

## Medicaid Waiver Program

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### Overview

The Medicaid Waiver Program provides assistance for children and adults with disabilities. Eligibility requirements vary by state – so even if your child has very mild hemiplegia, he or she may still be eligible, depending on where you live. CHASA parents have received Medicaid waiver assistance for their children in Idaho, Minnesota, Texas, and possibly others. Even if your child does not currently need assistance, he or she may benefit from it in the future upon reaching adulthood and adjusting to independent living. Waivers may cover a broad range of services beyond traditional medical services – including caregiver respite, behavioral intervention, home and environmental modifications, etc.

### Medicaid Background

Medicaid is a joint federal-state health care program that provides necessary medical services for low-income families, children, pregnant women, and people who are elderly or have disabilities. The federal Centers for Medicare and Medicaid Services administer Medicaid nationwide, providing funding, approving state plans, and ensuring compliance with federal regulations. Each state sets its own guidelines regarding eligibility and services.

### Home and Community Based Waivers

The federal Social Security Act of 1981 established Medicaid home and community-based waivers (also called Section 1915(c) waivers). The waivers allow states to waive certain Medicaid restrictions (such as income restrictions) in order to provide home and community-based services (HCBS) to those who would otherwise receive institutionalized care (disabled, chronically ill, and elderly). Very few HCBS waivers are specifically written for children. Children are often served under general waivers geared towards people with mental retardation, developmental disabilities, and physical disabilities.

Waivers are funded jointly by federal and state governments. In order to receive federal reimbursement for home- and community-based Medicaid expenditures, states must make special application to the federal Department of Health and Human Services, seeking approval for each HCBS waiver program. Waivers are initially approved for a 3 year period, and then can be renewed for 5 year intervals.

Waivers may cover traditional medical services (such as dental care or skilled nursing), therapeutic services (such as physical, occupational, or speech therapy), and a broad range of other services (such as caregiver respite, case management, behavioral intervention, home and environmental modifications, independent living skills training, supplies and equipment, transportation, etc.).

### Other Forms of Medicaid Assistance: TEFRA and Katie Beckett

Katie Beckett was a disabled child (now an adult) with a determined mother. Katie's personal story inspired the passage of The Tax Equity Fiscal Responsibility Act (TEFRA) in 1982. TEFRA gives states the option to extend

Medicaid coverage to certain disabled children whose parental income would otherwise disqualify them from receiving Medicaid. Some states implement TEFRA via their waiver program; some states implement TEFRA via less stringent Medicaid eligibility requirements for disabled children; and some states do not implement TEFRA.

Prior to the passage of TEFRA, “Katie Beckett waivers” served a purpose similar to the TEFRA legislation. Some states still have “Katie Beckett waivers”. You can find out more information on TEFRA in your state at the Catalyst Center website: <http://www.hdwg.org/catalyst/>. (Click on “Cover More Kids”.)

## What Waivers Does My State Offer?

For detailed information on eligibility requirements and application information in your state, contact your state’s Medicaid-administering agency (often the Department of Health and/or Human Services). You can also try searching for “[state name] Medicaid waiver program”, “[state name] TEFRA”, or “[state name] Katie Beckett”.

In addition, several websites provide lists of Medicaid waivers by state.

- 1) Centers for Medicare and Medicaid Service  
[http://www.cms.gov/MedicaidStWaivProgDemoPGI/01\\_Overview.asp](http://www.cms.gov/MedicaidStWaivProgDemoPGI/01_Overview.asp)  
(Click on “Medicaid Waivers and Demonstrations list” on the left-hand side. Note: In addition to Section 1915(c) home and community-based service waivers, this list also contains Section 1115 research and demonstration projects and Section 1915(b) managed care/freedom of choice waivers. Depending on the state, these waivers may also benefit your child.)
- 2) Center for Personal Assistance Services  
[www.pascenter.org](http://www.pascenter.org)  
(Click on “State information” on the left-hand side, then “Medicaid waiver data”.)

## Tips from CHASA Parents

- Apply as soon as you have a diagnosis – you may be on a waiting list for several years!
- Consider applying for services even if your child does not currently need them. Medicaid waiver services can follow your child into his or her adult years, and can be helpful for the adjustment to independent living. In addition to independent living skills training, the waiver may be used for dorm room adaptations, note takers, adaptive technology, and other services to help young adults succeed in college or vocational school. If your child is not already in a program or on a waiting list upon reaching adulthood, he or she may have to wait for years before obtaining services.
- If a child is initially denied, he/she may be approved later, since the gap between his abilities and that of his peers may increase.
- Social workers can be a good resource during this process.