

Fact Sheet – Memory Care Settings

Guidance from the federal Centers for Medicare and Medicaid Services:
[FAQs published 12/15/2016](#)

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

Federal Medicaid rules are now in place. These rules are about Home and Community-Based Services (HCBS) and settings. Under the new rules, you have the same freedoms and rights as those not living in Memory Care settings.

In Oregon this means:

You have been told about your options. You can get care in your own home. Or you can choose another type of care setting.

If you or your legal representative has chosen a Memory Care setting:

- You must have regular access to the broader community.
- You cannot be isolated from the broader community.

If you live in a Memory Care setting you can:

- Lock your bedroom or unit door
- Decorate or furnish your unit or room
- Have a choice of roommate when sharing a room
- Access food at any time
- See visitors at any time you wish

- Control your own schedule and activities
- Be free from restraints

There may be times that your assessed needs provide reasons to consider limits regarding one or more of these freedoms or rights. 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.

Most people will choose a Memory Care setting for the safety and security a locked setting can provide. The security measures may protect you from leaving alone and getting lost or hurt. But if you can leave and understand the risks, you must be allowed to leave.

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 request a copy of the plan from hcbs.oregon@odhs.oregon.gov.

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Aging and People with Disabilities at apd.ltss@odhs.oregon.gov or [503-945-5600](tel:503-945-5600). We accept all relay calls.



Aging and People with Disabilities

Long-Term Services and Supports

500 Summer St. NE, E-10

Salem, OR 97301-1076

503-945-5600

odhs.info@odhs.oregon.gov

www.oregon.gov/odhs