

Date: July 1, 2026

DDSD-MFW Numbered Memo 2026-01

To: Medically Fragile Waiver Participants and Medically Fragile Waiver Providers

From: Shannon Culpepper, BSN, RN – Medically Fragile Waiver Program Manager,
Developmental Disabilities Supports Division *Shannon Culpepper*

Subject: Implementation of Human Rights Committee (HRC) in the Medically Fragile Waiver

Purpose

As part of the Medically Fragile Waiver (MFW) renewal effective July 1, 2026, nursing and home health aide agencies will be required to implement Human Rights Committee (HRCs.) HRCs serve an important role in protecting participant rights by reviewing proposed restrictions that are implemented to address documented health and safety concerns.

Why Make this Change?

- Align MFW processes with those currently used in the Developmental Disabilities (DD) Waiver
- Support compliance with the Home and Community Based Services Settings Final Rule
- Strengthen protections of participants' rights while promoting quality of life, dignity, choice, and community inclusion

What's Next?

- Beginning Fall 2026, all nursing and home health aide agencies will be required to establish and convene an HRC on a quarterly basis.
- When a rights restriction is proposed for a participant, the responsible staff must develop a plan and present it to the HRC for review and recommendation.
- Additional guidance and requirements related to the HRC process will be included in the updated MFW Service Standards anticipated for release in Fall 2026.

DDSD is committed to supporting providers throughout implementation and will share additional information, training opportunities, and technical assistance as details become available. For any questions, please contact Shannon Culpepper, MFW Program Manager, at 505-670-8954.

