



Medicaid Long Term Services and Supports (LTSS):

What You Need to Know

Jeffrey Miller, JD
Senior Policy Specialist
Disability Rights Texas

1

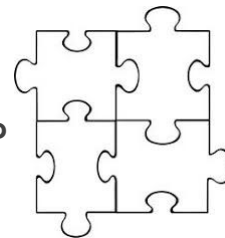
Long Term Services and Supports (LTSS): Who, What, When, Why, How

What are LTSS programs?

Who is eligible to receive services?

How do I access services?

When can I expect to receive services?

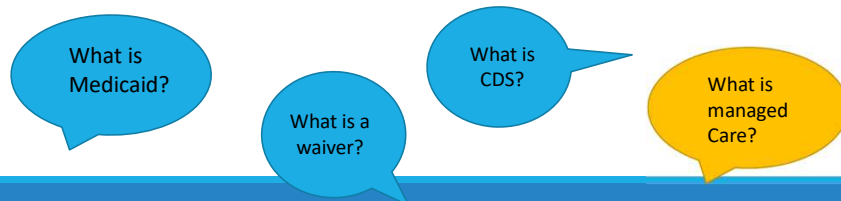


Why is the wait so long for some services?

2

WHAT ARE TEXAS LTSS PROGRAMS

Who is eligible?



3

Medicaid

- 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)

4

What are LTSS?

Long Term Services & Supports

... are generally defined as home and community-based services (HCBS) or institutional services designed to help a person with a disability or chronic illness accomplish daily activities, optimize their health and retain their independence.

[Medicaid Waiver Programs](#)

[State Plan Benefits](#)

[Title XX Community Supports and Services](#)

[Compare LTSS Programs in Texas](#)



5

LTSS ENTITLEMENT PROGRAMS

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

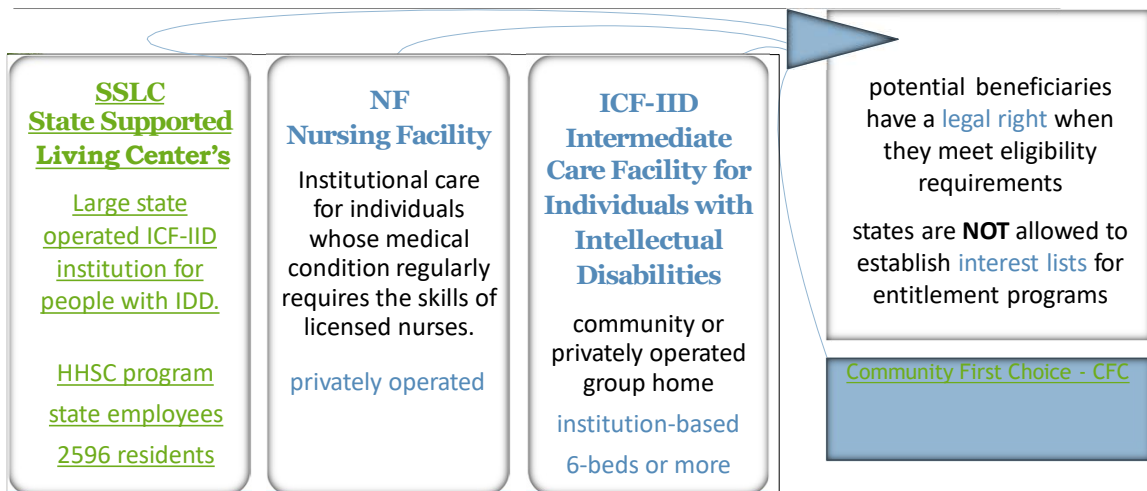
States are not allowed to establish interest lists for entitlement programs.

Also called state plan benefits

6

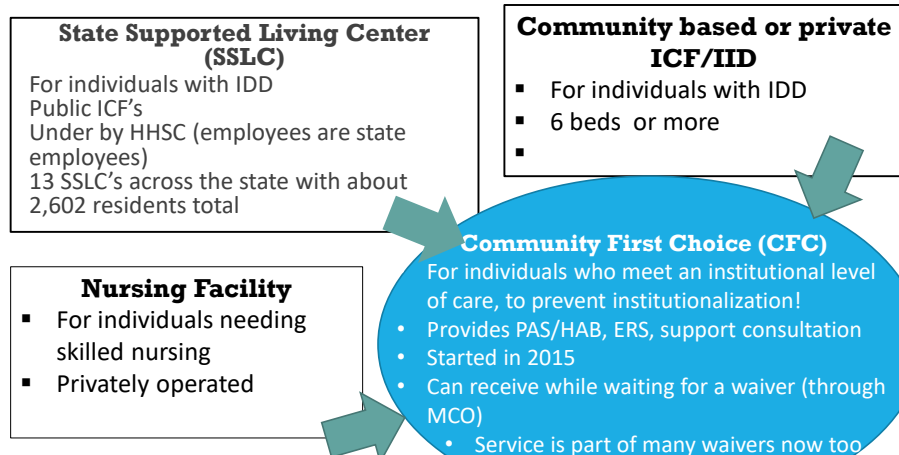
State Plan Benefits

(also known as entitlement programs)



7

STATE PLAN BENEFITS



8

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

9

CFC Community First Choice

Individuals on a interest list for services may receive CFC through a health plan in their area (if they meet eligibility criteria)

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.

10

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.

11

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

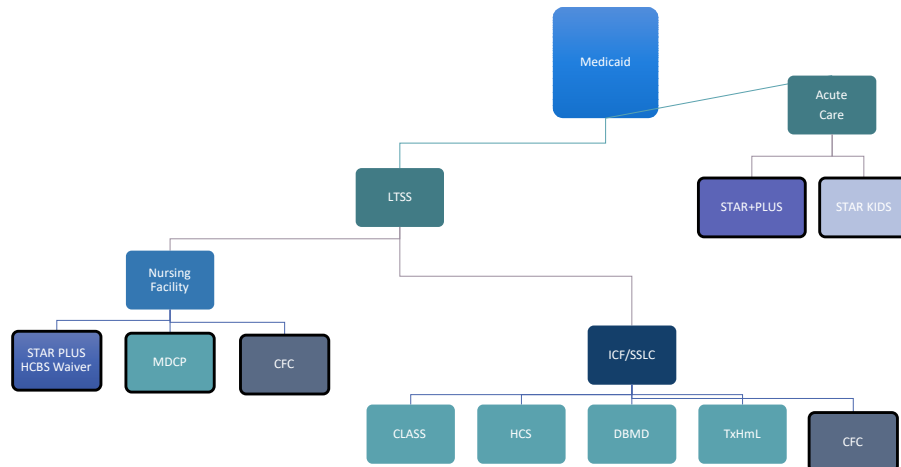
Individuals must meet the **functional eligibility** criteria for the specific waiver.

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

**Note: eligibility is not determined until an individual comes to the top of the wait list/INTERST list*

12

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.

13

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)



14

Home and Community-Based Services Waivers

- 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.

15

Home and Community Based Services Waivers

- 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

16

Services Available in All Waivers:

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.

17

MDCP

18

MDCP – Medically Dependent Children Program

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

19

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	

20

CLASS

21

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/doin-g-business-with-hhs/providers/health/icd10-codes.pdf>
- Demonstrated need for habilitation and case management

22

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

23

HCS

24

HCS – Home and Community-Based Services

- 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

25

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	

26

TxHmL

27

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

28

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

29

DBMD

30

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

31

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	

32

YES

33

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

34

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	

35

STAR+Plus HCBS

36

Star+Plus Home and Community-Based Services

- Alternative to nursing facilities
- Adults 21 years or older
- Special income limit at 300% of SSI

37

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	

38

Interest List Contact Information

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

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.



39

Medicaid Buy-In

40



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.

41

Medicaid Buy-In for Adults

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.

42

WHAT IS THE CDS OPTION?

43

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.

44

HOW DO I ACCESS COMMUNITY LTSS SERVICES?

*When can expect to
receive them?*

45

GET ON THE INTEREST LIST

- **SIGN UP**
 - 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

46

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

What is a crisis?

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>

47

WHY DOES IT TAKE SO LONG?

48

Interest Lists/Waiting Lists



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 17 years

49

The Numbers

People on Waitlist: (April 2023)

- CLASS: 91,881
 - DBMD: 12,040
 - HCS: 112,219
 - TxHmL: 97,718
 - MDCP: 5,778
 - STAR + PLUS: 2,881
- (people usually wait less than a year for STAR PLUS)

*People wait as long as 17 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

50

LTSS Waiver Slots allocated For 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-

Proposed Texas 2026-2027 Budget funds approx. 1200 waiver slots

51

SO?

Texans 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.



52

Now what?

- ☐ 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!

53

What can YOU do? Advocate!

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!

54

Thank you

JEFF MILLER
512-407-2762
JMILLER@DRTX.ORG

55

Thank you

JEFF MILLER
512-407-2762
JMILLER@DRTX.ORG

56