

July 1, 2015

Secretary Sylvia Burwell  
Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

*Via Electronic Mail*

Dear Secretary Burwell,

We are a coalition of disability and aging organizations that support the rights of people with disabilities and older Americans to live and fully participate in their communities. We strongly support the Department's Home and Community Based Services (HCBS) Settings Rules and believe their implementation by states is critical to furthering the Administration's goals articulated by the President in his "Year of Community Living" and its strong *Olmstead* enforcement activities.

We are writing to thank you for your leadership on the implementation of these rules. In particular, we were pleased with the release of the most recent guidance, "FAQs: Home and Community-based Setting Requirements, June 26, 2015." A range of stakeholders – from state agencies to providers to Medicaid HCBS participants and their families – are engaged in the development of transition plans to bring states' systems into compliance. This most recent FAQ addresses many of the most common questions we have heard from stakeholders in the field, and we believe it provides much needed guidance that will help the transition process in states move forward more smoothly. While we recognize that policy changes of this magnitude are not easy and that different stakeholders may have different perspectives, the most powerful tool to maintain forward movement is information.

As our coalition has discussed in meetings with the Centers for Medicare & Medicaid Services and the White House Domestic Policy Council, the HCBS Settings Rules have implications across a number of federal agencies. We understand that this FAQ represents a concerted and collaborative effort among CMS, the Administration for Community Living, the Office of Civil Rights and the Department of Justice. We commend your office for encouraging and supporting this collaboration.

Thank you again for your leadership. We offer our continued support to HHS' strong implementation of these rules.

Sincerely,

American Network of Community Options and Resources (ANCOR)  
Association of People Supporting Employment First (APSE)  
Association of University Centers on Disabilities (AUCD)  
Autistic Self Advocacy Network (ASAN)  
Bazelon Center for Mental Health Law  
Coalition to Promote Self-Determination (CPSD)  
Justice in Aging (formerly the National Senior Citizens Law Center)  
National Association of Councils on Developmental Disabilities (NACDD)  
National Consumer Voice for Quality Long-Term Care  
National Disability Rights Network (NDRN)  
National Down Syndrome Congress  
National Health Law Program (NHeLP)  
TASH  
The Arc of the United States

Cc: Carole Johnson, White House Domestic Policy Council  
Maria Town, White House Office of Public Engagement  
Vicki Wacchino, Centers for Medicare & Medicaid Services  
Alissa Deboy, Centers for Medicare & Medicaid Services  
Sharon Lewis, Administration for Community Living  
Jocelyn Samuels, Office of Civil Rights  
Eve Hill, Department of Justice  
Aaron Bishop, Administration on Intellectual and Developmental Disabilities