



## Department of Health

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Commissioner

**SALLY DRESLIN, M.S., R.N.**  
Executive Deputy Commissioner

July 5, 2016

**DAL:** 16-15

**Subject:** 2016 Assisted Living Program  
Home and Community Based Settings Rule  
Self-Assessment

Dear Assisted Living Program Administrator/Applicant:

The federal Department of Health and Human Services promulgated the Home and Community Based Settings (HCBS) Rule, effective March 17, 2014. The HCBS Rule requires the New York State Department of Health (Department) to ensure the residential setting of an Assisted Living Program (ALP) meets the established requirements set forth in the Rule. Compliance with this Rule must occur by **March 31, 2019**.

Information on the federal HCBS Rule is located at:

[http://www.health.ny.gov/health\\_care/medicaid/redesign/home\\_community\\_based\\_settings.htm](http://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm)

The 2016 ALP HCBS Self-Assessment was designed by the Department in conjunction with internal and external stakeholders to evaluate compliance with the federal HCBS Rule, which is applicable to all settings providing community based services to Medicaid recipients. By completing the Self-Assessment, ALP providers will be able to determine their level of compliance. The Department will use the results to develop education, training programs and guidance documents to facilitate full compliance with the federal HCBS Rule by the March 31, 2019 deadline.

The Self-Assessment must be completed by every ALP provider, or any adult care facility currently seeking licensure as a new ALP. It is anticipated that at the time of submission, some ALP providers may not be fully compliant with all of the requirements of the HCBS Rule. Rather, the Self-Assessment is a snapshot of your current level of compliance. Post assessment, the Department will provide further training, education and guidance to ALP providers so that they may become compliant by the March 31, 2019 deadline.

The Self-Assessment can be accessed on the Health Commerce System (HCS) effective **July 5, 2016** at the following link: <https://commerce.health.state.ny.us>. On the HCS Home Page, click "My Applications" → click "HERDS" → click "Data Entry" and then "Select an Activity" → 2016 ALP HCBS Self-Assessment. **Note: Faxed or printed copies will not be accepted.**

## Instructions for Completing the Self-Assessment

- The 2016 ALP HCBS Self-Assessment is due to the Department by **5PM July 29, 2016**.
- Responses to the Self-Assessment should reflect the setting in which ALP services are provided. Questions pertaining to residents should reflect those residents receiving ALP services.
- Responses other than “yes” indicate areas that require follow-up to achieve compliance with the federal HCBS Rule.
- The “Comments” sections provide space for further information or explanation and is limited to 500 characters.
- All required fields (red asterisk) must be entered before the Self-Assessment form can be saved. Otherwise, data may be lost.
- Although data may be entered by individuals who are designated in the Communications Directory as HCS Coordinators, Data Reporters, or Administrators of the adult care facility, the Self-Assessment must be reviewed, electronically signed and submitted by the Administrator.

Any questions regarding the Self-Assessment can be addressed to [ACFHCBS@health.ny.gov](mailto:ACFHCBS@health.ny.gov). Thank you for your anticipated cooperation in this matter.

Sincerely,

Valerie A. Deetz, Director  
Division of Adult Care Facilities and Assisted Living  
Surveillance