



MEMORANDUM

To: Executive Directors of Pre- Paid Inpatient Health Plans (PIHP) and Community Mental Health Services Programs (CMHSP)

From: Kristen Morningstar, Director Bureau of Specialty Behavioral Health Services
Health Services

Date: April 17, 2025

RE: Home and Community-Based Services (HCBS) Rule Delayed Egress Guidance

The purpose of this communication is to clarify the position of the Michigan Department of Health and Human Services (MDHHS) related to the requirements of the Home and Community Based Services (HCBS) Final Rule regarding the use of delayed egress or alarms systems in settings.

It is the responsibility of MDHHS to ensure that any requirements put forth by the Centers for Medicare and Medicaid (CMS) are implemented statewide.

The MDHHS has confirmed with CMS that the use of a notification system that sounds an alert is non-compliant with HCBS rule. These notification systems include a sound alert mechanism and delayed egress mechanism which is defined below.

Definitions

Sound Alert Mechanism: A sound alert mechanism is any item that makes a noise intended to alert setting staff that a person is entering or exiting the setting. Compliance is not based upon the type of noise, volume, or pleasant vs unpleasant sound. Alert mechanisms include but are not limited to

- Electronic alarms
- Bells or other noise makers on the door or window

Delayed Egress Mechanism: A delayed egress mechanism is any mechanism that impedes an individual's ability to immediately open a door and move around the setting or exit the setting to access the greater community.

The MDHHS Behavioral Health provides the following guidance related to HCBS compliance in settings utilizing delayed egress and/or alarms on doors and/or windows.

- In order to utilize delayed egress and/or alarms on doors and/or windows at least one resident in the setting must have a health or safety need for this requirement in order to be utilized. The following must also be ensured:

- Individuals who do not require the use of a delayed egress mechanism or sound alert must be able to overcome the restriction without assistance from staff if in place for a different resident in the setting. Examples of this would be having the code or a key to open the door/window at will without the sound alert and have the ability to employ it. The identified method to overcome this restriction must be specified in each affected individuals IPOS.
- Individuals who have documented health or safety concern that requires the use of alarms, delayed egress, or other forms of intervention on every door and window, the individual must have an HCBS compliant restriction in their IPOS. When these conditions are met a provisional consultation is not required prior to service provision.
- If the delayed egress or alert feature is not on every exit to the home and exit(s) are accessible to all residents who do not require this restriction and there are no other barriers in place to keep these individuals from freely opening the door and leaving the setting, then it would not be considered a restriction or modification.
- Failure to comply with this requirement will move the setting into a secured or restrictive setting category and will require provisional approval for every participant who moves into the setting.
- This guidance does not restrict the use of security system in place to monitor the safety of staff or residents from outside parties. Settings may continue to utilize security systems that are commonplace on residential homes.

The MDHHS will require full compliance no later than September 30, 2025. Once fully implemented this will become part of the HCBS annual physical review process. Any concerns regarding compliance with this requirement should be reported via email to HCBSTransition@michigan.gov.