



Medicaid Waivers

Section 21 and 29



What are Medicaid Waivers? (1)

Federal 1915(c) Home and Community Based Waivers

- Allows states to provide long term home and community based services to individuals who would otherwise be eligible for institutional care.
- States can offer a variety of services under Medicaid Waiver.
- Each state must apply for waivers.



What are Medicaid Waivers? (2)

Services covered by Medicaid Waivers:

- Case management
- Homemaker
- Home health aid
- Personal care
- Adult day health services
- Habilitation (Day and Residential)
- Respite Care
- Other types of services proposed by states



A New Vision for Waivers

The Centers for Medicare and Medicaid (CMS) are requiring that funding be used to:

- Provide more **integrated** services;
- Provide more **choice and autonomy**;
- Provide supports in a **respectful** way;
- Provide **choice among service settings and providers**.



CMS Requirements (1)

- The setting is integrated in and supports full access to the greater community;
- The setting is selected by the individual from among setting options;
- Ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint;
- Optimizes autonomy and independence in making life choices; and
- Facilitates choice regarding services and who provides them.



CMS Requirements (2)

- The individual has privacy in their unit including lockable doors, choice of roommates and freedom to furnish or decorate the unit;
- The individual controls his/her own schedule including access to food at any time;
- The individual can have visitors at any time; and
- The setting is physically accessible.



Maine Waiver – Section 29

Section 29 – Home and Community Based Waiver (Support Waiver)

- Supportive services to individuals who live with their families or on their own.
- Primarily Services are *community support* and *work support*.
- Can include a mix of other services recommended in the person-centered plan.



Section 29 - Eligibility

- Must meet medical eligibility requirements.
- Must meet financial eligibility requirements.
- Must have needs documented in an authorized personal plan.
- Funding opening must be available.



Maine Waiver – Section 21

Section 21 – Home and Community Based Waiver (Comprehensive Waiver)

- For individuals with ID or ASD who would otherwise qualify for care in an Intermediate Care Facility for Individuals with Intellectual Disabilities
- Broad mix of services including:
 - Home support
 - Work support
 - Community support



Maine Waiver – Section 21

Section 21 – Home and Community Based Waiver (Comprehensive Waiver)

- For individuals with ID or ASD who would otherwise qualify for care in an Intermediate Care Facility for Individuals with Intellectual Disabilities
- Broad mix of services including:
 - Home support
 - Work support
 - Community support



Section 21 - Eligibility

- Person must meet medical eligibility requirements.
- There must be a funded opening.
- Personal plan must identify needs for habilitative, therapeutic, and intervention services with the “overall goal of community inclusion.

See Chapter 101: MaineCare Benefits Manual (Chapter II – Section 21. at <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/waivers/home-and-community-based-1915-c-waivers.html>



Section 21 – Funded Services

- Home Support (Agency)
- Home Support (Family Centered)
- Remote home support (monitor only or interactive support)
- Shared living
- Employment Specialist Services
- Individual Work Support
- Group Work Support
- Consultation Services
- Counseling
- Crisis Assessment and Intervention
- Therapies: Occupational, Physical, and Speech
- Non-traditional communication consultation and assessment
- Communication aids
- Career planning
- Assistive technology
- Non-medical transportation to access Section 21 supports



AT & Waivers

- Assistive Technology (AT) can be funded under each waiver
- Intended to increase options to support independence & self-sufficiency
- Specific uses and aspects covered (including rates and funding limits) are set for each waiver



Specific waiver services

- Must be identified in a “personal plan.”
- Maine is moving increasingly to a planning process that is “person-centered.”