



# Medicaid Long Term Services and Supports (LTSS):

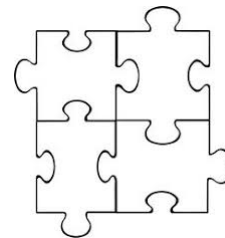
## What You Need to Know

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### Long Term Services and Supports (LTSS): Who, What, When, Why, How

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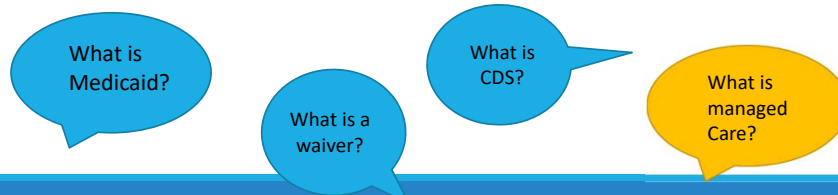
- What are LTSS programs?
- Who is eligible to receive services?
- How do I access services?
- When can I expect to receive services?
- Why is the wait so long for some services?
- How can I reduce the wait?



# WHAT ARE TEXAS LTSS PROGRAMS

## *Who is eligible?*

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## Medicaid

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- Medicaid pays for health care ([acute care](#)) and [long-term services and supports \(LTSS\)](#) for people who might not be able to pay for it themselves and/or are pregnant, over 65, or have a disability.
- Medicaid is a state and federal partnership.
- In Texas, long term services and supports for people with disabilities are typically covered by Medicaid entitlements or Medicaid waivers.
- Medicaid is the payer of last resort (private insurance, Medicare, Medicaid)

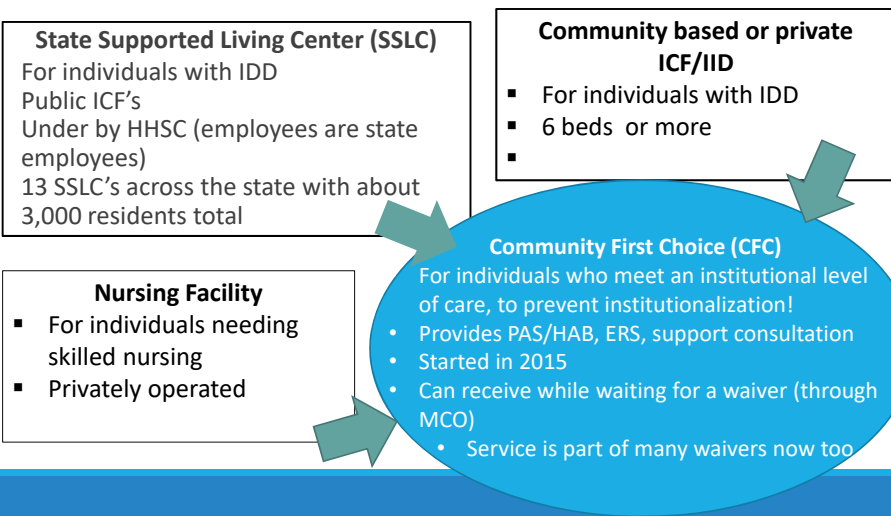
## LTSS ENTITLEMENT PROGRAMS

A government program for which potential beneficiaries have a legal right when they meet eligibility requirements for the program.

**States are not allowed to establish interest lists for entitlement programs.**

Also called state plan benefits

## STATE PLAN BENEFITS (MOSTLY DD)



## Community First Choice

- Community First Choice was added to the Medicaid State Plan on June 1, 2015 and offers personal assistance services and habilitation for individuals who qualify including individuals with developmental disabilities.
- Individual must have Medicaid and meet eligibility criteria for a nursing facility, intermediate care facility or residential treatment center.
- Children and young adults under the age of 21 contact their STAR Kids, STAR or STAR Health Service Coordinator. You can also contact your LIDDA.  
<https://apps.hhs.texas.gov/contact/search.cfm>
- Adults 21 and over with developmental disabilities contact their local intellectual and developmental disability authority  
<https://apps.hhs.texas.gov/contact/search.cfm> or their Managed Care Organization

## Community First Choice (CFC)

To be eligible for CFC services an individual must:

- Be a child or an adult who is eligible for Medicaid
- Require an institutional level of care, e.g.:
  - A nursing facility
  - An institution of mental disease
  - An intermediate care facility for individuals with an intellectual disability or related condition
- **Individuals on a waitlist for services may receive CFC through a health plan in their area (if they meet eligibility criteria)**

## Medicaid Waiver Programs



Section 1915(c) of the Social Security Act allows states to waive certain Medicaid requirements in order to **furnish home and community-based services and supports that promote community living for individuals and, thereby prevent institutionalization.**

Developed in 1981 (part of OBRA) to provide alternatives to institutionalization

- Waive certain Medicaid rules
- 1915(c) waivers “waive off” of some institutional setting (e.g. ICF/IID, Nursing Facility, Institute of Mental Disease)

**People are NOT “entitled” to these services**

**Legislative appropriations determine the availability of waiver services.**

## Waiver General Eligibility

Most waivers are for all ages (MDCP and STAR PLUS are the exceptions)

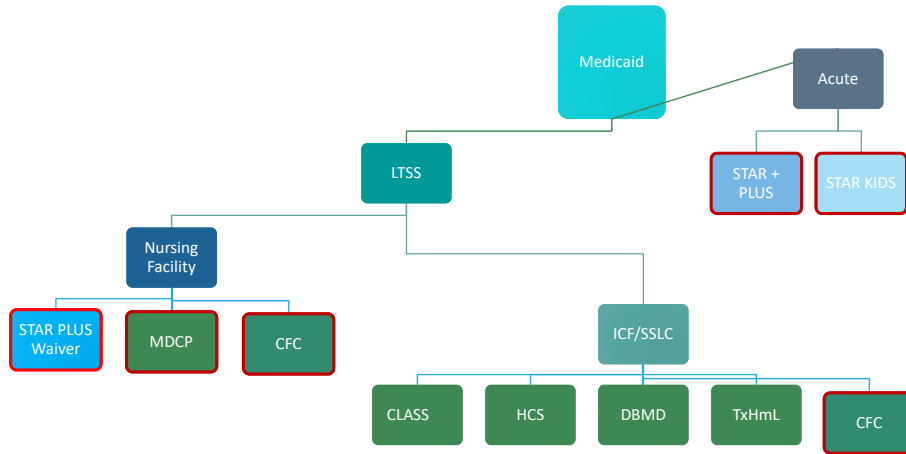
### **Financial eligibility:**

- For all waivers except TxHmL
  - **Within 300% of SSI**
  - **Does not look at parental income, only individual**
- TxHmL: SSI eligible and considers parental income in minors

Individuals must meet the **functional eligibility** criteria for the specific waiver.

An individual may only be **enrolled** in one waiver at a time.

# HIGH LEVEL OVERVIEW/Review



## Texas Medicaid Home and Community Based Waivers

- Community Living Assistance and Support Services (CLASS)
- Deaf Blind with Multiple Disabilities (DBMD)
- Home and Community-based Services (HCS)
- Texas Home Living (TxHmL)
- Medically Dependent Children's Program (MDCP)
- STAR PLUS Waiver (1115 demonstration waiver)
- Youth Empowerment Services (YES)



## Home and Community-Based Services Waivers

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- Medicaid home and community-based service waivers let states support individuals to live in the community instead of in facilities like hospitals, nursing facilities, or large group homes.

## Home and Community Based Services Waivers

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- Flexible
- Wide range of services and supports possible
- Family and person centered
- Eligibility based on the person's income and not the family. For children, the income of the parent is NOT considered, except for Texas Home Living
- Waiver is a way for individuals to become eligible for Medicaid
- Waivers are not entitlements so there can be waiting lists

## Services Available in All Waivers:

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Adaptive aids

Financial management services

Supported employment

Employment assistance

Minor home modifications

Respite

**Services in all BUT MDCP  
(Children's Medicaid  
includes already):**

- Professional therapies (OT, PT, etc.)
- Unlimited prescriptions
- Dental
- Nursing

For many adults (non Medicare) with a waiver, acute care (medical care) is covered by STAR PLUS.

MDCP



## MDCP – Medically Dependent Children Program

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Alternative to nursing facility for children under 21  
 Must meet medical necessity for nursing facility level of care  
 Does not consider parental income/Individual Income 3x SSI  
 Cost cap is 50% of nursing facility rate

## MDCP – Medically Dependent Children Program

Services	
Respite Provided by nurse of direct care provider	Flexible Family Supports Assistance to participate in childcare, independent living and community activities
Home Modifications \$7,500 life-time cap \$300 annual repair/maintenance	Adaptive Aids \$4,000 annual limit List of approved items
Employment Assistance	Supported Employment
Transition Assistance Services Up to \$2,500 to transition from institution	

## Important Facts About MDCP

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- Children and young adults living in nursing facilities can move home with MDCP services
- Children who meet medical fragility criteria can get MDCP through a limited nursing facility stay
- Children on MDCP automatically transition into STAR + Plus waiver on their 21<sup>st</sup> birthday

CLASS

## CLASS – Community Living Assistance and Support Services

- Alternative to ICF/IID/RC for children and adults
- Special income limit regardless of parental income at 300% of SSI
- Developmental disability that occurred before the age of 22
- Cost cap is 200% of cost of ICF/IID/RC or \$114,736.08 per year
- Primary disability must be a related condition (other than intellectual disability)  
<https://www.hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/providers/health/icd10-codes.pdf>
- Demonstrated need for habilitation and case management

## CLASS – Community Living Assistance and Support Services

Services	
Residential Habilitation Transportation	Supported Employment/Employment Assistance
Therapy – OT, PT, ST	Specialized Therapies Massage, HIPPO, music, recreation and aquatic therapy
Home/Vehicle Modifications \$10,000 life-time limit \$300 for annual repair/maintenance	Adaptive Aids and Dental \$10,000 per year
Nursing	Respite Up to 30 days per year
Behavioral Support including ABA	Prevocational Services
Support Family Services	Transition Assistance Services
Auditory Integration/Enhancement Therapy	Pre-Vocational Services
Dietary	Cognitive Rehab Therapy

## Important Facts About CLASS

- There is a way for children and adults to leave nursing facilities and get CLASS
- People who have high needs can ask to go over the yearly cost cap
- Adults over 21 in the waiver get medical services through STAR Plus Managed Care and Children in the waiver get medical services through STAR Kids
- List of Related Conditions - <https://www.hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/providers/health/icd10-codes.pdf>

HCS

## HCS – Home and Community-Based Services

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- Alternative to placement in an ICF/IID for children and adults
- Special income limit regardless of parental income at 300% of SSI
- Developmental disability with primary diagnosis of intellectual disability and an IQ below 70 or with a Related Condition and an IQ below 75
- IQ not considered for those individuals who meet medical necessity for nursing facility
- Cost Cap based on Level of Need:
  - \$167,468 for LON 1,5,8
  - \$168,615 for LON 6
  - \$305,877 for LON 9

## HCS – Home and Community-Based Services

Services	
Residential Assistance 3 and 4 bed group homes Host Home – No more than 3 people	Supported Employment/Employment Assistance
Home/Vehicle Modifications/Pre-Home Mods \$7,500 lifetime limit \$300 annual maintenance/repair	Adaptive Aids \$10,000 per year
Therapy – ST, OT, PT	Day Habilitation
Nursing	Respite - 300 units or 30 days
Behavioral Support including ABA	Dental - \$2,000
Audiology	Supported Home Living – Transportation
Transition Assistance Services	Cognitive Rehab Therapy
Dietary	

## Important Facts About HCS

- There is a way for individuals to leave nursing facilities and get HCS regardless of their IQ
- There is a way for individuals to get HCS if they are at risk of going into a nursing facility
- There is a way for individuals to get HCS if they are in a crisis
- People who have high needs can ask to go over the yearly cost cap
- Adults over 21 in the waiver get medical services through STAR Plus Managed Care and Children in the waiver get medical services through STAR Kids

TxHmL

## TxHmL – Texas Home Living

Alternative to ICF/IID for children and adults

**Does** consider parental income, must have Medicaid or SSI

Developmental disability with IQ below 70 or a Related Condition and an IQ below 75

Annual Cost Cap is \$17,000

## TxHmL – Texas Home Living

Services	
Community Support - Transportation	Supported Employment/Employment Assistance
Home/Vehicle Modifications \$7,500 lifetime limit \$300 per year maintenance/repair	Adaptive Aids \$10,000 per year
Therapy – ST, OT, PT	Day Habilitation
Nursing	Respite No limit- based on need
Behavioral Support including ABA	Dental \$1,000 per year
Audiology	Dietary

## Important Facts About TxHmL

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- TxHmL has a large number of services, but a lower dollar amount of services
- HHSC is currently evaluating whether to move all or some of the TxHmL services to managed care.
- Adults over 21 in the waiver get medical services through STAR Plus Managed Care and Children in the waiver get medical services through STAR Kids

DBMD



## Deaf-Blind with Multiple Disabilities

- Alternative to ICF/IID/RC for children and adults
- Individuals who are deaf/blind with a third disability resulting in demonstrated need for daily habilitation
- Special income limit regardless of parental income at 300% of SSI
- Cost cap is 200% of cost of ICF/IID/RC or \$114,736.08 per year

## Deaf-Blind with Multiple Disabilities - Services

Services	
Residential Habilitation/Assisted Living	Supported Employment/Employment Assistance
Home/Vehicle Modifications \$10,000 lifetime limit \$300 year repair/maintenance	Adaptive Aids \$10,000 per year
Therapy – ST, OT, PT	Day Habilitation
Nursing	Respite 30 units (days)
Behavioral Support including ABA	Audiology
Environmental Accessibility	Intervenor
Orientation and Mobility	Chore Provider
Dental \$2,500 Dental and \$2,000 Sedation	

## Important Facts About DBMD

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- Way for individuals to leave nursing facilities and get DBMD
- People who have high needs can ask to go over the yearly cost cap
- Adults over 21 in the waiver get medical services through STAR Plus Managed Care and Children in the waiver get medical services through STAR Kids

YES

## YES - Youth Empowerment Services

- Alternative to in-patient psychiatric care for children and adolescents ages 3 through 18
- Must meet medical necessity and level of care criteria for inpatient admission including, including risk of self-harm, risk of severe disruptive or aggressive behavior
- Special income limit regardless of parental income at 300% of SSI
- Maximum annual cost limit of \$35,804.00

## YES - Youth Empowerment Services

Services	
Community Living Supports	Specialized Psychiatric Observation
Home/Vehicle Modifications \$5,000 per year combined with adaptive aids	Adaptive Aids \$5,000 per year combined with Minor Home Mods
Therapy Animal Assisted Therapy, Music Therapy, Art Therapy, Recreation Therapy	Para-Professional Services
Nursing	Respite 720 hours (30 days)
Supportive Family Based Alternatives	Family Supports
Transitional Services	Non-Medical Transportation
Nutritional Counseling	Supported Employment
Employment Assistance	

## Important Facts About YES

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- YES waiver is statewide
- There are waiting lists in some of the service areas
- Children with autism have sometimes been denied waiver eligibility even if they have a mental health diagnosis

STAR+Plus Waiver

## Star+Plus Home and Community-Based Services

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- Alternative to nursing facilities
- Adults 21 years or older
- Special income limit at 300% of SSI
- Cost cap is up to 202% of the individual's Resource Utilization Groups (RUG) <https://pfd.hhs.texas.gov/sites/rad/files/documents/long-term-svcs/2015/2015-nf-rates.pdf>

## Star+Plus Home and Community-Based Services

Services	
Personal Assistance Services – MAO Population	Supported Employment/Employment Assistance
Home/Vehicle Modifications \$7,500 lifetime with \$300 per year repair/maintenance	Adaptive Aids/Medical Supplies \$10,000 per year
Therapy - ST, OT, PT	Home Delivered Meals
Nursing	Respite – 30 days
Protective Supervision	Emergency Response Services
Adult Foster Care	Dental \$5,000; exception to cap may be made if services of oral surgeon is required (up to an additional \$5000)
Transition Assistance Services	Assisted Living Facility
Cognitive Rehab Therapy	

## Important Facts About STAR+Plus Waiver

- Young adults who turn 21 and who age out of MDCP or Medicaid Private Duty Nursing move into STAR+Plus waiver with no wait
- Individuals who have SSI automatically get STAR+Plus waiver services with no wait, higher income individuals enter from waiting list
- There is a mechanism for individuals to leave a nursing home and move into STAR+Plus
- Individuals in STAR+Plus whose needs exceed the individual cost cap can request from HHSC the ability to exceed the cost cap
- All individuals who were in CBA transitioned to STAR+Plus on September 1, 2014

## Waiting List Contact Information

Waiver	Contact Information
MDCP	1-877-438-5658
CLASS	1-877-438-5658
HCS	Local Authority <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a>
Texas Home Living	Local Authority <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a>
DB/MD	1-877-438-5658
STAR+Plus Waiver	Local HHSC Office <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a>
YES	<a href="https://hhs.texas.gov/services/mental-health-substance-use/childrens-mental-health/yes-waiver">https://hhs.texas.gov/services/mental-health-substance-use/childrens-mental-health/yes-waiver</a>

# Medicaid Buy-In



## Medicaid Buy-In for Children

Medicaid Buy-In for Children can help pay medical bills for children with disabilities. This program helps families who need health insurance, but make too much money to get traditional Medicaid. Families “buy in” to Medicaid by making a monthly payment (premium).

To be in this program a child must:

- Be age 18 or younger
- Meet the same rules for a disability that are used to get SSI
- Live in Texas.
- Be a U.S. citizen or legal resident.
- Not be married.

## Medicaid Buy-In for Adults

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### **What is the Medicaid Buy-In program?**

Allows certain people with disabilities who work to buy into Medicaid. The program offers low-cost Medicaid health care services — including some community-based services and supports. Some people might have to pay a monthly fee.

### **Who can be in the Medicaid Buy-In program?**

A person who has a disability

Is working

Lives in Texas

Does not live in a state institution or nursing home all the time.

## WHAT IS THE CDS OPTION?

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## CONSUMER DIRECTED SERVICES (CDS)



CDS is a service delivery option where the individual with a disability or the legally authorized representative hires and manages the people paid through public funds to help the person live in the community.

Consumer Directed Services (CDS) is about choice....

People make choices based on their own preferences, needs, and support system.

**Tell your service coordinator or case manager that you want to be your own employer and use the CDS option!**

## What is Managed Care?

# Medicaid Managed Care

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What is Managed Care?

- What is capitation? What is Fee for Service (FFS)?
- What is an MCO?

As a result of Senate Bill 7/Medicaid Managed Care Law passed in the 83rd Legislative session (2013) many of the services for Texans with disabilities could move into managed care.

**Unlike fee-for-service (traditional) Medicaid, in Medicaid Managed Care (MMC), beneficiaries must:**

Enroll in a Medicaid managed care health plan :

- Follow the plan's rules for accessing services including:
  - Choosing a primary care provider
  - Obtaining prior authorization for medical services
  - Receiving in-network treatment

## HOW DO I ACCESS COMMUNITY LTSS SERVICES?

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*When can expect to receive  
them?*

## GET ON THE WAITLIST

- **SIGN UP TODAY!!!**

- MDCP, CLASS, and DBMD:  
Call: 1-877-438-5658

- HCS, TxHmL, and CFC:

Contact your local intellectual and developmental disability authority (LIDDA)

To find out your local authority, go to:

<https://apps.hhs.texas.gov/contact/search.cfm>

- Star Plus:

Call: 877-782-6440

What is a  
LIDDA???

Some people wait  
up to 15 years for  
services!!

## CRISIS DIVERSION

This is a program designed to prevent institutionalization

- If you are eligible you may receive services without a wait
- This does not take away from an individual waiting

If you or your loved one is in crisis, you can contact your LIDDA and tell them you would like to request an HCS crisis diversion waiver

- The LIDDA will help with the process
- You will show that other options are not useful or possible
- Make sure you are involved in the process

What is  
crisis?

# WHY DOES IT TAKE SO LONG?

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## Interest Lists/Waiting Lists

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Remember:

1. Individuals are not entitled to waiver services.
2. The State Legislature determines the amount of waiver slots that are funded each biennium (every two years).

More individuals want a community based waiver than there are funded slots.

Individuals are offered slots for waiver programs on a first-come first-served basis.

- The wait lists are statewide, and are not funded by county or local authority.

Individuals wait as long as 14 years

## The Numbers

### People on Waitlist: (April 2023)

- CLASS: 78,775
- DBMD: 1,292
- HCS: 109,641
- TxHmL: 97,718
- MDCP: 7,174
- STAR + PLUS: 17,105  
(people usually wait less than a year for STAR PLUS)

**\*People wait as long as 14 years for other waivers**

### Legislative Appropriation for 2024-2025

- CLASS: 213
  - DBMD: 8
  - HCS: 1,144
  - TxHmL: 305
  - MDCP: 161
  - STAR + PLUS: 42
- Total allocation: 1,831**

**\* No dedicated Promoting Independence slots were funded**

## SO?

Texans do have a voice in the type of services available to Texans with disabilities.

Remember: The legislature funds services and develops laws and policies that determine how and where services are provided.

People with disabilities and their families have made it clear where they want to live and what services they need to thrive in the community.



## Now what?

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Texans do have a voice in the type of services available to Texans with disabilities.

Remember: The legislature funds services and develops laws and policies that determine how and where services are provided.

People with disabilities and their families have made it clear where they want to live and what services they need to thrive in the community.

## Now what?

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- Educate decision makers such as legislators and agency staff;
- Stay informed through social media and email updates;
- Attend legislative and agency hearings, town halls, etc;
- Brush up on your advocacy skills through trainings and webinars (there are groups that will help you advocate)
- Write your local news outlet and let them know the issues that concern you!

## What can YOU do? Advocate!

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Winning in politics isn't easy

In order to change policy and laws, you have to:

- Understand the process (local, state, federal).
- Understand your power.
- Know WHEN, WHY and HOW to communicate with decision makers

IT IS NOT ENOUGH TO BE RIGHT!

# Thank you

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