

I Need Help: Waivers
Alabama's Home and Community-Based Medicaid Waivers

NOTE: List all questions below here for quick answers

WHAT IS A HOME AND COMMUNITY-BASED MEDICAID WAIVER?

Alabama's Home and Community-Based Medicaid Waivers provide services to support persons with intellectual or significant physical and medical disabilities so they can live at home or in other community-based settings like group homes.

These services can include things like personal care, skilled nursing, behavioral supports, respite services, supported employment services, assistive technology, and homemaker services.

Alabama runs seven waiver programs, each with its own eligibility requirements and menu of services (see below).

WHY ARE THEY CALLED "WAIVERS"?

Upon request of a state, the federal government will waive certain federal Medicaid rules so a state can put together a set of services that better meet the needs of its citizens. In putting together its Medicaid waiver program for persons with disabilities, Alabama is able to fashion a menu of services to support the unique needs of these individuals.

WHO RUNS ALABAMA'S WAIVERS?

Alabama's seven waiver programs are administered by the Alabama Medicaid Agency and its state partners:

- Department of Mental Health (DMH)
- Department of Senior Services (DSS)

- Department of Rehabilitation Services (DRS)

AM I (OR A FAMILY MEMBER) ELIGIBLE FOR A WAIVER?

To be eligible for any of Alabama's waivers, you must have a low income and few resources.

There are slight differences in the financial requirements for each of the waivers but anyone receiving, for example, Supplemental Security Income (SSI) meets the financial eligibility requirement for every waiver.

In addition to being financial eligible, you also must fit into the target population served by the waiver you are seeking (see below).

Each waiver has a certain number of enrollee "slots" – the maximum number of enrollees, determined by the state, who can receive services at any one time under a particular waiver.

If you have been made eligible for a waiver, you can be awarded one of these slots (and start receiving services) only when a present enrollee leaves that particular waiver program and your level of need justifies placing you into one of these slots. The Alabama Medicaid Agency and the state partner which administers the waiver you are seeking determine your level of need.

SO NOT EVERY ELIGIBLE ALABAMIAN WITH A DISABILITY GETS A WAIVER SLOT AND IS PROVIDED WAIVER SERVICES?

No. Federal law allows a state to limit the number of persons enrolled in its waiver programs. As of 2014, Alabama has approximately 3,000 eligible individuals waiting to be placed into one of the slots so they can start receiving services. Most of these people are waiting for slots in the waivers run by DMH. Some of the waivers have a much shorter (or no) waiting list.

Unless Alabama chooses to invest more money in its waiver programs, it's unlikely that the existing waiting lists will decrease in any substantial way.

WHY SHOULD I BOTHER APPLYING IF THE WAITING LISTS ARE SO LONG?

The waiting lists shouldn't discourage you from applying for waiver services. At any time, your needs may suddenly change, increasing the likelihood that the state will decide you need to receive services and move you up the waiting list and into one of the waiver slots.

HOW DO I APPLY FOR A WAIVER?

Each of the agencies which partners with Medicaid to administer Alabama's waiver programs has its own application process. Contact the appropriate agency to learn more (see below). When you apply for waiver services, you should be assigned a case manager by that agency.

WHAT ARE SOME GENERAL TIPS I SHOULD FOLLOW WHEN APPLYING FOR ANY OF THE WAIVERS?

- Keep good records.
- Make sure you keep copies of all waiver applications and documents sent to support it.
- If possible, write down the date, time, and name of person you talked to whenever communicating regarding a waiver application.
- For some waivers, medical documentation may be required. Only provide medical documentation or records that are requested.
- Follow up with waiver application staff and/or your case manager as needed, but at least monthly.

HOW DOES MY POSITION ON THE WAITING LIST GET DETERMINED?

That partly depends on where you live and which waiting list you are on.

For waivers run by DMH (see below), a "criticality score" determines where you are on the waiting list. What this means is that persons with the highest need for services are placed higher on the DMH waiting list.

Other waiting lists may be run slightly differently but, in general, each should serve those with the most need first.

Some waiting lists are also operated by county, with slots being designated to particular counties based on population.

If you think you have an immediate need for waiver services, you should contact ADAP.

HOW WILL I KNOW MY POSITION ON THE WAITING LIST?

Your case manager should contact you at least once a year and ask you if you want to remain on the waiting list and about your present needs.

While you may not be told your actual spot on the waiting list (it fluctuates daily), your case manager should be able to provide you with your approximate place on the waiting list.

IF I'M ON THE WAITING LIST, HOW LONG WILL I HAVE TO WAIT TO FINALLY GET A SLOT?

This varies greatly depending on the waiting list, your need for services, and the needs of others on the waiting list.

Be sure to update your case manager when there are significant changes in your (or your family's) circumstances. For example, the long-term illness or death of a caretaker for a person with a disability will likely change that person's need for services.

EACH WAIVER OFFERS A LONG LIST OF SERVICES; WHICH OF THE SERVICES CAN I GET IF I BECOME ELIGIBLE FOR A WAIVER SLOT?

Under federal law, you are entitled to all services offered under a waiver that you need. While the operating agency has some say in your need for services, you should advocate for any and all needed waiver services. You should review the menu of offered services and discuss with your case manager your need for a particular service.

HOW CAN I PARTICIPATE IN PLANNING FOR THE SERVICES I GET UNDER THE WAIVER?

You are the key person in the planning process. Once approved for a waiver slot, your case manager should call a planning team meeting to discuss your needs and services. You and anyone of your choosing are able to attend this meeting and advocate for needed services. This meeting will result in a treatment plan that will describe the services you will receive. Your plan should be updated at least

annually or whenever a major life event occurs.

IF I'M ON THE WAITING LIST, WHERE CAN I GET HELP IN THE MEANTIME?

Unfortunately, there are not a lot of options for services for persons on the waiting lists. Some providers may offer private pay arrangements. Some churches or other community entities may have programs that offer limited services for persons needing assistance. You should discuss the availability of other services with your case manager.

CAN I BE ON MORE THAN ONE WAIVER AT A TIME?

No. You can only receive services under one waiver. You can, however, apply and be on the waiting list for multiple waivers. You should apply for ALL waivers for which you think you are eligible.

WHERE CAN I GO FOR HELP IF I HAVE A COMPLAINT ABOUT THE WAIVERS OR IF I HAVE BEEN DENIED SERVICES?

Contact ADAP as soon as possible. Some matters, like those related to eligibility determinations, have strict timelines that must be followed if you want to appeal the state's decision-making. If you delay acting, you may lose your right to appeal.

ADAP can help you understand your rights under the state's waiver programs. ADAP can represent you on a waiver issue if you meet its case eligibility guidelines.

ADAP vigorously supports home and community waiver services for persons with disabilities and engages in systemic advocacy around these issues, including educational, policymaking, and litigation activities.

ALABAMA'S HOME AND COMMUNITY-BASED MEDICAID WAIVERS

ALABAMA DEPARTMENT OF SENIOR SERVICES (ADSS)

Elderly and Disabled (E/D) Waiver

The E/D Waiver serves the elderly and individuals with disabilities who have significant medical, nursing or rehabilitation needs that would otherwise require them to live in a nursing home. The E/D Waiver can serve individuals of any age. Services provided under the E/D Waiver include case management, homemaker services, personal care, adult day health, respite care, adult companion services, and home delivered meals.

HIV/AIDS Waiver Program

To be eligible for services under the HIV/AIDS Waiver, a person must be at least 21 years old, have a diagnosis of HIV, AIDS and/or related illness, and have significant medical, nursing or rehabilitation needs that would otherwise require them to live in a nursing home. Services provided under the HIV/AIDS Waiver include case management, homemaker services, personal care services, respite care, skilled nursing, and companion services.

For more information about the E/D or HIV/AIDS Waivers or to enroll, contact ADSS at 1-800-AGE-LINE or (800) 243-5463. Further information also can be found on the ADSS website at

<http://www.adss.alabama.gov/medicaid.cfm>.

ALABAMA DEPARTMENT OF REHABILITATION SERVICES (ADRS)

State of Alabama Independent Living Waiver (SAIL) WAIVER

The SAIL Waiver serves individuals who have significant medical, nursing or rehabilitation needs that would require them to live in a nursing home. Such individuals include, but are not limited to, individuals with the following diagnoses: quadriplegia, TBI, ALS, MS, MD, spinal muscular atrophy, severe CP, stroke, and other substantial neurological impairments, severely debilitating disease or rare genetic diseases. The SAIL Waiver serves individuals who are 18 years of age and older. Services provided under the SAIL Waiver include:

- Case Management
- Personal Care
- Personal Assistance Service
- Environmental Accessibility Adaptations
- Personal Emergency Response System
- Medical Supplies
- Minor Assistive Technology
- Assistive Technology
- Evaluation for Assistive Technology
- Assistive Technology Repairs

Alabama Community Transition Waiver (ACT)

The ACT Waiver provides services to individuals with disabilities or long term illnesses who live in nursing homes and want to move to their own home or another community setting. The ACT Waiver has no age requirements. Services provided under the ACT Waiver include:

- Case Management
- Transitional Assistance
- Personal Care
- Homemaker Services
- Adult Day Health
- Home Delivered Meals
- Respite Care
- Skilled Nursing
- Adult Companion Services

- Home Modifications
- Assistive Technology
- Personal Emergency Response Systems
- Medical Equipment Supplies and Appliances

Technology Assisted (TA) Waiver for Adults Program.

The TA Waiver serves individuals who were receiving private duty nursing services under Medicaid as children but are not eligible for such services after the age of 21 and would otherwise need to live in a nursing home. Services provided under the TA Waiver include private duty nursing, personal care/attendant services, medical supplies, and assistive technology.

For more information about the SAIL, ACT or TA Waivers or to enroll, contact ADRS at (800) 441-7607. Further information can also be found at www.rehab.alabama.gov.

ALABAMA DEPARTMENT OF MENTAL HEALTH (DMH)

Intellectual Disabilities (ID) Waiver

The ID Waiver serves individuals with intellectual disabilities who have substantial limitations in three or more of the following areas of life: self-care, receptive and expressive language, learning, self-direction, capacity for independent living, and mobility. The ID Waiver serves individuals 3 years of age and older. Services available under the ID Waiver include:

- Residential Habilitation Training
- Residential Habilitation
- Day Habilitation
- Day Habilitation with Transportation Prevocational Services
- Supported Employment
- Individual Job Coach
- Individual Job Developer
- Occupational Therapy Services
- Speech and Language Therapy
- Physical Therapy
- Behavior Therapy
- In-Home Respite Care
- Out-of-Home Respite Care
- Institutional Respite Care
- Personal Care
- Personal Care on Worksite
- Personal Care Transportation
- Environmental Accessibility Adaptations
- Specialized Medical Equipment
- Medical Supplies
- Skilled Nursing
- Assistive Technology
- Adult Companion Services
- Crisis Intervention
- Community Specialist

Living at Home (LAH) Waiver

The target population for the LAH Waiver is similar to that of the ID Waiver (above). The LAH Waiver serves individuals 3 years of age and older. Services available under the LAH Waiver include:

- Residential Habilitation Training
- Day Habilitation
- Day Habilitation with Transportation
- Prevocational Services
- Supported Employment
- Individual Job Coach
- Individual Job Developer
- Occupational Therapy Services
- Speech and Language Therapy
- Physical Therapy
- Behavior Therapy
- In-Home Respite
- Out-of-Home Respite

- Personal Care
- Personal Care on Worksite
- Personal Care Transportation
- Environmental Accessibility Adaptations
- Specialized Medical Equipment
- Medical Supplies
- Skilled Nursing
- Community Specialist
- Crisis Intervention

DMH administers the ID and LAH Waivers. For more information or to enroll, contact the DMH/ID Call Center at (800) 361-4491. Further information can also be found at <http://www.mh.alabama.gov/ID/?sm=c>