



Medicaid Funding for Long-Term Services and Supports: Minimum Criteria for a Setting to Be Considered “Community-Based”

For purposes of Medicaid funding for long-term services and supports, it is the position of the Assisted Living Consumer Alliance (ALCA) that a congregate living facility must meet the following minimum criteria to be considered a community-based setting. Facilities not adhering to the criteria identified below are fundamentally institutional in nature and should not be considered community-based settings eligible for Medicaid Home and Community-Based Services waiver funding or other similar funding.

Note: Although these criteria do not focus on the services to be provided in such settings, it is ALCA’s position that facilitating residents’ engagement with and participation in the community is an essential component of services provided in home and community-based settings.

Minimum Criteria:

1. The unit/room must be a specific physical place that can be owned or rented by the person receiving services, and the person must have, at a minimum, the same protections from eviction that the state’s tenants have under landlord/tenant law.
2. Each resident must have privacy in the unit.
 - Units must have lockable entrance doors, with appropriate staff having keys to doors.
 - Residents should share units only at the residents’ choice.
 - Unless residents sharing a unit are spouses or partners, each resident must have an individual bedroom.
 - Residents must have the freedom to furnish and decorate their living units.
3. Residents must have the freedom and support to control their own schedules and activities, and must have access to food at any time.
4. Residents must be able to have visitors of their choosing at any time.

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