



## Fact Sheet: Settings Rule and Visitors

### Description

Under the new Medicaid rules about Home and Community Based Services (HCBS) and settings, participants must be able to have visitors of their choosing at any time, in settings where waiver services are provided.

### Basic Requirements

In a provider-owned, controlled, or operated residential setting, a participant should have the opportunity for private visits with family and friends at any time, day or night, in comfortable areas in the home.

### Special Considerations

There may be times when care needs require limitations or restrictions to ensure health, safety and welfare. Limitations or restrictions will not be used without the informed consent of the participant or their legal representative. It's important to understand why limits or restrictions are imposed, when they will be reviewed for continued relevancy, and how those limits or restrictions reduce the risk of harm. Any limitation or restriction must be clearly documented in the Plan of Care.

A limitation or restriction can only be placed if:

1. There is a documented evidence-based need to protect from potential harm;
2. All less restrictive interventions have been tried;
3. A process of review has been established to determine a continued need for the limitation or restriction;
4. The participant's Plan of Care verifies the need, attempted less restrictive interventions and scheduled reviews to support continuation.

### Contact/Resources

Email [dstdscompliance@alaska.gov](mailto:dstdscompliance@alaska.gov) or go to the [Alaska HCBS Settings website](#).