



Freedom and Support to Control Own Schedules and Activities 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\(a\)\(1\)\(vi\)\(C\)](#),
[42 CFR 441.530\(a\)\(1\)\(vi\)\(C\)](#) and [OAR 411-004-0020\(2\)\(i\)](#)

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 control your own schedule and activities.

In Oregon this means:

If you live in a provider-owned, -controlled, or -operated residential setting you have the freedom and support to control your own schedule and activities.

This means you can decide how you want to spend your day both inside and outside of the place you live. Here are some examples.

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Inside you can choose:

- When you get up and when you go to bed
- Your schedule for baths and other care
- When you do crafts, talk on the phone, read, watch television and any other activities
- When, where and with whom you eat your meals

Outside you can choose to:

- Leave when you want
- Go where you would like
- Return at any time

If you miss a meal because you slept in or were out during the regular mealtime, you can have a replacement meal when you return or get up. If you are out all day, only the last meal missed will be replaced.

Providers will support you by planning and working with you based on your preferences.

There may be times that your assessed needs provide reasons to consider limits regarding your schedule or activities. Limits will not be used without your (or your legal representative's) informed consent. Limits will only be used when there is a health or safety risk.

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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