



Provider Owned, Controlled, or Operated Residential Setting Fact Sheet for Home and Community-Based Services (HCBS) and Settings

Updated: March 19, 2026

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

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. There are specific requirements for provider-owned, controlled, or operated residential settings.

In Oregon this means:

A residential setting is provider owned, controlled, or operated when:

- A condition of living in the setting is that you receive services from the provider who owns, controls, or operates the site; and
- Typically, the setting is licensed or certified by a State or County program.

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These settings include, but are not limited to:

- Group Homes
- Foster Homes
- Assisted Living Facilities
- Residential Treatment Homes

These settings do not include:

- Your own home
- Family member's home where you live

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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