



Visitors Fact Sheet for Home and Community-Based Services (HCBS) and Settings

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

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. These rules let you decide who you want to visit you. These rules also say that your visitors can come at any time you want.

In Oregon, this means:

If you live in a provider-owned, controlled, or operated residential setting:

You can choose who visits you and you can choose when they visit.

- Providers must support your right to have visitors any time you choose.
- Providers must allow you to have people visit you in your living unit or in common areas.
- When you share your household with others, the preferences of others must also be respected.

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- There may be limits on the amount of time a visitor can stay based on a rental agreement or other agreement.

Providers can put procedures in place to support your health and safety. The procedures must be reasonable. The procedures must not prevent you from having visitors.

Here are two examples:

- Providers may have your visitor check-in when they come to visit you.
- Providers may help you plan after-hours visits.

There may be times that your assessed needs provide reasons to consider some limits to having visitors. 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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