

Division of Senior and Disabilities Services
Specialized Group Home and Specialized Family Home Habilitation
Proposed Regulations
Responses to Questions During Public Comment

July 24, 2026

The Division of Senior and Disabilities Services (SDS) offers the following responses to questions received by the close of the public comment period on June 22, 2026, about the proposed Specialized Services regulations:

1. **QUESTION:** I encourage the department to clearly explain how specialized service rates will interact with existing acuity add-on payments.

ANSWER: Acuity add-on payment is available in addition to specialized services and must be justified in the recipient's support plan as necessary to recipient needs.

2. **QUESTION:** What is the reference in the public comment notice to an "inadvertent omission"?

ANSWER: This change was included as part of the Provider Certification regulation package that went out for public comment in 2022:

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=205258>

A drafting error post public comment accidentally resulted in the proposed change to 7 AAC 130.220(f)(7) being left out of the final draft that went into effect. Currently, the regulations in 7 AAC 130.220(f)(6) end in "or" as if there is a (7) expected. The inadvertent error being corrected is adding this missing (7) back to 7 AAC 130.220, as was originally proposed in 2022.

3. **QUESTION:** What are the elevated family rehab home requirements?

ANSWER: Please refer to sections VII and VIII of the proposed Residential Habilitation Conditions of Participation for clarification on provider requirements.

4. **QUESTION:** Would SDS consider removing the examples in the Conditions of Participation regarding community-based Residential Habilitation activities? While we understand these examples are intended to illustrate flexibility, there is significant risk they will instead be interpreted as limiting community access to narrowly defined tasks.

ANSWER: SDS appreciates this feedback. The specific examples will be removed from the draft proposed Conditions of Participation.

5. **QUESTION:** Why is personal care services referred to as 'ancillary' to residential habilitation.

ANSWER: The purpose of the residential habilitation service is to teach a recipient to acquire, retain, or improve skills to maintain or improve independence in home and personal skills, while personal care is a service that is done for the participant. While personal care services may occur during the provision of the Residential Habilitation service, they are not the main element of Residential Habilitation service and are considered ancillary to the service,

6. **QUESTION:** Has SDS reviewed the CMS technical guidance regarding Residential

Habilitatiuon for language and considered? Would SDS consider adding the following language to the Residential Habilitation Conditions of Participation: “....and improve skills related to living in the community. These supports include adaptive skill development, assistance with activities of daily living, community inclusion, transportation, adult educational supports, social and leisure skill development, that assist the participant to reside in the most integrated setting appropriate to his/her needs.”

ANSWER: Yes, SDS has reviewed the CMS technical guidance. The guide states that there is no specific regulatory definition for residential habilitation. States are required to supplement or modify the core service definition as appropriate to encompass the specific service elements/activities furnished as residential habilitation in their state. The language changes suggested exceed the scope of this proposed regulations package and SDS will not be adopting the suggested language at this time.

9. **QUESTION:** Would SDS consider adding the following language to the Residential Habilitation Conditions of Participation: “Residential habilitation services may be provided in the participant’s living arrangement or in the surrounding community, provided that such services do not duplicate services furnished to a participant as other types of habilitation.”

ANSWER: SDS appreciates this suggestion and will incorporate the suggested language into the Residential Habilitation Conditions of Participation.

10. **QUESTION:** Why does this service have a timed increment of care unit for this service instead of a daily rate?

ANSWER: To clarify, this service is designated as a daily unit.

The Division of Senior and Disabilities Services received additional comments during the public comment period that did not relate to the proposed regulation changes and are not summarized in this document.