



Excerpted language from the federal Centers for Medicare and Medicaid Services Final Rule Effective March 17, 2014 regarding Conflict Free Case Management for Home and Community Based Services (HCBS)

[42 CFR §441.301\(c\)\(1\)\(vi\)](#)

“Providers of HCBS for the individual, or those who have an interest in or are employed by a provider of HCBS for the individual must not provide case management or develop the person-centered service plan, except when the state demonstrates that the only willing and qualified entity to provide case management and/or develop person-centered service plans in a geographic area also provides HCBS. In these cases, the State must devise conflict of interest protections including separation of entity and provider functions within provider entities, which must be approved by CMS. Individuals must be provided with a clear and accessible alternative dispute resolution process.”

Source: U.S. Government Publishing Office, www.gpo.gov

Current as of February 10, 2016