



Settings That Are Not Home and Community Based

For 1915(c) home and community-based waivers, settings that are not home and community-based are defined at §441.301(c)(5) as follows:

- A nursing facility;
- An institution for mental diseases;
- An intermediate care facility for individuals with intellectual disabilities;
- A hospital; or
- Any other locations that have qualities of an institutional setting, as determined by the Secretary. For 1915(i) State plan home and community-based services, settings that are not home and community-based are defined at §441.710(a)(2) as follows:
 - A nursing facility;
 - An institution for mental diseases;
 - An intermediate care facility for individuals with intellectual disabilities;
 - A hospital; or
 - Any other locations that have qualities of an institutional setting, as determined by the Secretary

