

FACT SHEET

Home and Community-Based Service Waivers

What is a Medicaid Home and Community-Based Services Waiver?

Medicaid Home and Community-Based Services (HCBS) waivers allow people with disabilities and chronic conditions to receive care in their homes and communities instead of in long-term care facilities, hospitals or intermediate care facilities. These programs are called waiver programs because, under current law, eligible people with disabilities and chronic conditions are entitled to facility-based care, but home- and community-based care is considered optional. Therefore, states must apply for “waivers” from the federal government in order for Medicaid to provide home and community-based services. Waivers allow individuals with disabilities and chronic conditions to have more control of their lives and remain active participants in their community.

Medicaid provides funding for and is ultimately responsible for all of Ohio’s eight waivers. In state fiscal year (SFY) 2011, waivers provided alternative access to long-term care to nearly 72,000 Ohioans.

What is Level of Care?

Level of care (LOC) is used to determine the appropriate types of long-term care for which Medicaid will pay, either in an institutional setting or in the home and community. People who want to enroll in a Medicaid Home and Community Based Services (HCBS) waiver must meet the specific LOC requirements for that waiver. All individuals must meet and exceed the requirements of a Protective LOC, which includes a need for assistance with instrumental activities of daily living such as shopping, laundry and cooking. The three levels of care associated with waivers are:

Intermediate Level of Care (ILOC), which is determined by assessing the individual’s ability to perform activities of daily living, such as bathing, dressing, eating, toileting and mobility, and assessing whether the person needs skilled services and can self-administer medication. A waiver requiring an ILOC provides services as an alternative to nursing facility care.

Intermediate Care Facility for the Mentally Retarded Level of Care (ICF-MR LOC), which is determined by the presence of a developmental disability and an individual’s assistance needs for economic independence, communication, capacity for independent living and personal care. A waiver requiring an ICF-MR LOC provides an alternative to institutional care for individuals with intellectual or developmental disabilities.

Skilled Level of Care (SLOC), which is needed when an individual’s condition requires more medical care than is provided under an ILOC or ICF-MR LOC. Individuals with an SLOC need daily skilled services for unstable medical conditions with complications or complex treatments. A nurse or therapist must perform the skilled services. A waiver requiring an SLOC provides an alternative to nursing facilities, hospitals or rehabilitation facilities.

Waiver rules in the Ohio Administrative Code can be found online at <http://codes.ohio.gov/oac/5101%3A3-12>.

Waivers Administered by the Ohio Department of Job and Family Services (ODJFS)

ODJFS determines the level of care for all waivers it administers.

	Eligibility	Services	Application	Administrative Agency
Ohio Home Care Waiver (OHCW)	<ul style="list-style-type: none"> • Specific financial criteria • Intermediate or skilled level of care • Age 59 or younger 	<ul style="list-style-type: none"> • Adult day health • Emergency response • Home-delivered meals • Home modification • Out-of-home respite • Personal care aide • Supplemental adaptive and assistive device • Supplemental transportation • Waiver nursing • Home care attendant 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any county department of job and family services (CDJFS). • If a waiting list exists at the time of application, applicants must re-apply when they are notified that space is available. 	<ul style="list-style-type: none"> • ODJFS administers this waiver program. • ODJFS contracts with a case management agency to provide case management services.
Transitions Developmental Disabilities (DD) Waiver	<ul style="list-style-type: none"> • Specific financial criteria • ICF-MR level of care • All ages • Participants in the HOME Choice program who meet certain criteria. 	<ul style="list-style-type: none"> • Adult day health • Emergency response • Home-delivered meals • Home modification • Out-of-home respite • Personal care aide • Supplemental adaptive and assistive device • Supplemental transportation • Waiver nursing 	<ul style="list-style-type: none"> • Closed to new enrollment, except for certain HOME Choice program participants. 	<ul style="list-style-type: none"> • ODJFS administers this waiver program. • ODJFS contracts with a case management agency to provide case management services.
Transitions Carve-Out Waiver (T2)	<ul style="list-style-type: none"> • Specific financial criteria • Intermediate or skilled level of care • Age 60 or older and must transfer from the OHCW • Participants in the HOME Choice program who meet certain criteria 	<ul style="list-style-type: none"> • Adult day health • Emergency response • Home-delivered meals • Home modification • Out-of-home respite • Personal care aide • Supplemental adaptive and assistive device • Supplemental transportation • Waiver nursing • Home care attendant 	<ul style="list-style-type: none"> • Closed to new enrollment, except for certain HOME Choice program participants. 	<ul style="list-style-type: none"> • ODJFS administers this waiver program. • ODJFS contracts with a case management agency to provide case management services.

Waivers Administered by the Ohio Department of Aging (ODA)

The area agencies on aging determine the level of care for ODA waivers.

	Eligibility	Services	Application	Administrative Agency
Assisted Living Waiver	<ul style="list-style-type: none"> • Specific financial criteria • Age 21 or older • At least an Intermediate Level of Care 	<ul style="list-style-type: none"> • Assisted living • Community transition (for nursing facility residents only) 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any CDJFS or regional PASSPORT Administration Agency. 	<ul style="list-style-type: none"> • ODA administers this waiver under the direction of ODJFS. • The PASSPORT Administrative Agencies act as regional administrators and provide case management services.
Choices Waiver	<ul style="list-style-type: none"> • Must be a current PASSPORT waiver beneficiary • Specific financial criteria • At least an Intermediate Level of Care • Age 60 or older • Lives in an approved service area (one of four PASSPORT administrative agency areas) • Attend training and be willing and able to direct provider activities and negotiate rates within cost 	<ul style="list-style-type: none"> • Adult day health • Alternative meals service • Environmental accessibility adaptations • Home care attendant • Home-delivered meals • Personal emergency response systems • Pest control • Specialized medical equipment and supplies. 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any CDJFS or regional PASSPORT Administration Agency. 	<ul style="list-style-type: none"> • ODA administers this waiver program under the direction of ODJFS. • The PASSPORT Administrative Agencies act as regional administrators and provide case management services
PASSPORT	<ul style="list-style-type: none"> • Specific financial criteria • At least an Intermediate Level of Care • Age 60 or older. 	<ul style="list-style-type: none"> • Adult day health • Environmental accessibility adaptations • Home-delivered meals • Personal emergency response systems • Specialized medical equipment and supplies • Chores • Community transition • Independent living assistance • Non-medical transportation • Nutritional consultation • Personal care services work • Social work and counseling • Transportation • Homemaker • Enhanced community living 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any CDJFS or regional PASSPORT Administration Agency. 	<ul style="list-style-type: none"> • ODA administers this waiver program under the direction of ODJFS • The PASSPORT Administrative Agencies act as regional administrators and provide case management services.

Waivers Administered by the Ohio Department of Developmental Disabilities (DODD)

The county boards of developmental disabilities determine the level of care for DODD waivers.

	Eligibility	Services	Application	Administrative Agency
Level One Waiver	<ul style="list-style-type: none"> • Specific financial criteria • ICF-MR level of care • All ages 	<ul style="list-style-type: none"> • Adult day supports • Environmental accessibility and adaptations • Homemaker/personal care • Personal emergency response system • Respite – informal • Respite – institutional • Specialized medical equipment and supplies • Supported employment (community and enclave) • Supported employment-adapted equipment • Transportation • Non-medical transportation • Vocational habilitation 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any CDJFS or county board of developmental disabilities. • A waiting list exists at this time. 	<ul style="list-style-type: none"> • DODD administers this waiver program under the direction of ODJFS. • Local county boards of developmental disabilities provide case management.
Individual Options Waiver	<ul style="list-style-type: none"> • Specific financial criteria • ICF-MR Level of Care • All ages 	<ul style="list-style-type: none"> • Homemaker/personal care • Transportation • Respite – institutional • Environmental accessibility adaptations • Social work/counseling • Nutrition • Interpreter • Home-delivered meals • Adaptive and assistive equipment • Adult day support • Vocational habilitation • Supported employment – enclave • Supported employment – community • Supported employment – adapted equipment • Non-medical transportation • Adult foster care • Homemaker/personal care 	<ul style="list-style-type: none"> • The JFS 02399 form is the application. It can be obtained at and submitted to any CDJFS or county board of developmental disabilities. • A waiting list exists at this time. 	<ul style="list-style-type: none"> • DODD administers this waiver program under the direction of ODJFS. • Local county boards of developmental disabilities provide case management.