



Access to Food Fact Sheet for Home and Community-Based Services (HCBS) and Settings

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Authority: [42 CFR 441.301\(c\)\(4\)\(vi\)\(C\)](#), [42 CFR 441.710\(a\)\(1\)\(vi\)\(C\)](#), and [42 CFR 441.530\(a\)\(1\)\(vi\)\(C\)](#)

In a provider-owned, controlled, or operated residential setting:

There are new Federal Medicaid rules. These rules are about Home and Community-Based Services (HCBS) and settings. Under the new rules, you have the freedom and support to have access to food at any time.

In Oregon this means:

If you live in a provider-owned, controlled, or operated residential setting you may have access to food at any time. You are not limited to specific mealtimes.

Access to food includes when and where you would like to eat and choices of foods you want to eat.

Providers are expected to support you with your access to food. Your assessed support needs, preferences, and goals will guide the support you receive.

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Examples of support to you may include:

- Assisting with budgeting and shopping so you may have personal foods.
- Assisting you to safely store personal foods, such as snack items.
- Providing alternative food choices when the main meal option is not preferred, or when you do not eat at a standard meal time (such as reheatable meals, or meals to go like bag lunches).
- Assisting you with healthy eating choices without controlling or discounting your preferences.

In most settings, you pay room and board. This includes payment for three nutritious meals and two snacks per day. Providers must make efforts to provide meals that are in line with community standards for home-based meals and consider the culture and preferences of the individuals living in the setting.

Providers do not have to provide food items that are very costly or difficult to prepare.

The federal rules allow for a transition period for states to fully comply with the new rules. For additional fact sheets or more information regarding the Oregon HCBS Transition Plan, please visit the [HCBS Transition Plan webpage](#).

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