

# Home and Community-Based Waivers

MAY 2007

## What is a Waiver?

Medicaid Home and Community-Based (HCBS) waivers provide alternatives to institutional long-term care through the Ohio Department of Job and Family Services' (ODJFS) Medicaid office. The term "waiver" refers to an exception to federal law that is granted to a state by the federal Centers for Medicare and Medicaid Services. Waivers allow participants, who have disabilities and chronic conditions, to have more control of their lives and remain active participants in their community. Without HCBS waivers, many consumers would live in a hospital, nursing home or Institutional Care Facility for the Mentally Retarded (ICF-MR). In addition to providing an alternative to institutional care, waivers enable Ohio Medicaid to try new programs with limited enrollment and locations, and waive certain eligibility requirements.

ODJFS provides funding for and is ultimately responsible for all eight waivers within Ohio Medicaid, and administers three of them. The others are administered by the [Ohio Department of Mental Retardation and Developmental Disabilities](#) (MR/DD), which manages two waiver programs, and the [Ohio Department of Aging](#) (ODA), which manages three waiver programs. Together, in State Fiscal Year 2006, the eight Ohio Medicaid waivers provided alternative access to long-term care to more than 58,000 individuals.

## What is Level of Care?

Level of care (LOC) is a classification system used to determine the appropriate types of long-term care Medicaid will pay for, either in an institutional setting or in the home and community through a waiver or the PACE program. People who want to enroll on a home and community-based services Medicaid waiver must meet the specific LOC requirements for that waiver.

All individuals must meet and surpass the Protective LOC, which includes instrumental activities of daily living such as shopping, laundry and cooking. The three LOCs associated with waivers are:

**Intermediate LOC** (ILOC) considers an individual's ability to perform activities of daily living, such as bathing, dressing, eating, toileting and mobility, or the need for skilled services, and the inability to self-administer medication. A waiver requiring an ILOC is used for waivers that provide services as an alternative to nursing facility care.

**Intermediate Care Facility for the Mentally Retarded LOC** (ICF-MR LOC) relies on the presence of a developmental disability and the individual's assistance needs for economic independence, communication, capacity for independent living and personal care. A waiver requiring an ICF-MR LOC provides an alternative to institutional care for an individual with mental retardation or developmental disabilities.

**Skilled LOC**, in general, is for individuals whose condition requires medical care beyond what is provided for individuals with intermediate or ICF-MR LOCs. The individual requires daily skilled services for an unstable medical condition having either complications or complex treatments. Skilled services must be performed by a nurse or therapist. Waivers providing services as an alternative to nursing facilities, hospitals or rehabilitation facilities use the skilled LOC.

More information about LOC and links to LOC rules in the Ohio Administrative Code, which also contains the rules regarding waivers, can be found at <http://jfs.ohio.gov/ohp/ohc/levelofcare.stm>.

# Home and Community-Based Waivers cont.

## Waivers Administered by ODJFS (level of care determined by ODJFS)

	Eligibility	Services	Application	Administrative Agency
Ohio Home Care Waiver (OHCW)	<p>Specific Financial Criteria</p> <p>Intermediate or Skilled Level of Care</p> <p>Age 59 or younger</p>	<ul style="list-style-type: none"> <li>•adult day health</li> <li>•emergency response</li> <li>•home-delivered meal</li> <li>•home modification</li> <li>•out of home respite</li> <li>•personal care aide</li> <li>•supplemental adaptive and assistive device</li> <li>•supplemental transportation</li> <li>•waiver nursing</li> </ul>	<p>The ODJFS 02399 form is the application. It can be obtained and submitted at the local county department of job and family services (CDJFS).</p> <p>A waiting list exists at this time. When space becomes available applicants on the waiting list must re-apply.</p>	<p>ODJFS administers this waiver program.</p> <p>ODJFS contracts with a case management agency to provide management services.</p>
Transitions MR/DD Waiver	<p>Specific Financial Criteria</p> <p>ICF/MR Level of Care</p> <p>All Ages</p> <p>Available only to consumers w/an ICF/MR LOC a) on OHCW 1/1/02, or b) on Core Plus when it closed 7/1/06; or c) on ODMR/ DD waiver and receiving home health benefits 7/1/06.</p>	same as above	Closed to new enrollment.	<p>ODJFS administers this waiver program.</p> <p>ODJFS contracts with a case management agency to provide case management services.</p>
Transitions Carve-Out Waiver (T2)	<p>Specific Financial Criteria</p> <p>Intermediate or Skilled Level of Care</p> <p>The individual must be age 60 or older and must transfer in from the OHCW.</p> <p>Available only to consumers a) on OHCW 7/1/06; or b) on OHCW and turn 60 after 7/1/06; or c) on Core Plus when it closed 7/1/06; or d) on ODA waiver and receiving home health benefits 7/1/06.</p>	same as above	Closed to new enrollment.	<p>ODJFS administers this waiver program.</p> <p>ODJFS contracts with a case management agency to provide case management services.</p>

# Home and Community-Based Waivers cont.

## Waivers Administered by ODA (level of care determined by Area Agencies on Aging)

	Eligibility	Services	Application	Administrative Agency
Assisted Living Waiver	<p>Specific Financial Criteria</p> <p>At least an Intermediate Level of Care and in a nursing facility or enrolled in PASSPORT, CHOICES, Ohio Home Care or Transitions Carve-Out waivers, age 21 or older and have unschedulable need for hands-on assistance with at least 2 activities of daily living.</p>	<ul style="list-style-type: none"> <li>•assisted living</li> <li>•community transition (for nursing home residents only)</li> </ul>	<p>Completion of the JFS 02399 is required and can be obtained and submitted at a local CDJFS or at the regional PAA office.</p>	<p>The Ohio Department of Aging (ODA) administers this waiver program under the direction of ODJFS.</p> <p>The three approved PAAs act as regional administrators and provide case management services.</p>
Choices Waiver	<p>Specific Financial Criteria</p> <p>At least an Intermediate Level of Care</p> <p>Age 60 and older</p> <p>Lives in approved service area (one of three PASSPORT Administrative Agencies (PAA) areas)</p> <p>Attend training and willing and able to direct provider activities &amp; negotiate rates within cost cap</p>	<ul style="list-style-type: none"> <li>•adult Day Health</li> <li>•alternative meals service</li> <li>•environmental accessibility adaptations</li> <li>•home care attendant</li> <li>•home-delivered meals</li> <li>•personal emergency response systems</li> <li>•pest Control</li> <li>•specialized medical equipment &amp; supplies</li> </ul>	<p>Completion of the JFS 02399 is required and can be obtained and submitted at a local CDJFS or at one of the three approved regional PAA offices.</p>	<p>The ODA administers this waiver program under the direction of ODJFS.</p> <p>The three approved PAAs act as regional administrators and provide case management services</p>
PASSPORT	<p>Specific Financial Criteria</p> <p>At least an Intermediate Level of Care</p> <p>Age 60 or older</p>	<ul style="list-style-type: none"> <li>•all of the above except home care attendant, alternative meals and pest control</li> <li>•chore</li> <li>•independent living assistance</li> <li>•nutritional consultation</li> <li>•personal care services</li> <li>•social work &amp; counseling</li> <li>•transportation</li> </ul>	<p>The ODJFS 02399 form is required to make application and can be obtained and submitted at the local CDJFS or the PAA offices.</p> <p>A waiting list exists at this time. When space becomes available applicants on the waiting list must re-apply.</p>	<p>The ODA administers this waiver program under the direction of ODJFS.</p> <p>PAA act as regional administrators and provide case management services.</p>

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Waivers Administered by ODMR/DD (level of care determined by county boards of MR/DD)

	Eligibility	Services	Application	Administrative Agency
Level One Waiver	<p>Specific Financial Criteria</p> <p>ICF/MR Level of Care</p> <p>All Ages</p>	<ul style="list-style-type: none"> <li>•adult day supports</li> <li>•day habilitation</li> <li>•environmental accessibility &amp; adaptations</li> <li>•homemaker / personal care</li> <li>•personal emergency response system</li> <li>•respite -informal</li> <li>•respite - institutional</li> <li>•specialized medical equipment &amp; supplies</li> <li>•supported employment (community and enclave)- adaptive equipment</li> <li>•transportation (medical and non-medical)</li> <li>•vocational habilitation</li> </ul>	<p>Completion of the JFS 02399 is required and can be obtained and submitted at a local CDJFS or at the local county board of MR/DD.</p>	<p>The ODMRDD administers this waiver program under the direction of ODJFS.</p> <p>Local county boards of MR/DD provide case management.</p>
Individual Options Waiver	<p>Specific Financial Criteria</p> <p>ICF/MR Level of Care</p> <p>All Ages</p>	<ul style="list-style-type: none"> <li>•homemaker/personal care</li> <li>•transportation</li> <li>•respite</li> <li>•supported employment</li> <li>•environmental accessibility modifications</li> <li>•social work/counseling</li> <li>•nutrition</li> <li>•interpreter</li> <li>•home-delivered meals</li> <li>•adaptive and assistive equipment</li> <li>•day habilitation- adult day support</li> <li>•habilitation- vocational habilitation</li> <li>•supported employment- enclave</li> <li>•supported employment- community</li> <li>•supported employment - adapted equipment</li> <li>•non-medical transportation</li> </ul>	<p>Completion of the JFS 02399 is required and can be obtained and submitted at a local CDJFS or at the local county board of MR/DD.</p> <p>A waiting list exists at this time. When space becomes available applicants on the waiting list must re-apply.</p>	<p>The ODMRDD administers this waiver program under the direction of ODJFS.</p> <p>Local county boards of MR/DD provide case management.</p>