



## **Medicaid Home and Community Based Waiver Programs in Pennsylvania**

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People with disabilities in Pennsylvania receive many essential long term supports and services financed through funding streams called "Medicaid Waivers". There are twelve Waivers in Pennsylvania and they relate to persons with different diagnoses.

The term "Waiver" relates to the way these funding streams were first created. Under Title XIX of the Social Security Act, institutionalization is the mandated service for persons with disabilities. In the early 1980's, there were significant changes to federal rules in response to the family of Katie Beckett, a young child with significant health care needs who was not eligible for Medicaid funding for care in her home, but could receive Medicaid funding in an institution. Through the advocacy of the family and others, the "Home and Community Based Waiver Program" was created by Congress in 1981. The Waiver Program permits services and supports to be provided in the community and to be paid for with Medicaid funds while "waiving" a number of the institutional requirements. The Waivers are designed to enable the person to live and work in the community with the natural support that family, friends, schools and community organizations can provide. The Home and Community Waiver Programs are administered by the Centers for Medicare and Medicaid (CMS) at the federal level, and through various departments at the state level. In Pennsylvania, Medicaid is frequently referred to as "Medical Assistance".

Here are some important facts about Waivers:

1. Waivers are not entitlements. Not everyone who is eligible receives waiver funding and even those who receive waiver funding may not receive full funding. The Mental Retardation community maintains a waiting list. To learn more about the MR Waiting List, read the PA Waiting List Campaign. It is available at <http://www.pawaitinglistcampaign.org>.
2. Waivers are diagnosis specific and not every diagnosis has a Waiver. For example, Pennsylvania does not have a Waiver program for persons with mental illness.
3. Medical Assistance is the gate keeper for Waiver funding. A person must be eligible for Medical Assistance to qualify for Waiver funding. However, the income and resource limits for Waiver eligibility are more generous than for non-Waiver applications for Medical Assistance. 2009 monthly individual income limit for all Waivers is \$2,022. 2009 individual resource limits are \$2,000 for SSI recipients and \$8,000 for Social Security Disability recipients.
4. Waivers are not permanent. CMS must reauthorize them from time to time. In the last few years, CMS has been very critical of PA's administration of its MR Waivers. As a result, those Waivers have been revamped and we are waiting to see the implications.
5. For years, the Waivers are administered in PA on a county by county basis. As a result, similarly situated people in different counties were treated very differently. To get Waiver funding, individuals and their case managers or independent support coordinators had to negotiate with the local county agency administering the particular Waiver. As a result of the changes described in paragraph 4, Waivers are to be uniformly administered statewide.

## Waiver Programs in Pennsylvania

**Target Group: Persons with Mental Retardation (MR) and Developmental Disabilities (DD)**  
Administered by the P A Office of Developmental Disabilities and County MR/DD Programs

### **Consolidated Waiver for Individuals with Mental Retardation**

This waiver allows persons with MR aged 3+ who meet the Intermediate Care Facility (ICF)/MR level of care to remain living at home and in the community. *Services offered under this waiver include: residential placement, habilitation in-home and in community, transportation, specialized therapies, environmental accessibility adaptations, and respite care.* There is no set maximum for an individual budget. It must be based on the needs of the person in the Individual Support Plan (ISP).

### **Person/Family Directed Support**

This waiver allows MR/DD persons aged 3+ who meet the ICF/MR level of care to remain living at home and in the community. This waiver is for persons who live in their own home or with their families. *Services offered include: habilitation, transportation, respite, and therapy services.* There is a maximum cap for individual budgets. For 2009, the maximum budget for all services is \$26,000 per year.

### **Community Service Program for Persons with Physical Disabilities**

This waiver allows individuals with developmental (onset prior to age 22) physical disabilities who require *ICF/ Other Related Conditions (ORC)* level of care and for whom the primary diagnosis is not mental health or mental retardation. An example would be an individual with cerebral palsy. *Services offered include: daily living, community integration, environmental modifications, transportation and respite*

### **Infants, Toddlers, & Families (Early Intervention)**

This waiver allows MR/DD children aged 3 and younger who meets ICF/MR level of care to remain living at home and in the community. *Services offered include: social work, audio logy, health service, nutrition, therapies and special instruction.*

### **Waiver Target Group: Aged - Age 60 yr. +**

Administered by PA Office of Long Term Living and County Aging Departments  
Pennsylvania Department of Aging (PDA)

This waiver allow disabled persons aged 60+ who meet the nursing facility level of care to remain living at home and in the community. *Services offered include: personal care, home delivered meals specialized medical equipment and supplies, home health and emergency response.*

### **Long Term Care Capitated Assistance Program (LTCCAP)**

This waiver allows residents in Allegheny, Beaver and some part of Philadelphia counties who are 60+ and who meet the nursing facility level of care to remain living at home and in the community. *Services include: personal care, socialization activities, nursing services, transportation and meals.* Most services are provided in adult day care programs.

### **Waiver Target Group: Disabled/Physically Disabled - Age 18-59**

#### **Independence Waiver**

This waiver allows adults aged 18 to 59 with physical disabilities who are not ventilator dependent, require nursing facility level of care, and for whom the primary diagnosis is not mental health or mental retardation to live in the community. *Services offered include: activities of daily living, community integration, environmental modifications, transportation and respite.*

#### **Attendant Care**

This waiver allows physically disabled persons aged 18-59 who meet the nursing facility level of care to remain living at home and in the community. *Services offered include: service coordination, attendant care services, and emergency response.* The person must be able to direct their own care.

#### **Elwyn Waiver**

This waiver is for persons who are deaf and blind aged 40+ who reside in the Valley View facility of Elwyn, a residential program in Delaware County. *Services include: personal care, home health, special medical equipment and therapeutic services.*

#### **AIDS Waiver**

This waiver is for persons with HIV / AIDS who meet hospital or nursing facility level of care. *Services include: nutritional supplements, managed care, homemaker and home nursing services.*

#### **Autism Waiver**

This is the newest waiver approved in Pennsylvania for persons who are 21 yr and older with a diagnosis of autism without mental retardation. *Services include: assistance technology, behavioral therapy, day habilitation, residential placement, environmental adaptations and special therapies.*

### **Waiver Target Group: Traumatic Brain Injury (TBI)**

#### **COMMCare**

This waiver is for persons with TBI aged 21 to 59 who meet the specialized rehabilitation services level of care, remain living at home and in the community. *Services include: structured day program, behavioral therapy, night supervision or residential placement, and habilitation and support.*