

Information about Medicaid HCBS DD waiver services.

1. What words and terms do I need to know?

Activities of daily living (ADLs): Basic everyday tasks, such as eating, cooking, dressing, and bathing.

Division of Developmental Disabilities: Also known as DHHS-DD, this is the division of Nebraska Department of Health and Human Services (DHHS) in charge of services for people with developmental disabilities. DHHS-DD decides who gets services, sets the rules about services, and pays for the services.

Medicaid Home and Community-Based Services (HCBS) DD Waiver Services: DD Administers (2) Waivers (Day and Comprehensive). Waivers allow a State to deliver services in the community, that otherwise would be provided in an institution. Services are person-centered and voluntary which help you work and live in the community as independently as possible.

Eligible: Eligible for developmental disabilities means DHHS-DD has received and reviewed your application and determined that you meet qualifications as defined in [Neb. Rev. Stat. § 83-1205](#). To be eligible for Medicaid HCBS DD Waiver services, you must be receiving Medicaid, determined to have a developmental disability and have the same level of care needs as individual living in an intermediate care facility for individuals with developmental disabilities (ICF/DD). Once eligible, DHHS-DD will tell you when funding is available so that you may begin services. In most cases, funding is not available until you reach age 21.

Formal supports: Supports outlined in your individual support plan (ISP). Typically formal supports are funded by DHHS-DD through Medicaid HCBS DD Waivers.

Guardian: A person who is legally responsible for someone unable to manage their own affairs. A guardian may either be court-appointed or the birth parent of a minor.

Habilitation Program: A structured method of teaching skills, with goals and data collection.

Habilitative Service: A developmental disabilities service which teaches a participant through habilitation programs and provides other supports such as personal care, supervision, and medication administration.

Individual Support Plan (ISP): A plan of services, supports, activities, and resources based on your personal goals and preferences, and assessments of strengths and needs. This is like the Individual Education Plan (IEP) developed in school. Your Service Coordinator helps you develop your ISP.

Ineligible: Ineligible, or not eligible, means that DHHS-DD has received and reviewed your application for DD services and determined that you do not meet qualifications outlined in statute.

Informal supports: Supports that do not have the oversight of DHHS-DD. These may be naturally occurring because they are provided by family or friends.

Legally responsible adult: A person who is legally authorized to make decisions on your behalf. This includes your parent (natural or adoptive) when you are a minor child (under 19 years), a spouse, a guardian, a conservator, or a power of attorney.

Participant: When you receive Medicaid HCBS DD Waiver services, you are a participant. This can also refer to any person legally authorized to act on your behalf.

Provider: A provider delivers Medicaid HCBS DD waiver services. A provider can be either an agency or independent.

- An Independent Provider is a person who is an enrolled Medicaid provider and managed by you. This person provides your Medicaid HCBS DD Waiver services and is not associated with an agency. It may be someone you already know. A person who is legally responsible for you cannot be your independent provider. You are responsible for hiring, scheduling, training, and firing independent providers. The state has an approval process to ensure the provider meets requirements.

- An Agency Provider is a company that is an enrolled Medicaid provider and certified by DHHS to provide your Medicaid HCBS DD Waiver services. The company can be an agency, organization, association, or other entity that completes the certification process. An agency is responsible for hiring, firing, scheduling, training, and paying staff that work with you. There are many agency providers across the state.

Service Coordinator: DHHS-DD employee assigned to help you find needed services and supports, facilitate the development of your ISP, and make sure the ISP is implemented as written.

2. How do I know if I am eligible for Medicaid HCBS DD services?

You must meet Medicaid eligibility requirements;

You must meet the Nebraska statutory definition of having a developmental disability, as defined in [Neb. Rev. Stat. § 83-1205](#):

Developmental disability shall mean a severe, chronic disability, including an intellectual disability, other than mental illness, which:

- (1) Is attributable to a mental or physical impairment unless the impairment is solely attributable to a severe emotional disturbance or persistent mental illness;
- (2) Is manifested before the age of twenty-two years;
- (3) Is likely to continue indefinitely;
- (4) Results in substantial functional limitations in one of each of the following areas of adaptive functioning:
 - (a) Conceptual skills, including language, literacy, money, time, number concepts, and self-direction;
 - (b) Social skills, including interpersonal skills, social responsibility, self-esteem, gullibility, wariness, social problem solving, and the ability to follow laws and rules and to avoid being victimized; and
 - (c) Practical skills, including activities of daily living, personal care, occupational skills, healthcare, mobility, and the capacity for independent living; and
- (5) Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated; and

You must meet the Intermediate Care Facility for Individuals with Developmental Disabilities (ICF/DD) Level of Care requirement.

An individual from birth through the age of nine years inclusive who has a substantial developmental delay or specific congenital or acquired condition may be considered to have a developmental disability without meeting three or more of the major life activities described in subdivision (4) of this section if the individual, without services and support, has a high probability of meeting those criteria later in life.

You must submit an application to DHHS-DD for eligibility to be determined. The application is located at [ACCESSNebraska](#) and can be completed online. Just fill out the application and submit.

3. When should I contact DHHS-DD to find out about services?

It is best to submit an application by the time you reach age 16, but it is okay to do it at any time. You can apply for DD services at any age. When you apply for DD services at a young age, DHHS-DD will verify that you are still eligible at ages 9 and 18.

4. How do I get Medicaid HCBS DD services?

Once you are eligible, you will need to meet a funding priority, and DD must have funding available, in order to receive services. Funding priorities are found in [Nebraska Revised State Statute 83-1216](#). The priorities for receiving funding on Medicaid Home and Community-Based Services (HCBS) waivers are:

- 1) To respond to the needs of people in immediate crisis due to caregiver death, homelessness or a threat to the life and safety of the person.
- 2) To respond to the needs of people who have resided in an institutional setting for a period of at least 12 consecutive months and are requesting community-based services.
- 3) To respond to the needs of people who are wards of the Department or persons placed under the supervision of the Office of Probation Administration by the Nebraska court system who are transitioning upon age 19 with no other alternatives, as determined by the Department, to support residential services necessary to pursue economic self-sufficiency.
- 4) To respond to the needs of people transitioning from the education system upon becoming 21 years of age, to maintain skills and receive the day services necessary to pursue economic self-sufficiency.
- 5) To respond to the needs of people who are dependents of a member of the U.S. armed forces who is a legal resident of this state due to the service member's military assignment in Nebraska.
- 6) To respond to the needs of all other people by date of application.

5. Can my school help me apply for Medicaid HCBS DD services?

Absolutely! Your application to determine DD eligibility must be signed by a legal guardian, but you can ask anyone to help. Your application will include a consent to release information, so DHHS-DD can gather supporting documentation.

Your school will be one of the sources of information. Documentation needed from your school includes your most recent IEP, all completed MDT reports, and any psychological evaluations.

6. If DHHS-DD says I am eligible, what services can I get?

Once you are determined eligible, you can get a Service Coordinator. You will be on the wait list for all other services. When you meet a priority and funding is available, you may choose services to meet your needs.

The [DD Policy Manual](#) has a full list of services in chapter eight. Some examples of services:

- Respite provides relief for the usual non-paid caregiver you live with.
- Assistive Technology (AT) includes devices, controls, appliances, or other items that assist you.
- Home Modifications to your private residence help you stay safe and do things yourself.
- Vehicle Modifications to your primary vehicle meet your needs and keep you safe.
- Personal Emergency Response System (PERS) provides a device to call for help in an emergency.
- Day Services focus on finding employment and increasing skills needed to get a job. Services include prevocational, supported employment, habilitative workshops, and habilitative community inclusion.
- Residential Services (available only when you have the Comprehensive DD Waiver) occur in your own home, your family home, or a provider-operated location. Services help you learn independent living skills and access your community.

7. What can I expect from my Service Coordinator while I am still in high school?

Your Service Coordinator can attend your Individualized Education Program (IEP) meetings; you just have to ask your school to invite your DHHS-DD Service Coordinator. This will allow your Service Coordinator to provide information and help your team plan adult services based on what worked in school. Your Service Coordinator will also get to know your interests and goals.

8. If DHHS-DD says I am ineligible, what can I do?

When you are found ineligible for services, you are notified in writing. You have several options. You can:

- Ask to speak with the person who reviewed your application. They can provide you with an explanation of why you were not eligible and may suggest other resources.
- Reapply with new, existing, or additional information not included in previous application.
- Appeal the decision within 90 days of your notification. The form to appeal a decision can be found online on the [DHHS-DD homepage](#).

9. How can others help me prepare for adult services?

When you are between the ages of 16 and 21, you may be referred to as “in transition.” You are transitioning from school-based services to adult services. This takes planning and discussion. Your family should help you apply for Medicaid HCBS DD waiver services as early as possible so eligibility may be determined. Once eligible, a Service Coordinator can join your school team to plan your transition to adult services.

During your last three years in the educational system, it is helpful to have a comprehensive cognitive and adaptive behavior evaluation completed. A comprehensive school evaluation helps your team develop person-centered services and will be used for eligibility determination when you apply for a Medicaid HCBS DD waiver services.

You should work with [Nebraska VR](#) during your last few years in the educational system. Vocational Rehabilitation services are available for both students and adults who are actively seeking employment. DHHS-DD helped develop a brochure explaining the relationship between your school, Nebraska VR, and DD services. You can access [online](#) or request from your Service Coordinator.

One difference between educational and adult services is how staff work with you. Paraprofessionals may provide you one-to-one attention while in school. Adult services are not all provided one-to-one. If you are used to having a one-to-one paraprofessional and are considering a DD service which is not one-to-one, your team may want to talk about how to transition to lower staffing.

10. What will I have to do if I choose an independent provider?

When you choose to self-direct, you are responsible for actively directing your individual support plan (ISP) process and hiring, training, scheduling, supervising, and dismissing your independent provider.

You are responsible for using your annual individual budget amount (IBA) to purchase the DD waiver services you need. Your Service Coordinator will tell you the maximum amount you can pay for each service and helps you decide what you want to pay your provider. You must keep track of provider time and cost so you do not go over your annual budget.

You can have family or friends help you manage services, but you are responsible. You must know when to talk to your Service Coordinator about budget changes, when you have a concern with or about your independent provider, and when you need help with self-direction.

More information on your responsibilities is outlined in the [Participant Handbook for Self-Direction](#). This handbook is available online or from your Service Coordinator.

11. What do other people like about using an independent provider?

Participants have indicated a high level of satisfaction with independent providers. They report increased choice, flexibility, and control over their DD services.

Participants like the ability to choose a person they know to be a provider. Some have hired a brother or sister, a friend, or a para-educator who worked in their school. If English is not your first language, you may know a person who speaks your preferred language is able to become your independent provider.

Participants like that they can make a plan that meets the schedule they choose. They like that they can do fun things in their community with a one-to-one staff. When a participant lives in a smaller community, there may be a limited number of available agency providers, therefore choosing to work with an independent provider in rural areas may better meet your needs.

12. What do people not like about using an independent provider?

Some participants have trouble finding an independent provider. Others don't like being responsible for hiring, firing, and supervising their providers or completing the paperwork.

It is important to have a good support system to help you be successful with your independent providers. You can minimize any concerns you have by finding someone to help you direct your services. It is important to know when to reach out to your Service Coordinator. You should also develop a back-up plan when things do not go as originally planned.

13. Who can I talk to about using an independent provider?

Other participants and families who work with independent providers may be willing to talk to you about their experiences. You can connect with others by talking to your Service Coordinator, your local Arc chapter, or Nebraska PTI (Parent Training and Information) at: (800) 284-8520 or <http://pti-nebraska.org>.

Contact Information

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