

Now Available: Home and Community-Based Services (HCBS) Rule Assessments Licensing Results for Fiscal Year 2021-2022

ODP Announcement 23-065

AUDIENCE:

All interested stakeholders

PURPOSE:

The purpose of this communication is to inform all interested persons of the availability of the second annual report that assesses provider compliance with the federal HCBS Rule for the Office of Developmental Programs (ODP).

DISCUSSION:

As part of ODP's commitment to ensuring compliance with the federal Home and Community-Based Services Rule, the second annual report containing results from licensing inspections is now available at [Home and Community Based Services Rule Assessments Report 2021-2022 \(www.dhs.pa.gov\)](https://www.dhs.pa.gov). The *HCBS Rule Assessments* report contains data gathered during licensing inspections completed by ODP in Fiscal Year 2021-2022.

In 2021, ODP produced the first annual HCBS Rule licensing report, [dhs.pa.gov \(Licensing Report FY2021\)](https://www.dhs.pa.gov), for the period July 1, 2020 to June 30, 2021. In addition to providing detailed results about compliance with the HCBS Rule, this second annual report compares the findings in the previous report to the findings for Fiscal Year 2021-2022 to determine whether and how the findings had changed.

- The most common violations in Fiscal Year 2021-2022, in Chapters 2380, 6400, and 6500 facilities were largely identical to those found in Fiscal Year 2020-2021.

- Failure to inform of and explain individual rights was the most common Chapter 2390 violation in both FY 2020-2021 and FY 2021-2022, although there was a significant increase in violations relating to staff training in Fiscal Year 2021-2022.
- The distribution of number of violations were comparable in Fiscal Year 2021-2022 in that 90% of locations had no HCBS Rule violations, 8% had 1 violation, 1.7% had 2 violations and the remaining 0.3% had 3 or more violations.
- Comparison of findings from Fiscal Year 2020-2021 show that HCBS Rule compliance generally improved or remained the same in Fiscal Year 2021-2022, in home and facilities licensed under 55 Pa. Code Chapters 2380, 6400, and 6500.

A summary of the Home and Community-Based Services Rule and all assessments and reports, including both licensing reports, completed by ODP to date are available at [ODP-HCBS Final Rule \(pa.gov\)](#).

CONTACT:

Questions about this communication should be directed to ra-odpcomment@pa.gov.