

Medicaid Home and Community-Based Services Waivers

Medicaid Home and Community-Based Services (HCBS) waivers allow states to use Medicaid funds to provide services to people in their homes and community. Nebraska has five HCBS waivers. *Not everyone who has an Individualized Education Program (IEP) or is eligible for Vocational Rehabilitation (VR) will be eligible for a waiver.*

Waivers for people who meet the Level of Care to live in a Nursing Facility (NF):

Aged and Disabled (AD) Waiver

- For people of all ages who have a disability and people ages 65 years and older.

Traumatic Brain Injury (TBI) Waiver

- For people ages 18 years and older who have had a traumatic brain injury.

Waivers for people with developmental disabilities who meet the Level of Care to live in a Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID):

Family Support Waivers (FSW)

- For people ages birth to 21 years, to help children with developmental disabilities continue to live in their family home. It can serve up to 850 participants.
- When a person accept a FSW offer, their annual budget is \$10,000.

Developmental Disabilities Adult Day (DDAD)

- *The DDAD Waiver is what a person receives once they are 21 years old and the school year ends.*
- For people ages 21 years and older, to maintain skills learned at school. Focuses on daytime community integration and inclusion, including job support or teaching skills for future employment. Services replace what the school is responsible for until the age 21.
- When a person accepts a DDAD Waiver offer, funding is determined by an objective assessment process.

Comprehensive Developmental Disabilities (CDD)

- For people of all ages. It has a full range of services, including daytime and residential support.
- Service coordination, residential supports, respite, and homemaker can be provided to a child on the CDD Waiver.
- When a person accepts a CDD Waiver offer, funding is determined by an objective assessment process.
- *When a person has the CDD Waiver before they turn 21 years old, additional funding for day services is added upon completing school at 21 years old.*

How Teachers can Assist Students/Families

Application and Eligibility Determination

A teacher should encourage parents to apply for a DD Waiver when their child is diagnosed with a developmental disability. There is one application for all three DD waivers.

An application is required to determine eligibility and can be submitted at any time. When an application is received for someone under 21 years old, it is considered an application for all three DD Waivers. *Anyone can help someone fill out an application. This includes teachers or other educators.* Whomever is legally responsible needs to sign the application and participate in the eligibility process by answering questions, providing information, and participating in assessments.

The waiver application includes a consent to release information. Records will be requested if not included with application.

- **Diagnosis** can come from a medical doctor, specialist, or licensed psychologist.
 - The DD diagnosis may be based on a medical condition or intellectual disability.
 - **Eligibility Information for the Diagnosing Psychologist** – Assessments used in a DD diagnosis.
- **Limitations** are confirmed by reviewing information from the school. *DDD will request all Multi-Disciplinary Team (MDT) reports and the most recent Individual Education Plan (IEP).*
 - The three areas of limitations required by State Statute for a developmental disabilities are:

- *Conceptual* – Language, literacy, money, time, number concepts, and adaptive functioning.
- *Social* – Interpersonal, social responsibility, self-esteem, gullibility, wariness, social problem solving, ability to follow laws and rules, and avoid being victimized.
- *Practical* – Daily living, personal care, occupational skills, healthcare, and mobility.
- **Eligibility Information for the School Psychologist** – Assessments to include in the MDT.

Funding Offers and Determining the Amount

All waiver offers are mailed. *DDAD Waiver offers are usually sent the January-February before the school year ends.*

- **Funding to Transition from Educational Services Brochure** – Brochure with funding priorities and the process for graduates to start services.

The legally responsible person must complete and return the offer to receive services. If no response is received to the letter, follow-up phone calls or emails may occur. *It is important for people who are waiting for a waiver to notify DDD of changes in address, phone number, or email.*

When a person accepts an offer for the CDD or DDAD Waiver, the objective assessment process determines the funding amount they will receive. People with higher needs receive higher funding amounts.

- Offers for the CDD and DDAD waivers include a page to list people to interview to assess needs.
- The ICAP assessment is completed to determine the funding amount. Typically interviewees are someone the person lives with and someone from the school. *DDD should call the teacher or other educational professional who knows the student best to complete an interview.* Interviews are done over the phone.
- **DD Assessment & Budgeting Brochure** – Brochure about the process used to assess needs and decide budgets for purchasing DD services. Includes tips for people being interviewed.

When a Student has Waiver Services

When a student has any HCBS Waiver, their parent or guardian should request the school invite their Service Coordinator to IEP meetings so school and waiver services can be consistent.

Timeline: Moving to Adult Developmental Disabilities (DD) Services

By age 14

- When they are not already doing so, the student should participate in their Individual Education Plan (IEP).
- The student should apply for and start Pre-Employment Transition Services (Pre-ETS) with a VR provider.
- A teacher should talk with the student about future planning, such as going to college or finding a job.
- When they have not already done so, the student's legal guardian should apply for Medicaid HCBS Waiver services. *A child does not have to have Medicaid to apply for waiver services. A student may be eligible for more than one waiver. The only way to know is to apply.*

Age 18 – Federal age of majority.

- The student should apply for Social Security benefits (SSI or SSA). *Parental income no longer counts for Social Security.*
- A student who wants to seek employment should be referred for adult VR services with the VR provider doing their Pre-ETS.

Age 19 – Nebraska age of majority.

- The student should apply for Medicaid. *Parental income no longer counts for Medicaid.* This may be applied for at age 18 *after* Social Security has made a disability determination for the adult.
- Once a student has Medicaid, the student/guardian should ask the school to invite their Service Coordinator to IEP meetings.

Around age 21

- The IEP team develops a Summary of Performance. This information will be used for their adult person-centered planning to build on strengths learned in school.
- Educational services stop at the end of the school year in which the student turns 21 years old.
- When a graduate accepts the DD Adult Day (DDAD) Waiver, they must begin using services before they turn 22 years old. After they turn 22 years old, they need to wait to receive funding under a different priority.
- DDD uses an objective assessment process to determine a person's funding amount before they begin receiving services on the DDAD Waiver.
 - During the assessment process, DDD contacts the student's teacher and family to be interviewed.
 - *It is important to capture the student's needs and consider how well they can do each task completely, independently, and without any help or reminders.*