

# Texas Medicaid Waivers & Waitlists

## What You Need to Know!

The IDD Council of Tarrant County – June 7, 2024

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# Goals for today...

**Provide an overview of Texas' LTSS Medicaid Wavier and State Plan services answering these questions...**

What is an LTSS program?

How do I access an LTSS program?

When can I expect to receive services through an LTSS program?

*and more...*

**Review why there is such a long wait to access services**

**Explore ways to create change**



# Medicaid

... the primary payer across the nation for long-term care services.

Medicaid is a joint state and federal program that pays for **health care** and **long-term services and supports** for people who might not be able to pay for it themselves, and/or are pregnant, over 65 or have a disability.

**Health Care** – acute care

## **Long-Term Services & Supports -LTSS**

a term used to define the broad range of Medicaid funded medical and personal care assistance people may need because they struggle with self-care tasks and day-to-day activities due to aging, chronic illness or disability.

**Payer of Last Resort**



# LTSS Entitlement Programs

Also Called  
State Plan Benefits

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.

## **SSLC** **State Supported** **Living Center's**

Large state operated ICF-IID institution for people with IDD.

HHSC program  
state employees  
2596 residents

## **NF** **Nursing Facility**

Institutional care for individuals whose medical condition regularly requires the skills of licensed nurses.

privately operated

## **ICF-IID** **Intermediate** **Care Facility for** **Individuals with** **Intellectual** **Disabilities**

community or privately operated  
6-beds or more



## **CFC - Community First Choice**

Launched in 2015, for individuals who have Medicaid and meet an institutional level of care, to PREVENT institutionalization!

Services: PAS/HAB, ERS, Support Consultation

# CFC Community First Choice

CFC was added to the Medicaid State Plan on June 1, 2015.

Offers personal assistance services (**PAS**) and Habilitation (**HAB**) for individuals who qualify including individuals with developmental disabilities.

## CFC Eligibility

- eligible for Medicaid
- need help with activities of daily living (ADLs)
- need an institutional level of care (ICF-IID, Institute of Mental disease, NF)

## CFC Services

- help with ADL's and health-related tasks through hands-on assistance, supervision
- services to help an individual learn how to care for themselves
- backup systems or ways to ensure continuity of services and supports
- training on how to select, manage and dismiss attendants

CFC can be used as a stand-alone program or embedded within a Waiver.

# Medicaid Waiver Programs

Allow states to waive certain Medicaid requirements to develop Home and Community Based Services (HCBS)

Medicaid-funded programs.

Programs are designed to provide supports and services that promote community living and thereby prevent institutionalization.

## Waiver Programs In Texas

### CLASS

Community Living Assistance and Support Services

### DBMD

Deaf Blind Multiple Disability

### HCS

Home and Community-based Services

### MDCP

Medically Dependent Children's Program

### STAR+PLUS

State of Texas Access Reform – 1115 demonstration waiver

### TxHmL

Texas Home Living

### YES

Youth Empowerment Services

## Helpful Information

waivers “waive off” different institution models of care – ICF-IID, NF and Mental Health institutions

waivers are **NOT** entitlement programs – there are **LONG** waitlists

TxHmL is the only waiver that considers **parental income** (minors only)

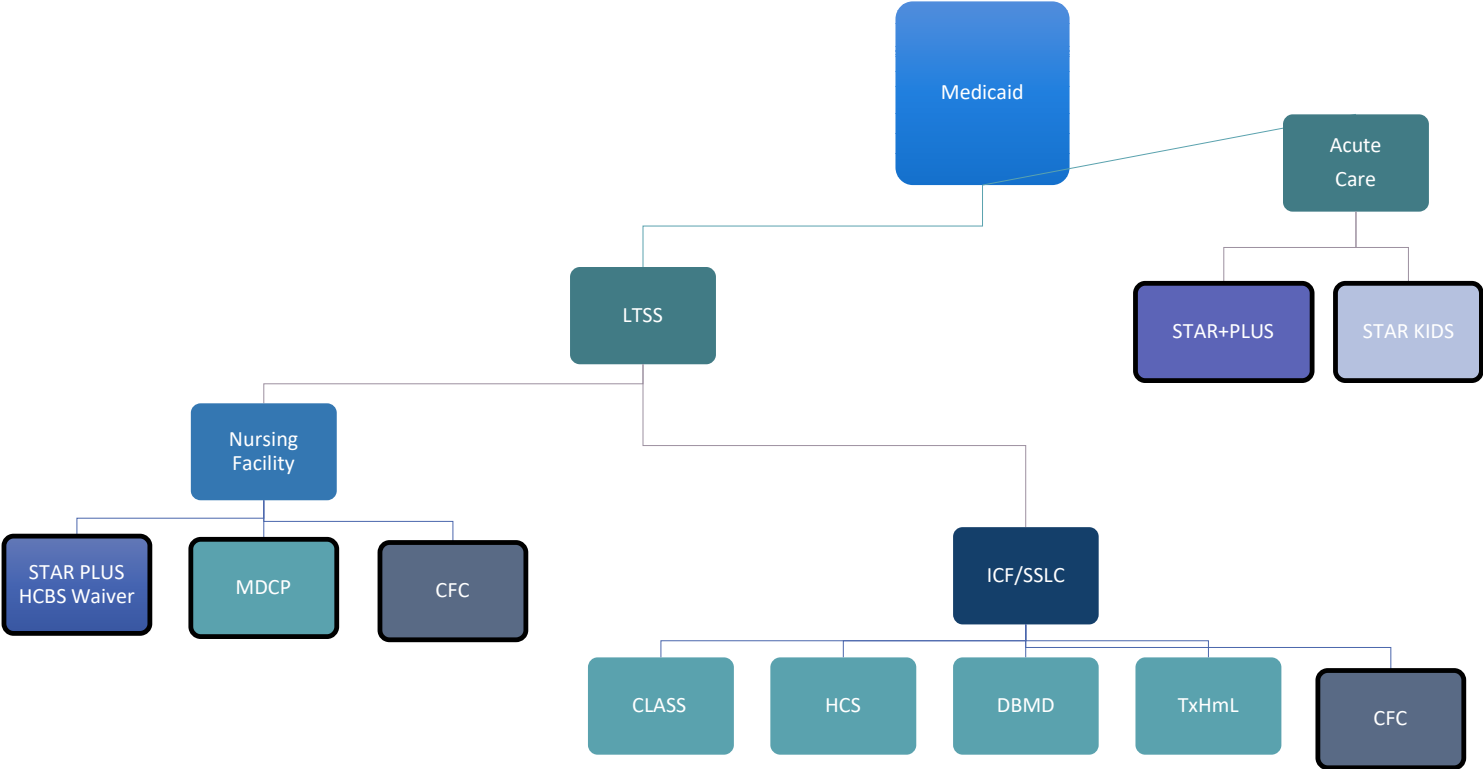
a person's age **IS** considered in the MDCP, STAR+PLUS & YES waivers

**financial** and **functional** eligibility must be met for a specific waiver

a person may only be enrolled in one waiver at a time but may remain on a wait list for other waiver programs

program costs caps, service **options**, service **costs**, and **who** can deliver services vary by waiver

# Waivers operated through Texas Health and Human Services - HHS



The YES Waiver is operated through the Texas Department of State Health Services – DSHS and waives off mental health institutions.

# Important Facts

## CLASS

must have a related disability (other than an intellectual disability) that originated **before** age 22

must have a demonstrated need for habilitation and case management

there is a way for children and adults in a nursing facility to leave and get CLASS

## DBMD

serves individuals who are deaf/blind with a third disability resulting in a need for day habilitation

there is a way for individuals to leave a nursing facility and get DBMD



# Important Facts

## HCS

serves individuals who have a developmental disability with primary diagnosis of intellectual disability, and an IQ below 70 or with a related condition and an IQ below 75 with deficits in adaptive behavior

IQ not considered for individuals who meet medical necessity for nursing facility

## HCS

There is a way for individuals to get HCS...

if they are at risk of going into a nursing facility

if they leave a nursing facility regardless of IQ

if they are in crisis

# Crisis Diversion

a program designed to prevent institutionalization

## How to Access a Crisis Diversion

If you or someone you know is in a 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 need to show that other options are not useful or possible
- make sure you are involved in the process
- if approved, you will bypass the waitlists

Crisis Diversion slots are funded separately, or through attrition and does not take away from those waiting for services on the waitlists

### **Crisis Diversion Protocol:**

<https://www.hhs.texas.gov/book/export/html/262476#:~:text=Texas%20Health%20and%20Human%20Services%20Commission%20%28HHSC%29%20may,of%20Imminent%20Risk%20of%20Admission%20to%20an%20Institution%3B>

What is  
a crisis?

# Important Facts

## MDCP

individuals who meet medical fragility criteria can get MDCP through a limited nursing facility stay – (Rider 28)

individuals automatically transition to STAR+PLUS HCBS waiver on their 21<sup>st</sup> birthday

## TxHmL

must have Medicaid or SSI

developmental disability with an IQ below 70 or with a related condition and an IQ below 75 with deficits in adaptive behavior

has a large number of services, but a lower dollar amount of services

# Important Facts

## STAR+PLUS HCBS

individuals who receive Medicaid Private Duty Nursing (PDN) move into the STAR+PLUS waiver with no wait at age 21

individuals aged 21 or older who have SSI automatically get STAR+PLUS waiver services with no wait

individuals with higher income enter from waiting list

there is a way for individuals to leave a nursing home and get STAR+PLUS

# Important Facts

**YES**

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, risk of self-harm, risk of severe disruptive or aggressive behavior

**YES**

there are waiting lists in some service areas

children with a dual diagnosis have sometimes been denied waiver eligibility even if they have a mental health diagnosis

# Important Facts

## ALL WAIVER PROGRAMS

### Waiver Services Include...

- adaptive aids (AA)
- employment assistance (EA)
- employment support (ES)
- minor home modifications (MHM)
- respite
- supported employment (SE)
- \*unlimited prescriptions

## ALL WAIVER PROGRAMS

### Non-Waiver Services Include...

- CFC – PAS/HAB
- CFC – ERS
- CFC – FMS
- CFC – Support Management

This is not an exhaustive list.

# Important Facts

## ALL WAIVER PROGRAMS

all waivers are available statewide

- \* children get medical care through STAR Kids
- \* adults 21 and older get medical care through STAR PLUS managed care
- \* people who have high needs can ask to expand cost cap

if you or someone you know is on a “interest” list/s (aka – wait list) you **must** make yearly contact to confirm you are still interested to stay on the list/s – if you move or your contact information changes, report it

\* Does not apply to the YES Waiver

# LTSS Medicaid Waiver Benefits

“Independence is not measured by the number of tasks we can do without assistance, but the quality of life we can lead with assistance.”

ADA, 1990



a way for individuals to become eligible for Medicaid

offer flexibility

person and family centered

wide range of services and supports

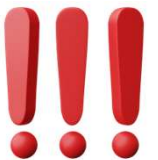
foster community and independent living



# Get on the waitlists or see where you are on the list.

Waiver Program	Contact Information
CLASS	1-877-438-5658
DB/MD	1-877-438-5658
HCS	Local IDD Authority – find your LIDDA: <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a>
MDCP	1-877-438-5658
STAR+PLUS HCBS	1-877-782-6440 – to get on the list Local HHSC Office <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a> – to see where you are on the list
TxHmL	LIDDA - Local IDD Authority – find your LIDDA: <a href="https://apps.hhs.texas.gov/contact/search.cfm">https://apps.hhs.texas.gov/contact/search.cfm</a>
YES	Local Mental Health/Behavior Authority – find your MHA: <a href="https://www.hhs.texas.gov/sites/default/files/documents/services/mental-health-substance-use/yes-waiver-inquiry-line.pdf">https://www.hhs.texas.gov/sites/default/files/documents/services/mental-health-substance-use/yes-waiver-inquiry-line.pdf</a>

Don't wait... Get on the wait lists NOW!  
Eligibility is not determined until services are offered.  
You can always turn down services if they are not needed.



## INTEREST LISTS COUNTS

HHS LTSS Waivers - March 2024

LTSS Waiver Program	# of people waiting	average wait time
CLASS	88,555	16-17 years
DBMD	2,018	7-8 years
HCS	122,972	16-17 years
MDCP	5,908	2-3 years
STAR+PLUS	2,623	2-3 years
TxHmL	111,295	15-15 years

## UNDUPLICATED NUMBER OF PEOPLE WAITING

across all HHS LTSS Waiver programs

Month/Year	Count
December 2018	153,551
December 2019	154,627
December 2020	170,097
December 2021	171,281
March 2022	169,128
March 2023	158,046
March 2024	172,896

# LTSS Medicaid Waiver Slots Allocated Each Biennium

LTSS Medicaid Waiver Program	Slots Funded 2024-2025	Slots Funded 2022-2023	Slots Funded 2020-2021	Slots Funded 2018-2019
CLASS	213	381	240	-0-
DBMD	8	6	8	-0-
HCS	1144	542	1320	-0-
MDCP	161	471	-0-	-0-
TxHmL	305	42	-0-	-0-
STAR+PLUS		107		

## Interest List Reduction Summary

<https://www.hhs.texas.gov/about/records-statistics/interest-list-reduction>



## So... why the **LONG** wait?

- Texas operates the largest and longest waitlists among states – Medicaid Waiver programs are **NOT entitlement programs** – slots are offered on a first come first served basis
- wait list **reduction** depends on State Legislature **approved funding** every biennium
- the **need** for HCBS Waiver programs is **greater** than the **number of funded slots**
- The Texas Legislature continues to maintain 13 large state operated institutions (**SSLCs**) for a declining population at a substantially higher cost of care compared to community-based HCBS Waiver programs cost of care
- Texas Legislature has historically **declined Medicaid expansion**

# What Can I Do While I Wait?

## Stay informed

- do your own research
- brush up on your advocacy skills (there are groups and resources to help you)
- sign up to receive information through emails, newsletters, etc.
- read the party platforms

## Educate others

- family and friends
- decisions makers such as Legislators, agency staff, news reporters, etc...

## Get involved

- connect with others
- advocacy groups
- social media
- sign up to receive action alerts

## Speak up!

- attend Legislative hearings, town hall meetings, or a rally
- share your story, they are POWERFUL
- make Legislative office visits
- share information on social media and tag your representative, committee members, etc.

**VOTE!!!** – what you allow will continue

The logo features the word "Take" in a stylized, orange, cursive font with motion lines on either side. Below it, the word "ACTION" is written in a bold, red, sans-serif font.