



Disability Benefits : Virginia's Medicaid Waivers and Social Security

A Workshop for Families and Professionals

PEATC is not a legal services agency and cannot provide legal advice or legal representation. Any information contained in this training is not intended as legal advice and should not be used as a substitution for legal advice.

Who is PEATC?

PEATC is a statewide nonprofit whose passion is to empower families in Virginia. Our central focus is on families with children who have disabilities.

Additional targeted outreach initiative areas include:

Latino Outreach

Military Outreach

Family Engagement

Early Childhood

Poverty Reduction Programs

Bullying Awareness

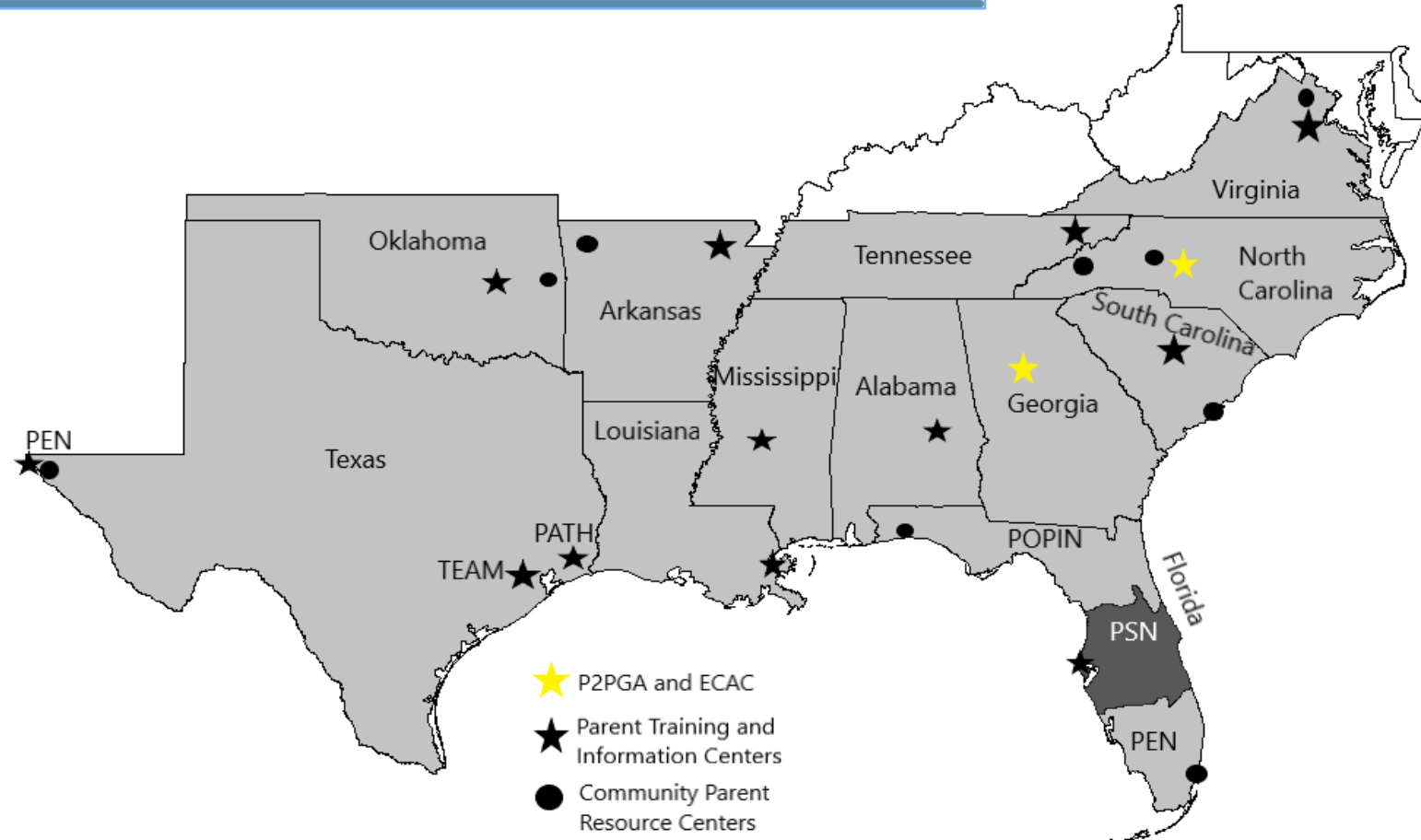
Court Involved Youth

PEATC Services

- Individual phone consultations
- Workshops throughout Virginia
- Webinars/On Demand Training
- Factsheets
- Blog
- Resources

Part of a larger entity

PEATC is also supported by a Technical Assistance Project Funded by the USDOE, OSEP



Collaborations



**Taking Action
for
Special Kids**

Topics Covered

- Benefits available through the Social Security Administration
- Home and Community Based Waivers

Eligibility vs. Entitlement

Special Education

- Entitlement based on need
- No waiting lists

Adult Services:

- Eligibility criteria specific to particular agencies
- Limited funding
- Waiting lists

Social Security Administration Benefits

www.ssa.gov

- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI)

Substantial Gainful Work Activity (SGA)

To qualify for either SSI or SSDI, an individual must first meet the **definition of a disability** under the Social Security Administration Guidelines.

“The inability to engage in any substantial gainful work activity (SGA) because of a medically-determinable physical or mental impairment(s):
That is expected to result in death, or
That has lasted or is expected to last for a continuous period of not less than 12 months.”

Social Security 2017 Red Book, p. 5

SSI

Cash benefit to people who:

- Are age 65 or older **OR** are blind or have a disability (SSA disability definition) **AND**
- Have low income and resources

For individuals under 18 parents' income and resources are included.
For individuals 18 older only their income and resources are included.

Additional Benefits

Individuals on SSI may also qualify for:

- Medicaid
- Food stamps
- Auxiliary grants for housing
- Other benefits for individuals with low incomes

How does my son/daughter apply for SSI?

Visit or call local SSA office to make an appointment or call toll free number: 800-772-1213.

Social Security Disability Insurance (SSDI)

Payments to people who meet SSA's disability criteria AND

- Have work history and have paid social security taxes OR
- Are an adult disabled before age 22 with a parent who is deceased or starts receiving retirement or disability benefits

Work Incentives

Special rules making it possible for people with disabilities receiving SSDI or SSI to work and still receive monthly payments and Medicare or Medicaid.

Work Incentives and Planning Assistance Program (WIPA):
<https://www.ssa.gov/work/WIPA.html>

VA Home and Community Based Medicaid Waivers

A joint state and federal program designed as an alternative to institutional placement to provide services and supports to individuals with disabilities in their communities.

Medicaid Waivers are NOT the same thing as Medicaid. Medicaid is a health insurance program for individuals with low income.

Types of VA Medicaid Waivers

Developmental Disability (DD) Waiver Program

- Community Living (CL) Waiver
- Family & Individual Support (FIS) Waiver
- Building Independence (BI) Waiver

Commonwealth Coordinated Care (CCC) Plus Waiver

VA's DD Waiver Program

- Administered by the Department of Behavioral Health and Developmental Services (DBHDS) & the Department of Medical Assistance Services (DMAS)
- Serves individuals with a diagnosis of Developmental Disability (DD)

VA's DD Waiver Program Eligibility

Must:

- Meet VA's definition of Developmental Disability
- Meet the criteria for the VA Individual Developmental Disability Eligibility Survey (VIDES)
- Meet Medicaid financial eligibility

Definition of a Developmental Disability

A severe, chronic disability of an individual that

1. is attributable to a mental or physical impairment, or a combination of mental and physical impairments, other than a sole diagnosis of mental illness;
2. is manifested before the individual reaches 22 years of age;
3. is likely to continue indefinitely;

Definition of a Developmental Disability

4. results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and
5. reflects the individual's need for a combination and sequence of special interdisciplinary or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated

Screening for the VA DD Waiver Program

- Contact Local Community Services Board to request screening
- Virginia Individual DD Eligibility Survey (VIDES)
 - Used initially and annually by the Support Coordinator/Case Manager (SC/CM) to confirm functional eligibility for the DD Waivers

VA's DD Waiver Programs

There are 3 DD Waiver Programs and each one is based on the individual's needs.

1) Building Independence Waiver

- For adults 18+ who are able to live independently in the community with the supports of this waiver
- Individuals own, lease, or control their own living arrangements and supports are complemented by non-waiver-funded rent subsidies.

VA's DD Waiver Programs

2. Family and Individual Supports Waiver

- For individuals living with their families, friends, or in their own homes, including supports for those with some medical or behavioral needs.

- Available to both children and adults.

VA's DD Waiver Programs

3. Community Living Waiver

- Includes residential supports and a full array of medical, behavioral, and non-medical supports.
- Available to both children and adults.
- May include 24/7 supports for individuals with complex medical and/or behavioral support needs through licensed services.

Services in VA's DD Waivers

- CL, FIS & BI waivers all provide services to help individuals live in their community
- Not all services are available in all the waivers.
- Services are offered based on a person centered planning process to identify support needs

Examples of Services in VA's DD Waivers

- Community Engagement
- Group Day support
- Companion services
- Supported employment
- Residential Services
- Therapeutic consultation
- Personal assistance
- Assistive technology
- Skilled nursing
- Private Duty nursing
- Family and caregiver training
- Environmental modifications
- Respite
- Transition services
- Community Coaching
- Crisis Services

Waiting List for VA's DD Waiver

- Needs assessed by case manager with you to identify needs
- Assigned Priority 1, 2 or 3
- Priority 1 assessed with Critical Needs Summary
- When waivers become available, those with highest priority needs referred to Waiver Slot Assignment Committee

Waiting List Advocacy Tips

- Review the VIDES, Priority Level Determination, Critical Needs Summary and Slot Assignment forms
- Review the completed documents for accuracy; request copies for your records
- Communicate changes in your situation in a timely manner to your case manager

Possible Resources in VA While You Wait

- **Individual and Family Support Program (IFSP)**
<http://dbhds.virginia.gov/community-support-services>
- **Crisis Services (REACH)**
<http://www.dbhds.virginia.gov/developmental-services/Crisis-services>
- **Housing Choice Vouchers** <http://dbhds.virginia.gov/developmental-services/housing/housing-choice-voucher>
- **CCC Plus Waiver**

VA's Commonwealth Coordinated Care (CCC) Plus Waiver

- Must meet functional criteria and have a medical or nursing need
- Must meet Medicaid financial eligibility
- Must be at risk of placement in nursing home within 30 days
- Screening tool: UAI
- Currently no waiting list

VA's CCC Plus Waiver

- Administered by Department of Medical Assistance Services (DMAS)
- Request screening from your local Department of Social Services or Health Department

VA's CCC Plus Waiver Services

- Personal care
- Adult day health care
- Respite care
- Skilled respite care
- Medication monitoring
- Nursing
- Environmental modifications
- Personal emergency response system (PERS)
- Assistive technology

CCC Plus Advocacy Tips

- Review the Uniform Assessment Instrument (UAI) in advance of the screening
- Request a copy of your completed UAI for your records

Insurance After Age 18

Considerations:

- Ability to remain on parent's insurance?
- Parents' insurance allow for dependent care?
- Increase in premiums for individual's care?
- Other available insurance for individual?

Medicaid

Medicaid is a health insurance for individuals with low income.

Considerations:

- Eligibility criteria?
- SSI recipients qualify for Medicaid
- Medicaid waiver recipients qualify for Medicaid through age 18 (*then must have a disability determination to qualify going forward)
- Medicaid redetermination at 18



Thank You!

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