**Section 120.40 Service descriptions**

a) The services covered under the Medicaid HCBS Waiver Programs shall be rendered as specified by the Division, in accordance with a written Personal Plan and Implementation Strategy and shall be designed to ensure the continuity of supports and services for Individuals. HCBS Waiver services, for the purpose of this Part, do not include:

1) Special education and related services (as defined in Section 602(16) and (17) of the Individuals with Disabilities Education Act (20 U.S.C.A. 1400 (2015)) which otherwise are available to the Individual through a local education agency; or

2) Vocational rehabilitation services which otherwise are available to the Individual though a program funded under Section 110 of the Rehabilitation Act of 1973 (20 U.S.C.A. 794 (2018)).

b) HCBS residential habilitation services shall promote the health, safety, and well-being of Individuals receiving such services. These services are designed to assist children/adolescents and adults in acquiring, retaining, and improving skills related to living in the community. These services include, but are not limited to, self-help, socialization, community inclusion, daily living, and adaptive skills necessary to reside successfully in HCBS Waiver settings.

c) Day and employment services are provided to adults enrolled in the Adults with Developmental Disabilities Waiver program and are intended to enhance Individual life skills, community and social skills, work-related activities, and employment skills.

d) HCBS Home Based Support Services (HBS) is an individually designed program of separately-covered services, or assessment of the need for these services, to assist Individuals to live in a private family home or an individually-owned or -controlled home. HBS has a monthly dollar cost maximum set by the Department that will be communicated by an award letter at the time of program enrollment. All services provided must be for the direct benefit of the Individual and must be directly related to their disability. HBS, and the services available within the program, are further detailed at 59 Ill. Adm. Code 117.

e) HCBS Waivers provide a variety of other services and supports to address an Individual's habilitation, mobility, emotional, cognitive, or behavioral needs. The services must be included in the Personal Plan and can be provided in a variety of ways including, but not limited to, direct support and/or treatment, evaluations, intervention strategies, staff training, equipment, environmental changes, and emergency supports. HCBS Waiver services can be combined with State Medicaid Plan services to support an Individual's needs.

(Source: Amended at 48 Ill. Reg. 5279, effective March 21, 2024)