

Home and Community-Based Services Medicaid 1915(c) Waivers

- States may cover long term services and supports (LTSS) under the Medicaid State Plan and under home and community-based services (HCBS) waivers.
- Under a Medicaid waiver, a state can waive certain Medicaid program requirements.

Home and Community-Based Services Medicaid 1915(c) Waivers

- States may provide care for people who might not be eligible under Medicaid in the community, but who would be covered by Medicaid if they were in an institution.
- States may cover services not otherwise able to be covered under the Medicaid State Plan.
- States may limit the number of waiver participants.

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Home and Community-Based Services Medicaid 1915(c) Waivers

All HCBS 1915(c) waiver programs:

- Are authorized under Section 1915(c) of the Social Security Act.
- Are fee-for-service programs.
- Require individuals to meet criteria that are set by the state within certain limits that are established by federal statute and regulations.
- Waiver enrollees receive full Medicaid benefits and may receive all State Plan services for which they qualify.

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1915(c) HCBS Waiver Program Basics

States can waive certain Medicaid program requirements under HCBS waivers, including:

- Statewideness* (Section 1902(a)(1))
 - Lets states target waivers to areas of the state where the need is greatest or where certain types of providers are available.

*All of Maryland's current 1915(c) waivers are statewide.

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1915(c) HCBS Waiver Program Basics

States can waive certain Medicaid program requirements under HCBS waivers, including:

- Comparability of services* (Section 1902(a)(10)(B))
 - Lets states make waiver services available only to certain groups of people who are at risk of institutionalization (e.g., elderly and disabled, technology-dependent children, individuals with developmental or intellectual disabilities).

*Applicable to all of Maryland 1915(c) waivers.

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1915(c) HCBS Waiver Program Basics

States can waive certain Medicaid program requirements under HCBS waivers, including:

- Community income and resource rules*
(Section 1902(a)(10)(C)(i)(III))
 - Lets states provide Medicaid to people who would otherwise be eligible only in an institution.
 - The monthly income of an individual may not exceed 300% of Supplemental Security Income (SSI) benefits, and the countable assets may not exceed \$2,000 (or \$2,500 depending on the individual's eligibility category).

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*Applicable to all of Maryland 1915(c) waivers, except Medical Day Care.



1915(c) HCBS Waiver Program Basics

Waiver programs must:

- Demonstrate that providing waiver services will not cost more than providing services in an institution (i.e., be cost neutral).
- Ensure the protection of the participants' health and welfare.

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1915(c) HCBS Waiver Program Basics

Waiver programs must:

- Provide adequate and reasonable provider standards to meet the needs of the target population(s).
- Ensure that services follow an individualized and person-centered plan of care.

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1915(c) HCBS Waiver Participation

Individuals participating in waiver programs must:

- Meet financial eligibility
 - Based on income and assets.
- Meet medical eligibility
 - Based on program (e.g., nursing facility level of care, chronic hospital level of care, or intermediate care facility for individuals with intellectual disabilities).
- Meet technical eligibility
 - Based on program (e.g., age requirements, diagnosis, or have a plan that meets the individual's health and safety needs).

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1915(c) HCBS Waiver Participation

Individuals participating in waiver programs have access to Medicaid State Plan services, for example:

Available Community Services		
Physician & Hospital Care	Pharmacy	Home Health
Laboratory	Mental Health	Disposable Medical Supplies
Durable Medical Equipment	Early & Periodic, Screening, Diagnosis, and Treatment	Payment of Medicare premiums, co-payments, and deductibles
Community First Choice program services, such as personal assistance.		

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Maryland's Medicaid HCBS Waivers

Maryland offers eight 1915(c) waivers:

- Community Pathways Waiver (1984)
 - Requires Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) level of care (LOC)
- Model Waiver (1985)
 - Requires chronic hospital/special pediatric hospital or nursing facility (NF) LOC
- Autism Waiver (2001)
 - Requires ICF/IID LOC
- Brain Injury Waiver (2003)
 - Requires chronic hospital or NF LOC

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Maryland's Medicaid HCBS Waivers

Maryland offers eight 1915(c) waivers:

- Medical Day Care Waiver (2008)
 - Requires NF LOC
- Community Options Waiver (2014)
(formerly Older Adults Waiver and Living at Home Waiver, consolidated January 2014)
 - Requires NF LOC
- Family Supports Waiver (2018)
 - Requires ICF/IID LOC
- Community Supports Waiver (2018)
 - Requires ICF/IID LOC

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Medical Day Care Waiver

Administered by Medicaid's Office of Long Term Services and Supports

Covered Services

Medical Day Care

- Services that may be provided include:
 - Skilled Nursing and Nursing Assessments
 - Activity Programs
 - Daily Living Skills Enhancement
 - Daily Living Skills Training
 - Meals
 - Medication Monitoring
 - Dietitian/Nutrition
 - Personal Care
 - Occupational and Physical Therapy
 - Transportation
 - Social Work

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Model Waiver

Administered by Medicaid's Office of Long Term Services and Supports

Covered Services	
Case Management	Medical Day Care
Certified Nursing Assistant	Principal Physician's Participation in the Plan of Care Meeting
Private Duty Nursing	

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Autism Waiver

Administered by the Maryland State Department of Education

Covered Services	
Residential Habilitation	Respite Care
Adult Life Planning	Environmental Accessibility Adaptations
Family Consultation	Intensive Individual Support Services
Therapeutic Integration	

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Brain Injury Waiver

Administered by the MDH Behavioral Health Administration

Covered Services	
Day Habilitation	Individual Support Services
Medical Day Care	Residential Habilitation
Supported Employment	

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Community Options Waiver

Administered by the MDH Office of Long Term Services and Supports

Covered Services	
Assisted Living	Case Management
Medical Day Care	Respite Care
Senior Center Plus	Behavior Consultation Services
Family Training	Nutritionist/Dietitian Services

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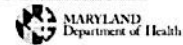


Community Pathways Waiver

Administered by the MDH Developmental Disabilities Administration

Covered Services		
Career Exploration	Community Living – Group Home	Day Habilitation
Live-In Caregiver Supports	Medical Day Care	Personal Supports
Respite Care	Assistive Technology and Services	Behavioral Support
Community Development	Environmental Assessment	Environmental Modifications
Family and Peer Mentoring Supports	Family Caregiver Training and Empowerment	Housing Support
Individual and Family Directed Goods and Services	Nurse Case Management and Delegation	Nurse Consultation
Nurse Health Case Management	Participant Education, Training, and Advocacy Supports	Remote Support Services
Shared Living	Transition Services	Transportation
Vehicle Modifications	Supported Employment (ENDING June 30, 2020)	Community Living/Enhanced Supports (BEGINNING July 1, 2020)
Employment Discovery and Customization (ENDING June 30, 2020)	Employment Services (BEGINNING July 1, 2020)	Supported Living (BEGINNING July 1, 2019)
Support Broker* (CONVERTING July 1, 2019)		*Currently offered as an administrative service.

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Community Supports Waiver

Administered by the MDH Developmental Disabilities Administration

Covered Services	
Day Habilitation	Medical Day Care
Personal Supports	Respite Care
Vehicle Modifications	Support Broker
Assistive Technology and Services	Behavioral Support
Career Exploration	Community Development
Employment Discovery and Customization (ENDING June 30, 2020)	Environmental Assessment
Environmental Modifications	Family and Peer Mentoring Supports
Family Caregiver Training and Empowerment	Individual and Family Directed Goods and Services
Housing Support	Nurse Case Management and Delegation
Nurse Consultation	Nurse Health Case Management
Participant Education, Training, and Advocacy Supports	Transportation
Supported Employment (ENDING June 30, 2020)	Employment Services (BEGINNING July 1, 2020)

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Family Supports Waiver

Administered by the MDH Developmental Disabilities Administration

Covered Services	
Personal Supports	Respite Care
Support Broker	Assistive Technology and Services
Behavioral Support	Environmental Assessment
Environmental Modifications	Family and Peer Mentoring Supports
Family Caregiver Training and Empowerment	Housing Support
Individual and Family Directed Goods and Services	Participant Education, Training, and Advocacy Supports
Transportation	Vehicle Modifications
Nurse Consultation (BEGINNING July 1, 2019)	Nurse Case Management and Delegation (BEGINNING July 1, 2019)

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Waiver Participation

As of February 2019

Waiver	Approved Slots	Current Enrollment	Unduplicated Enrollment	Wait List
Community Pathways	15,411	14,112	14,609	4,887
Model Waiver	200	197	209	150
Autism Waiver	1,200	1,125	1,150	5,583
Brain Injury	120	96	100	N/A
Medical Day Care	6,918	4,669	5,341	N/A
Community Options	5,659	3,918	4,311	21,649
Family Supports	400	80	84	N/A
Community Supports	850	621	649	N/A

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Waiver Submissions

- States must assure the Centers for Medicare and Medicaid Services (CMS) that its waiver programs are cost neutral.
 - States submit an annual financial report to CMS to demonstrate that its waiver programs meet cost-neutrality requirements, as detailed in each waiver application.
- Waivers must be renewed every five years after initial approval.

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Questions?

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