

WHICH WAIVER DOES WHAT

An unofficial, quick reference guide to the

Texas Medicaid Waivers



Introduction

Since early 2006, Imagine Enterprises has provided training about self-determination and the Medicaid waivers to hundreds of people with disabilities and family members. Many of the people we meet at sessions around the state are getting off the waiting list for waiver services—often after many years of waiting. They are usually:

- excited about the prospect of getting services and supports to live in the community,
- overwhelmed by the decisions they need to make in a short timeframe, and
- hungry for as much information as they can get about what Medicaid waivers are and how they work.

This booklet was created in response to a request participants have made at every workshop—an easy reference guide that covers the major waivers in one place.

All of the information about the waivers comes from public information documents published on the Department of Aging and Disability Services (DADS) website. We haven't changed the information, but have attempted to format it to allow comparison between the major waivers.

While we hope this is a useful resource, it is in no way intended to be the official or final word on Medicaid waiver eligibility or services. That authority rests solely with DADS.

—September 2007

Important Note!

At this writing, the information related to the waiver services and service plan spending limits is current; but it is subject to change at any time. For the most up-to-date information for each waiver program, contact the appropriate DADS office. (See the back page for *Information Resources*.)

What is a Medicaid Waiver?

A Medicaid waiver allows the state to be more flexible in how it spends money to provide some long-term services to some people with disabilities or elderly citizens who are eligible for Medicaid. In the past, people had to be in nursing homes or other large institutions for Medicaid to pay for long-term services.

Waivers override certain rules for how that funding can be used. Now, if they meet the eligibility requirements, people can get the services they need in their own homes or other community settings, instead of having to go into a nursing home or institution.

In Texas, there are seven different waiver programs that offer a broad range of home and community-based services to people with disabilities and elderly citizens.* There are different rules and funding amounts for each of the different waivers. In general, though, they all help people get the supports they need in the community.

**In this booklet, we cover the six Medicaid waivers available to people in all parts of the state. We have not included the Consolidated Waiver Program (CWP), because it is only available to people living in Bexar County. More information about CWP is available through the Department of Aging and Disability Services (DADS).*

Waiver Eligibility

CBA— Community Based Alternatives

Individuals must have a need for skilled nursing care; meet at least two nursing facility risk criteria; be eligible for Medicaid; be age 21 or older; and have a service plan that falls within specified annual spending levels based on the Texas Index for Level of Effort for nursing facility services. Spending limits range from \$60,663 to \$127,867. Individuals needing ventilator care may have annual service plans ranging in cost from \$87,228 to \$194,282.

CBA Service Delivery: Individuals enrolling in the CBA program must select a home and community support services provider for basic CBA services. Individuals requesting assisted living/residential care, adult foster care, out-of-home respite services, emergency response services, and home delivered meals must also select individual providers for those services. In order to allow consumers more control over the employment of their service providers, consumers may elect the Consumer Directed Services Option. (See box for detail.)

CLASS— Community Living & Support Services

There is no age limit for enrollment. To qualify for this service, individuals must: have a related condition; be eligible for Medicaid; reside in the CLASS catchment area; have an initial service plan that does not exceed \$63,369; and require habilitation services, as determined by the individual's service planning team.

CLASS Service Delivery: Individuals enrolling in the CLASS program select a case management agency that provides case management services and a direct service agency that provides all other CLASS Program services. In order to allow consumers more control over the employment of their service providers, consumers may elect the Consumer Directed Services Option. (See box for detail.)

DBMD— Deaf Blind with Multiple Disabilities

To qualify for this service, individuals must: be deaf-blind and have another disability that impairs independent functioning; have either mental retardation or a related condition; be eligible for Medicaid; be age 18 or older; and have an initial service plan that does not exceed \$59,750.

DBMD Service Delivery: Consumers choose one of two Consumer Directed Services options (See box for detail.)

HCS— Home & Community-based Services Program

There is no age limit for enrollment. Individuals must have either mental retardation or a related condition that results in deficits in adaptive behavior and full scale IQ of 75 or below; be eligible for Medicaid; and have a service plan that does not cost more than \$86,313 for Level of Need (LON) 1,5, or 8, \$98,773 for LON 6 or \$173,876 for an LON 9 annually for initial enrollment. Individuals choose to participate in the HCS program instead of the ICF-MR Program.

HCS Service Delivery: Individuals enrolling in the HCS Program select a provider for all program services.

MDCP— Medically Dependent Children Program

To qualify for this service, individuals must: be under 21 years of age; be eligible for Medicaid based on their income and financial resources; meet the medical criteria for admission to a Texas nursing facility; meet the Supplemental Security Income medical disability criteria; and have an individual plan of care that falls within specified annual spending levels based on the Texas Index for Level of Effort for nursing facility services. Annual spending level range from \$15,166 to \$31,967. If the individual is 18 years of age or younger, he or she must reside with a family member or with a foster family that includes no more than four children who are unrelated to the individual.

MDCP Service Delivery: Families of individuals enrolling in MDCP receive case management provided by DADS staff and choose among eligible providers for respite, adjunct support services, minor home modifications, adaptive aids, and transition assistance services.

TxHmL— Texas Home Living Program

An adult or child is eligible for TxHmL if he or she: has mental retardation or a related condition and meets the criteria for a Level of Care I in an ICF-MR; is a current Medicaid recipient; does not require intensive one-to-one supervision to prevent dangerous behavior; has an Individual Plan of Care (IPC) approved by the DADS; is not enrolled in another Medicaid waiver program; chooses to participate in the TxHmL program instead of the ICF-MR Program; and lives in his or her own home or family home. Annual spending may not exceed \$10,000.

TxHmL Service Delivery: A service coordinator who works for the local community MHMR center works with individuals to plan services intended to help individuals to continue to live in their own or family homes.

Consumer Directed Services Options

- **Consumer Directed Services:** Individuals may exercise the option to self-direct and manage their personal assistance services and respite care providers.
- **Consumer Directed Services Agency:** Consumers select an agency to perform payroll functions, employer orientation, training and support, and administrative and financial responsibilities on their behalf.

Waiver Services Comparison

| SERVICE | CBA | CLASS | DBMD | HCS | MDCP | TxHmL | REIMBURSEMENT | COMMENTS |
|--|-----|-------|------|-----|------|-------|---|---|
| Adaptive Aids | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Actual cost of item up to \$10,000 per service plan year. (\$4,000 for MDCP. \$6,000 for TxHmL.) | Additional requisition fee for CBA & CLASS. |
| Adjunct Support Services | | | | | ✓ | | Hourly rate. | |
| Adult Foster Care | ✓ | | | | | | Daily rate based on level of service. Individual pays room and board. | Foster home must be enrolled with Department of Aging and Disability Services (DADS) Must be age 21 or older. |
| Assisted Living | ✓ | | ✓ | | | | Daily rate. Individuals pay room and board. | See definitions for differences between CBA and DBMD services. |
| Audiology | | | | ✓ | | ✓ | Hourly rate. | |
| Behavior Communication Specialist | | | ✓ | | | | Hourly rate. | See Psychology for similar services in CLASS and HCS. |
| Behavioral Support | | | | | | ✓ | | |
| Case Management | ✓ | ✓ | ✓ | ✓ | ✓ | | HCS, CLASS: Monthly fee. DBMD: Hourly fee. CBA & MDCP: No fee, service provided by DADS case managers . | |
| Chore Services | | | ✓ | | | | Hourly rate. | Service is not provided if it is available through another source. |
| Community Support | | | | | | ✓ | | |
| Day Habilitation | | | ✓ | ✓ | | ✓ | HCS: Daily rate for level of need. DBMD: Hourly rate. TxHmL: Daily rate. | HCS: Up to six hours, five days, weekly. DBMD: Four or more hours, one or more days, weekly. |
| Dental | ✓ | | | ✓ | | ✓ | HCS, TxHmL: Actual cost up to \$1,000 per year. CBA: \$5,000 annual limit. | |
| Dietary/Nutrition | | ✓ | ✓ | ✓ | | ✓ | Hourly rate. | |
| Emergency Response System | ✓ | | | | | | Monthly rate. | |
| Employment Assistance | | | | | | ✓ | | See Supported Employment and Prevocational Services for similar services in HCS and CLASS. |
| Foster/Companion Care | | | | ✓ | | | Daily rate based on level of need. | All ages qualify. |
| Habilitation Attendant/ Habilitation Training | | ✓ | | | | | Hourly rate. | Similar to Personal Assistance Services in CBA program. |
| Home Delivered Meals | ✓ | | | | | | Per meal. | |
| Intervenor | | | ✓ | | | | Hourly rate. | |

Waiver Services Comparison

| SERVICE | CBA | CLASS | DBMD | HCS | MDCP | TxHmL | REIMBURSEMENT | COMMENTS |
|------------------------------------|-----|-------|------|-----|------|-------|---|--|
| Minor Home Modifications | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | Actual cost with lifetime maximum: HCS, CLASS: \$10,000* MDCP, CBA, TxHmL: \$7,500 DBMD: \$5,000 *Additional requisition fee for CLASS. | HCS, CLASS, MDCP & CBA have \$300 annual allotment for maintenance/repairs, DBMD does not. |
| Nursing Services | ✓ | ✓ | ✓ | ✓ | | ✓ | Hourly rate. | |
| Occupational Therapy | ✓ | ✓ | ✓ | ✓ | | ✓ | Hourly rate. | |
| Orientation & Mobility | | | ✓ | | | | Hourly rate. | |
| Personal Assistance Services | ✓ | | | | | | Hourly rate. | Level of assistance based on individual need and plan of care. (CLASS: See habilitation attendant/training services.) |
| Physical Therapy | ✓ | ✓ | ✓ | ✓ | | ✓ | Hourly rate. | |
| Prevocational | | ✓ | | | | | Actual cost. | |
| Psychology | | ✓ | | ✓ | | | Hourly rate. | See Behavior Communication Specialist for similar services in DBMD. |
| Residential Habilitation Services | | | ✓ | | | | Hourly rate. | Services in own or family home. |
| Residential Habilitation (24-Hour) | | | ✓ | | | | Daily rate. | Services in group homes with three or fewer residents. |
| Residential Support | | | | ✓ | | | Daily rate based on level of need. | Individuals pay room and board. |
| Respite Care | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | CBA, CLASS, DBMD, MDCP: Hourly rate. HCS: Daily or hourly rate. | Maximum 30 days per year in CBA, CLASS, DBMD and HCS. Up to full annual spending level in MDCP. |
| Social Work | | | | ✓ | | | Hourly rate. | |
| Specialized Therapies | | ✓ | | | | | Hourly rate. | |
| Speech/Hearing/Language Services | ✓ | ✓ | ✓ | ✓ | | ✓ | Hourly rate | Services for hearing disorders in DBMD only. |
| Supervised Living | | | | ✓ | | | Daily rate based on level of need. | Individuals pay room and board. |
| Support Family Services | | ✓ | | | | | Daily rate. Individuals pay room and board. | |
| Supported Employment | | ✓ | | ✓ | | ✓ | HCS: Hourly rate. CLASS: Actual cost. | In HCS, can be provided in conjunction with Day Habilitation with a maximum reimbursement of \$3,172.50 (150 hours of service) per year. |
| Supported Home Living | | | | ✓ | | | Hourly rate. | |
| Transition Assistance | ✓ | ✓ | ✓ | | ✓ | | One-time fee of \$158.28 for provider. Maximum \$2,500 for services. | |

Service Definitions

Adaptive Aids: Devices, controls, or appliances that enable users to retain or to increase their abilities to perform activities of daily living or control their environment. Adaptive aids assist with mobility, communication, or treat, rehabilitate, prevent, or compensate for conditions resulting in disability or loss of function.

Adjunct Support Services: Direct care service that helps people participate in child care, post secondary education, independent living or support moving to an independent living situation. Primary caregiver chooses the type of provider from a list of enrolled providers, including home health agencies, independently enrolled registered nurses or licensed vocational nurses.

Adult Foster Care: Twenty-four hour living arrangement in a foster home for persons age 21 or older who, because of physical or mental limitations, are unable to continue residing in their own homes. Services may include meal preparation, housekeeping, personal care, help with activities of daily living and transportation.

Assisted Living (DBMD): Habilitation, chore services, personal care, and 24-hour supervision and assistance in a group home setting that serves no more than six individuals.

Assisted Living (CBA): Twenty-four hour living arrangements in a licensed personal care home that offers personal care; home management; escort, social, and recreational activities; 24-hour supervision; supervision of, assistance with, or direct administration of medication; and transportation.

Audiology: Provides a licensed audiologist to assess and direct therapeutic intervention and training, as well as to consult with individuals, their family members and service providers.

Behavior Communication Specialist: Services to assess, develop, modify or improve individuals' cognitive and affective skills. Services include conducting behavioral assessments and making recommendations; developing strategies for improving client/staff interactions; reducing maladaptive behaviors; improving appropriate communication skills; creating meaningful and appropriate activities; resolving issues of concern to the client; supervising the implementation of behavior strategies, activity routines, and/or skills development programs and monitoring their effectiveness; and counseling with and educating the client's family, friends, and service providers about interacting with a client whose behaviors may interfere with independent living.

Behavioral Support: Specialized interventions that help a person overcome behaviors that prevent or interfere with inclusion in home and family life or community life.

Case Management: Assisting with eligibility; coordinating and developing a service plan; monitoring the quality and delivery of waiver and nonwaiver services; acting as an advocate; identifying resources and making community referrals; providing crisis intervention; and safeguarding individual rights.

Chore Services: Helps consumers maintain their homes as safe, clean environments through services such as washing floors, windows and walls; tacking down loose rugs and tiles; and moving heavy items to provide safe access.

Community Support: A wide range of individualized services in the participant's home or other community locations to support activities of daily living, participation in typical community activities, job training or employment preparation, and relationships with friends, families and others who are not service providers.

Day Habilitation: Helps individuals learn, retain, and improve their self-help, socialization, and adaptive skills so they can reside successfully in the community.

Dental: Emergency, preventive and therapeutic dental treatment, including routine exams.

Dietary/Nutrition: Provides a licensed dietician to conduct face-to-face assessment, consultation, and staff training. Services include determining basic or special therapeutic nutritional needs.

Emergency Response Services: An electronic monitoring system for use by individuals with functional impairments who live alone or are isolated in the community. In an emergency, individuals can press a button to signal for help round-the-clock.

Employment Assistance: Help locating paid employment in the community by identifying job interests, evaluating skills and support needs and locating employers offering compatible employment.

Foster/Companion Care Services: Provided to individuals of all ages in a home-like environment as an alternative to living in a group home.

Habilitation Attendant/Habilitation Training: Helps persons living in their own or their families' homes learn, retain, or improve skills related to activities of daily living including personal grooming and cleanliness, bed making and household chores, preparing and eating food, and social and adaptive skills. (See Residential Habilitation Services in DBMD, Supported Home Living in HCS and Personal Assistance services in CBA.)

Service Definitions continued next page ↔

Service Definitions (cont.)

Home Delivered Meals: An in-home service providing meals to individuals who are following a regular or therapeutic medical diet in the routine absence of a caregiver or attendant who could provide meals.

Intervenor: An intervenor involves individuals in community services and activities. The intervenor makes sights, sounds, and activities accessible to clients by learning their specific communication system including sign language, speech, tangible symbols, gestures, nonverbal cues, actions, and behaviors.

Minor Home Modifications: Assess the need for, arrange for, and modify or improve individuals' living quarters to allow community living and ensure safety, security, and accessibility.

Nursing Services: Services (provided by a licensed nurse) include monitoring health conditions, administering and monitoring medication, providing referrals for medical services, and training individuals, their family members, and support personnel.

Occupational Therapy: Skilled treatment to help individuals achieve independent functioning in all aspects of their lives. Services include assessing needs, developing a treatment plan, determining therapeutic intervention, training, helping with adaptive aids, and consulting with the family and provider.

Orientation & Mobility: Evaluates a person's needs and creates a plan to develop skills across an expanding environment. Services include teaching independent travel skills to individuals who are visually impaired so they can safely and efficiently negotiate their environment; and training habilitation staff to create environments that enhance independent travel and to follow through on orientation and mobility goals.

Personal Assistance Services: Personal assistants help with activities of daily living and household chores necessary to maintain clean and safe home environments. Persons receiving services live in community settings other than Adult Foster Care homes or assisted living facilities. Services may include protective supervision and help performing health-related tasks that are delegated by a registered nurse in accordance with Texas Board of Nurse Examiners rules. (See Residential Habilitation Services in DBMD, Supported Home Living in HCS and Habilitation Attendant/Training in CLASS.)

Physical Therapy: Helps individuals improve their range of motion and physical functioning, as well as retain their physical conditioning. Services include assessing needs, developing a treatment plan, determining therapeutic intervention, training, helping with adaptive aids, and consulting with the family and provider.

Prevocational: Services help individuals prepare for paid or unpaid employment, but are not job-task oriented. Focuses on concepts like compliance, attendance, task completion, problem solving, and safety. Persons served are not expected to be able to join the general workforce or participate in a transitional sheltered workshop. Services are typically provided in a group setting, such as a sheltered worksite or day activity center.

Psychology: A licensed psychologist performs services that are directed toward modifying and improving cognitive and affective skills. Services include counseling individuals and assessing and training direct service providers or family members with regard to a specific individual treatment plan.

Residential Habilitation Services: Helps persons living in their own or their families' homes learn, retain, or improve skills related to activities of daily living including personal grooming and cleanliness, bed making and household chores, preparing and eating food, and social and adaptive skills. (Same as Habilitation Attendant/Habilitation Training in CLASS and Supported Home Living in HCS.)

Residential Habilitation (24-Hour): Habilitation, chore services, personal care and 24-hour supervision and assistance in a shared apartment setting that serves no more than three individuals.

Residential Support: Supervision and assistance in a group home setting from service provider staff who remain awake during normal sleeping hours. Most individuals who receive residential support services do so to address medical conditions, maladaptive behaviors and assistance with activities of daily living.

Respite Care: This service provides temporary relief for unpaid primary caregivers or provides care when the caregiver is absent. Respite services are provided either in or out of the home.

Social Work: Assessing needs, providing direct therapeutic intervention and training and consulting

Specialized Therapies: Therapeutic intervention to decrease inappropriate behaviors, provide opportunities for socialization, and improve physical and medical status. Services include musical therapy, recreational therapy, massage therapy, hippotherapy, hydrotherapy, therapeutic horseback riding, auditory integration therapy, nutritional services; and aquatic therapy.

Service Definitions continued next page ↔

Service Definitions (continued)

Speech/Hearing and Language Services: Corrective or rehabilitative treatment for persons with speech, hearing or language disorders. Services include assessing needs, developing a treatment plan, determining therapeutic intervention, training, helping with adaptive aids, and consulting with the family and provider.

Supervised Living Services: For individuals who live in a group home setting. Services include habilitation, supervision and assistance from service provider staff, if needed, during normal sleeping hours.

Supported Employment: Helps sustain paid employment for individuals who, because of their disability, require intensive, ongoing support to perform in a work setting. Supported employment must be provided at work sites in which persons without disabilities are also employed. Services include adaptations, supervision and training, as related to the individual's diagnosis.

Supported Home Living: Helps persons living in their own or their families' homes learn, retain, or improve skills related to activities of daily living including personal grooming and cleanliness, bed making and household chores, preparing and eating food, and social and adaptive skills.

Transition Assistance Services: Helps Medicaid-eligible nursing facility residents transition from a nursing facility into the CBA, CLASS, DBMD or MDCP programs. Services include paying for one-time, initial expenses required for setting up a household, including: security deposits for rent and utilities, household items, pest eradication, allergen control and one-time cleaning.

Medicaid Waiver Information Resources

DADS: Dept. of Aging & Disability Services

- **CBA Information:** Contact local DADS office. Check phone book blue pages or go online to: www.dads.state.tx.us/contact/combined.cfm
- **CLASS, DBMD or MDCP Information:** 1-877-438-5658 (toll free)
- **HCS and TxHmL Information:** Contact local Mental Retardation Authority (MRA). Check phone book or go online to: www.dads.state.tx.us/contact/mra.cfm
- **Other Useful Web Pages:**
 - Information about the Medicaid waivers: www.dads.state.tx.us/providers/waiver_comparisons
 - Local Mental Retardation Authority list: www.dads.state.tx.us/contact/mra.cfm
 - Long Term Care Quality Reporting System: <http://facilityquality.dhs.state.tx.us>

Texas Medicaid Perspectives (2007)

www.hhsc.state.tx.us/medicaid/reports/PB6/PinkBookTOC.html

Waiver Information Network (WIN)

www.selfdetermined.org
1-800-572-7159 (Toll Free)

The Self-Determination for Texas project advances the principles of self-determination in the lives of Texans with disabilities. It's a project of Imagine Enterprises with funding from the Texas Council for Developmental Disabilities.

Imagine Enterprises Self-Determination for Texas

1402 Spring Cress Lane
Seabrook, TX 77586

Telephone: 1-800-572-7159 (Toll Free)

E-mail: info@selfdetermined.org

Website: www.selfdetermined.org

Writing, editing and desktop publishing by
Kaye Beneke ♦ Austin TX ♦ Phone: 512-451-9810
E-mail: kaye@beneketx.com

