



Criteria to identify settings located in and adjacent to institutions

DHS identified each HCBS setting that meet the definition of “in” a public or private institution, or “adjacent” to a public institution through the HCBS provider attestation, geo-mapping and public input. An institution is one of the following:

- Hospital
- Nursing facility
- Intermediate care facility for people with developmental disabilities (ICF-DD)
- An institution for mental disease (IMD)

The definition of a setting located “in” a **public or privately** owned hospital, nursing facility, ICF-DD or IMD is as follows:

- The setting shares an address **or**
- The setting shares a common wall with a hospital, nursing facility, ICF-DD or IMD.
 - Settings that are physically connected to an institution in any manner are considered to have a common wall and therefore meet the definition of “in an institution.” Providers vary greatly in the way these physical connections are configured. In order to apply a consistent standard, all HCBS providers with any physical connection to an institution will be considered “in an institution.”

The definition of a setting located “adjacent” to a publicly owned hospital, nursing facility, ICF-DD or IMD is as follows:

- “Adjacent” means the setting is next to and abuts a hospital, nursing facility, ICF-DD, IMD or its property.
- “Abuts” means that the setting is contiguous or touching the hospital, nursing facility, ICF-DD, IMD or its property with no intervening parcel of land between the two settings.
- The definition of public: A public institution is an inpatient facility that is financed and operated by a county, state, municipality or other unit of government. A privately owned nursing facility is not a public institution.

Note: Through the on-site visits, HCBS providers will have the opportunity to show that their operations and programs are separate from the institution.