

1.29	Defining When Home and Community Based Waiver Services Are Needed	Page 1 of 4
Issue date: 11/02	Revision date : n/a	Division Staff
Form(s): None		

Procedure

Each person in the Division who receives services under a Medicaid Home and Community Based Waiver is entitled to receive any service defined in the Waiver for which they have a "need". This Directive is designed to provide a working definition of "need" and should be used to determine when a person in the Waiver should receive additional or different services.

Waiver Guidelines to differentiate funding "needs" from "wants"

In general, the requests for services of Waiver eligible individuals are seen as needed rather than just wanted when one or both of the following apply:

- If there is an immediate health and/or safety issue that would be alleviated or mitigated by one or more of our Waiver services/supports;
- If the person is in imminent or immediate risk of abuse, neglect or exploitation, i.e. within next 30 days.

And all the following must apply:

- If requested Waiver service/support would clearly prevent placement in a more restrictive setting;
- If Waiver service is not provided, the person is at risk of ICF/MR admission;
- Only when waiver service/support has been determined to be the most appropriate way to address the need when compared to other available approaches, i.e. natural supports, other agency supports, or less restrictive Division supports.

If the conditions above are met, the following are guidelines for specific services under the Waiver:

Community living supports (residential services) are a need rather than a want when one or more of the following apply:

- The primary caregiver has a chronic health or age-related condition that significantly limits their ability to provide needed care to the person with a disability;
- The person with a disability is homeless or in imminent danger of becoming homeless, i.e. within next 30 days, and because of functional limitations requires a 24-hour supervised living arrangement;
- There is an immediate danger to self or others if the person with a disability stays in the current living situation and the community living supports will sufficiently eliminate, reduce, or control the danger;

- Without the Division's residential supports the person's health, well-being, and safety are seriously jeopardized because of functional limitations, medical needs, or cognitive impairment.

Day supports (day training and supported employment) are a need rather than a want when the following applies:

- When a person has a goal related to employment or skill development and will experience deterioration in functioning without day support to the point that their health and safety are in imminent or immediate jeopardy, i.e. within next 30 days.

In-home living supports (i.e. family support, respite, or supported living) are a need rather than a want when one or more of the following apply:

- The person with a disability requires a primary caregiver, but the primary caregiver has a chronic health or emotional condition that significantly limits caregiver's ability to provide needed care;
- When the person with a disability requires in-home care beyond what families are capable of providing for themselves (e.g. babysitter for teenaged child is not typically something a family should provide, whereas it is typically expected that families would provide this for a younger child);
- When the person with a disability is in immediate or imminent risk of abuse and neglect, i.e. within the next 30 days, because caregiver needs respite;
- When the person with a disability requires care that cannot be provided by the caregiver without outside help because the caregiver is responsible for other family members who also require specialized support or supervision;
- When the in-home placement of a child with a disability is at risk because caregiver's livelihood is jeopardized without in-home Waiver services/supports.

The following checklist should be completed whenever an additional or different service under the Waiver is being requested or considered. Only services that meet the conditions outlined in the checklist should be listed in the individual's Service Plan (ISP).

**Division of Services for People with Disabilities
Evaluation of Additional Waiver Services**

Date: _____ Completed by: _____

Name: _____ Date of Birth: _____

Address: _____

Current Supports:	Provider	Budget Amount
<input type="checkbox"/> CLS	_____	_____
<input type="checkbox"/> Day Supports	_____	_____
<input type="checkbox"/> Supported Employment	_____	_____
<input type="checkbox"/> Transportation	_____	_____
<input type="checkbox"/> Family Support	_____	_____
<input type="checkbox"/> Professional Parent	_____	_____
<input type="checkbox"/> Extended Residential	_____	_____

Summary of how supports have been used over the past year _____

Request for Additional Supports:

One or more of the following must apply:

- If there is an immediate health and/or safety issue that would be alleviated or mitigated by one or more of our Waiver services/supports;
- If the person is in imminent or immediate risk of abuse, neglect or exploitation, i.e. within next 30 days.

And all the following must apply:

- If requested Waiver service/support would clearly prevent placement in a more restrictive setting;
- If Waiver service is not provided the person is at risk of ICF/MR admission;
- Only when other ways to meet this need have been exhausted, i.e. natural supports, other agency supports, or less restrictive Division supports.

Detail Specific issues: _____

Fill out section related to additional request only

Community living supports

- ❑ The primary caregiver has a chronic health or age-related condition that significantly limits caregiver's ability to provide care to the person with a disability;
- ❑ The person with a disability is homeless or in eminent danger of becoming homeless, i.e. within next 30 days, and because of functional limitations requires a 24-hour supervised living arrangement;
- ❑ There is an immediate danger to self or others if person with a disability stays in the current living situation;
- ❑ Only when waiver service/support has been determined to be the most appropriate way to address the need when compared to other available approaches, i.e. natural supports, other agency supports, or less restrictive Division supports.

Detail Specific issues: _____

Day supports

- ❑ When person with a disability has a goal related to employment or skill development and will experience deterioration in functioning without day support to the point that their health and safety are in imminent or immediate jeopardy, i.e. within next 30 days.

Detail Specific issues _____

In-home living supports

- ❑ The person with a disability requires a primary caregiver, but the primary caregiver has a chronic health or emotional condition that significantly limits their ability to provide care to the person with a disability;
- ❑ When the person with a disability requires in-home care beyond what families are capable of providing for themselves (e.g. babysitter for teenaged child is not typically something a family should provide whereas it is typically expected that families would provide this for a younger child);
- ❑ When the person with a disability is in imminent, immediate risk of abuse and neglect because caregiver needs respite, i.e. within next 30 days;
- ❑ When the person with a disability requires care and the caregiver is responsible for more than one family member who requires specialized support or supervision;
- ❑ When the in-home placement of a child with a disability is at risk because caregiver's livelihood is jeopardized without in-home Waiver services/supports.

Detail Specific issues _____

Only services that meet the conditions outlined in the checklist should be listed in the individual's Service Plan (ISP).