited to read today's FAQ. Providers and case management agencies serving HCBS participants are required to read and comply with today's FAQ.

Attachment(s):

FAQ Part III

Department Contact:

Inquiries regarding the FAQs may be sent to the following shared inbox:
hcpf_ptp@state.co.us.