



Frequently Asked Questions

Provider owned/controlled residential settings

1) **Why do I need to have a lease?**

A legally enforceable tenant/residency agreement is required to ensure the individual has the same legal protections as any other individual renting an apartment or room in the Commonwealth.

2) **What if we cannot allow for locking doors for safety/health reasons?**

This would be considered a modification to an HCBS right. Any modifications to HCBS rights must be connected to a specific need in the ISP. All modifications must be individualized and tailored for the individuals' specific health and safety needs. Modifications should be documented in the ISP Part V on the Safety Restrictions form. Modifications are only allowable for the HCBS rights associated with provider owned/controlled residential settings. The general HCBS rights for all settings cannot be modified.

3) **What about individuals who live in rural settings? Does this automatically mean that rural settings are isolating?**

Not automatically. Individuals with disabilities who live in and receive HCBS services in a rural area must have the same opportunity for community integration as people without disabilities in that community.

FAQs for Individuals and Families

4) **I live in a household with other people but I like to eat alone or at different times than my housemates. Do I have to eat at the same time and place as everyone else?**

You have a choice in when you eat your meals. You may need to communicate with your provider about your where, when and what you want to eat so that your needs and wants can be met. With rights come responsibilities. If you choose to eat your dinner in your bedroom, or on a picnic table in the back yard, you have the responsibility to clean up after yourself.

5) **I dislike certain foods that are served in my home. Can I make the provider buy me the foods that I want to eat?**

Your preferences and wishes should be taken into account. You may want to participate in meal planning with your provider and housemates so that they know what you like and don't like. In a group setting not all individual preferences can be satisfied at each meal. Your provider should give you options and alternatives.

6) **What does "manage my personal resources" mean?**



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Managing your personal resources means having access to your money and freedom over how you use your money. Unless legally restricted, such as being required to have a representative payee, you have the autonomy and responsibility to control your own resources. Depending on your preferences or needs the amount of support you need to manage your resources should be addressed in your person-centered plan. Your team and those that support you may help you in prioritizing how you spend your money and assuring that necessities such as room and board, or rent and groceries are addressed before other purchases.

7) Can a provider remove a lock because the individual is constantly locking themselves out of their room and losing their key?

No, unless the individual has an individually based modification, a provider cannot remove a lock. This must be addressed through the person-centered planning process and must be consented to by the individual and/or their legal representative. The individual could be asked to cover the cost of replacing the keys when lost.

8) Can an individual choose not to lock their door for any reason?

Yes, an individual receiving HCBS has the right to privacy in their bedroom or living unit. Individuals also have the right to choose not to lock their doors. The individual's choice does not absolve the provider of the responsibility of providing locks on entrance doors to individual bedroom or living units; it merely allows the individual to exercise their right to privacy and personal choice.