

**INFORMATION BRIEF**

**Research Department**

**Minnesota House of Representatives**

600 State Office Building

St. Paul, MN 55155

Danyell Punelli, Legislative Analyst

651-296-5058

Updated: February 2014

---

# Overview of Programs for People with Disabilities

Minnesota provides a variety of services for people with disabilities. This information brief provides information about those programs and services. It contains a general Medical Assistance (MA) overview, including some expenditure and cost comparisons; an overview of MA disability programs and services, including home and community-based waiver services, intermediate care facility for persons with developmental disabilities (ICF/DD), day training and habilitation (DT&H), case management, home care, and personal care assistant (PCA) services; and an overview of state disability programs and services, including group residential housing (GRH), family support grants, consumer support grants, and semi-independent living skills (SILS). In addition, a list of acronyms is included at the end of the report.

---

## Contents

<a href="#">Overview of Medical Assistance</a> .....	2
<a href="#">Overview of MA Disability Programs and Services</a> .....	6
<a href="#">Overview of State Disability Programs and Services</a> .....	16
<a href="#">Expenditures and Cost Comparisons</a> .....	21
<a href="#">Acronyms</a> .....	29

Minnesota provides a variety of services for people with disabilities. Some of these services are provided through the federal Medicaid program and some services are provided through state programs. The first section provides an overview of the Medicaid program. The following sections provide overviews of federal disability programs and services and state disability programs and services.

## **Overview of Medical Assistance**

Medical Assistance (MA), the state's Medicaid program, pays for health care services provided to eligible low-income persons. The federal government pays a share of the cost of state MA expenditures. This is referred to as the federal medical assistance percentage (FMAP). Minnesota's usual federal match for covered services is 50 percent (recent federal legislation provided a temporary enhanced FMAP). The state pays the remaining 50 percent for most services (some services have a county share, such as long-term placements in ICFs/DD with seven or more beds).

### **MA Eligibility**

To be eligible, an individual must meet income and asset standards and satisfy other program eligibility requirements. Eligible groups include pregnant women, families and children, persons with disabilities or who are blind, and the elderly (over age 65).

### **MA Disability Qualification**

In order to qualify as disabled, a person must satisfy the disability criteria used by the federal Social Security Administration (SSA) or a State Medical Review Team (SMRT). In most cases, the SMRT uses the same criteria for disability and blindness as the SSA. Under the SSA definition of disability, an adult is considered disabled if he or she is unable to engage in any substantial gainful activity due to a medically determinable physical or mental impairment that is expected to result in death or to last for a continuous period of not less than 12 months. A child under age 18 is considered by the SSA to be disabled if he or she has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, that is expected to result in death or to last for a continuous period of not less than 12 months. Medicaid uses the Supplemental Security Income (SSI) definition of "blind," which is vision of 20/200 or less with the use of corrective lenses or tunnel vision of 20 degrees or less.

Some of the health conditions for which individuals are likely to be found as disabled by the SSA or SMRT include the following:

- ▶ Arthritis of a major joint in each upper extremity
- ▶ Certain types of amputation
- ▶ Hearing loss not restorable by a hearing aid
- ▶ Ischemic heart disease with chest pain

- ▶ Chronic liver disease meeting specified criteria
- ▶ Impaired renal function meeting specified criteria
- ▶ Paraplegia or quadriplegia
- ▶ Multiple sclerosis
- ▶ Muscular dystrophy
- ▶ Certain psychotic and nonpsychotic disorders
- ▶ Severe mental retardation meeting specified criteria

## **Pathways to MA Disability Eligibility**

Common eligibility pathways in Minnesota for persons with disabilities include being blind or disabled, being a child who is disabled, being eligible under the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), or being an employed person with disabilities (each of these categories is discussed below).

### **Blind or Disabled Adults**

Blind or disabled adults must be determined as disabled by SSA or SMRT or meet the criteria for blindness. The income limit for disabled or blind adults is 100 percent of the federal poverty guidelines (FPG), or a person can spend down to 75 percent of FPG to become eligible. (See page 20 for 2013 FPGs.) The asset limit is \$3,000 for an individual and \$6,000 for a household of two, with \$200 added for each additional dependent (certain assets such as homestead, household goods, and a vehicle are excluded from the asset limit). In Minnesota, SSI recipients are not automatically eligible, but the vast majority qualify for MA.

### **Disabled Children**

A disabled or blind individual who is under age 21 can apply for MA as a child and be subject to income and asset eligibility criteria that are less stringent than those that apply to adults. The income limit is 280 percent of FPG for children under age 2, 150 percent of FPG for children ages 2 to 18, and 100 percent of FPG for children ages 19 and 20. There is no asset limit, and the spenddown limit is 100 percent of FPG.

### **Eligibility Through TEFRA**

TEFRA is an optional eligibility category. Under this option, only the child's income is counted and parents pay a parental fee. In order to be eligible under the TEFRA option, an individual must:

- ▶ Be under age 18;
- ▶ Have a disability determination from SMRT;
- ▶ Require a level of home health care comparable to the care provided in a hospital, nursing facility, or ICF/DD;
- ▶ Have MA home care costs that do not exceed the cost to MA of institutional care;
- ▶ Live with at least one parent; and

- ▶ Meet the MA income standard (the income limit is 100 percent of FPG and only the child's income is counted).

There is no asset limit under the TEFRA option.

### **Employed Persons With Disabilities**

Employed persons with disabilities (MA-EPD) is another optional category. Federal law provides an exception from the prohibition on substantial gainful activity for MA eligibility. This category allows persons with disabilities to work productively and still retain health benefits. In order to be eligible under this option a person must:

- ▶ Be certified as disabled by SSA or SMRT;
- ▶ Receive more than \$65/month in earned income and pay Medicare and Social Security taxes; and
- ▶ Pay required monthly premiums and unearned income obligation.

There is no income limit under MA-EPD. The asset limit is \$20,000 (certain assets are excluded, such as retirement accounts, medical expense accounts, and other exclusions that apply to persons with disabilities).

### **Spenddown**

Individuals whose income exceeds the regular MA income limit may qualify through a spenddown. An individual who is disabled can qualify under a spenddown by incurring medical bills in an amount that exceeds the amount by which his or her income exceeds the MA spenddown limit for the disabled of 75 percent of FPG.

### **MA Covered Services**

The MA benefit package tends to be comprehensive, compared to private sector health coverage. In addition to covering standard services such as physician, inpatient hospital, dental, therapy, and prescription drugs, MA covers many services used heavily by persons with disabilities. These services include the following:

- ▶ Nursing facility services
- ▶ ICF/DD services
- ▶ Home health care
- ▶ Case management
- ▶ Personal care assistant services
- ▶ Private duty nursing
- ▶ Home and community-based waiver services

Most MA recipients with disabilities receive services on a fee-for-service basis. However, some disabled MA recipients receive services through a managed care program, the Special Needs

Basic Care Program. People with disabilities are enrolled in special needs plans, unless they choose to opt out of managed care enrollment and remain in fee-for-service.

## **Enrollee Cost-Sharing**

Federal law requires Medicaid cost-sharing to be “nominal.” Cost-sharing does not apply to pregnant women and children. In Minnesota, the MA payment rate is reduced by the amount of the copayment. A recent district court ruling held that providers cannot deny services to enrollees who do not pay the copayment. MA enrollees are subject to the following cost-sharing:

- ▶ \$3 per nonpreventive visit
- ▶ \$3.50 for nonemergency visits to a hospital emergency room
- ▶ \$3 for brand name drugs/\$1 for generic drugs (\$7/month limit)
- ▶ A monthly family deductible for each period of eligibility

## **Parental Fees**

Parents with minor children on MA who do not live with them, or for whom parental income and assets are not counted when determining the child’s eligibility, are assessed a parental fee to pay for part of the MA cost of care for the child. Parents who are court-ordered to pay medical support are subject to parental fees, but the court-ordered support is annualized and subtracted from the parent’s adjusted gross income, which is used to calculate the parental fee. Some of the groups of children whose parents are subject to a parental fee include:

- ▶ Children eligible under TEFRA;
- ▶ Children receiving services under a home and community-based waiver service;
- ▶ Children on MA in 24-hour care facilities with developmental disabilities, severe emotional disturbance, or a physical disability; and
- ▶ Children in foster care placement.

The usual parental fee ranges from zero for parents with adjusted gross income (AGI) of less than 100 percent FPG to 12.5 percent for parents with AGI equal to or greater than 975 percent of FPG. For the period from July 1, 2010, to June 30, 2013, the parental fee ranged from zero for parents with AGI of less than 100 percent FPG to 13.5 percent for parents with AGI equal to or greater than 900 percent of FPG.

## Overview of MA Disability Programs and Services

The MA disability programs and services described in this section include home and community-based waiver services, ICFs/DD, DT&H, case management, home care, personal care assistant (PCA) services, Community First Services and Supports, and the autism early intensive intervention benefit.

### Home and Community-Based Waiver Services (HCBS)

HCBS offers service options that allow people to live in the community instead of going into or staying in an institutional setting. HCBS covers two types of services: (1) services necessary to avoid institutionalization that are not offered in Minnesota's MA state plan, and (2) services that are extensions of Minnesota's MA state plan services. Minnesota has four HCBS disability waivers:

- ▶ Community Alternatives for Disabled Individuals (CADI): Provides services for individuals with disabilities who need the level of care provided in a nursing home
- ▶ Brain Injury (BI): Provides services for individuals with brain injury who need the level of care provided in a nursing home or neurobehavioral hospital
- ▶ Developmental Disabilities or Related Conditions (DD): Provides services for individuals with mental retardation or related conditions who need the same level of care as provided in an ICF/DD
- ▶ Community Alternatives for Chronically Ill Individuals (CAC): Provides services for individuals with chronic illness who need the level of care provided in a hospital

To be eligible for an HCBS waiver, a person must meet all of the following conditions:

- ▶ Be under age 65
- ▶ Be certified disabled
- ▶ Choose home and community-based service
- ▶ Meet MA income and asset requirements
- ▶ Have a plan of care that ensures health and safety
- ▶ Have anticipated costs through the HCBS waiver program that do not exceed the cost of services that are or would be provided in an institution or health care facility
- ▶ Meet all other program requirements

A person's waiver budget is determined by an assessment of the person's functional needs. State plan services must be used before extended services. Supports are purchased from a menu of possible waiver services. DHS allocates "slots" to counties.

Each county's HCBS allocation is set by DHS for a certain number of slots (base allocation plus any inflation). The DD waiver is a separate annual allocation. All other waivers (CADI, CAC, BI) are allocated every six months. One exception is the consumer-directed community support

(CDCS) option. This is a state-set limit for individual budgets and allowable services/expenses (included in the county allocation). The DD and CADI waiver slots are currently capped for diversions in fiscal years 2012 to 2015, which means only a limited number of slots may be allocated for each of these programs during this time period. The CAC and BI waiver slots are not under caps and are allocated based on demand. If a county determines that it is able to serve more people than the slots it has available under the DD waiver, the county can do so, as long as the county stays within its overall waiver budget.

HCBS waiver services include the following:

- ▶ Adult day care
- ▶ Case management
- ▶ Consumer-directed community supports
- ▶ Extended home health aid, nursing
- ▶ Extended home health therapies
- ▶ Extended PCA
- ▶ Extended supplies and equipment
- ▶ Family counseling and training
- ▶ Foster care
- ▶ Homemaker services
- ▶ Home modifications
- ▶ Independent living skills
- ▶ Respite care
- ▶ Supported employment
- ▶ Transportation

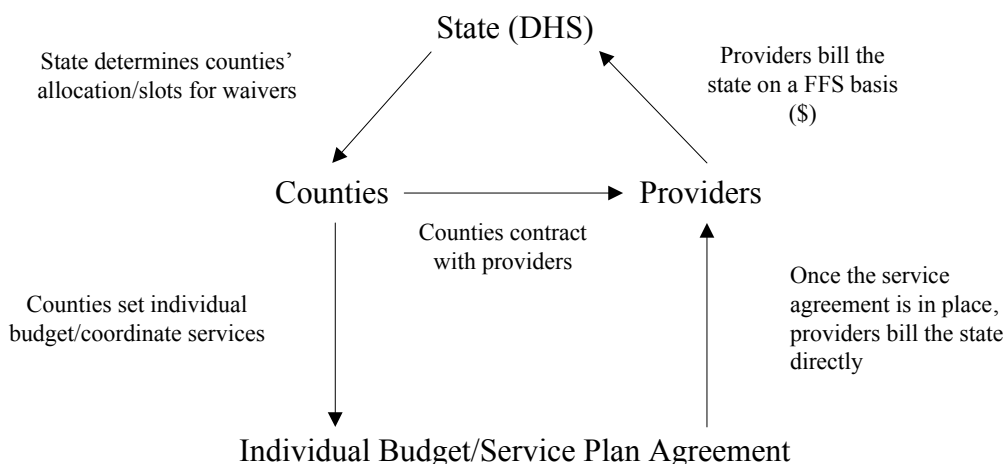
The HCBS waiver programs are federal-state funded programs, funded with 50 percent federal MA funds and 50 percent state general funds.

**HCBS Waiver Program Statistics FY 2013**

<b>Program</b>	<b>Unduplicated Annual Recipients</b>	<b>Average Cost/Recipient</b>	<b>Total Expenditures (millions)</b>
CADI	20,850	\$24,650	\$513.9
BI	1,552	\$61,621	\$95.6
DD	16,391	\$62,888	\$1,030.8
CAC	447	\$53,129	\$23.7
Total	39,240	\$50,572	\$1,664.0

Source: Expenditure Forecast for November 2013

### Flow of Dollars for Waiver Programs



Source: House Fiscal Analysis Department

Recent HCBS waiver policy changes include the following:

- Development of common service menu among all of the waiver programs, which will eliminate the need for consumers to “chase” certain waiver programs to assure they can access the services that they need and simplify local administration of these programs.
- Creation of transitional supports to provide bridges to help people move from institutions to communities. These supports include onetime modifications, assistive technology, housing access, and more intensive assistance before and during relocations.
- Limiting growth of certain waiver programs as a way to contain costs. Limits were placed on the growth of the CADI and DD waiver programs for fiscal years 2012 to 2015.
- A 2011 legislative directive to the Commissioner of Human Services to develop a proposal to the U.S. Department of Health and Human Services to reform certain components of the MA program, including redesigning home and community-based services to realign existing funding, services, and supports for people with disabilities and older Minnesotans to ensure community integration and a more sustainable service system.
- A 2011 modification to the corporate foster care moratorium directing local agency case managers, at the time of reassessment, to assess recipients of the CADI and BI waivers currently residing in corporate foster care to determine if they may be appropriately served in a community-living setting. If a community-living setting is determined appropriate for the recipient, the case manager must offer the recipient the option to receive alternative housing and service options. The recipient has the choice to stay in corporate foster care or transfer to a community-living setting.



- A scheduled rate increase for disability waiver providers of 1 percent effective April 1, 2014.

In 2007, when the CADI waiver was being reviewed for federal renewal, the federal Centers for Medicare and Medicaid Services (CMS) found Minnesota to be out of compliance with federal law that requires uniform statewide provider qualifications and service standards. In Minnesota, counties and tribes negotiated contracts with HCBS providers; the establishment and monitoring of provider qualifications and service standards varied by county and tribe.

The 2012 Legislature acted to set standards for HCBS providers to be effective upon implementation of a provider fee. The 2013 Legislature made changes to the provider standards and set the provider fees. The new provider standards are effective January 1, 2014. The new law, Minnesota Statutes, chapter 245D, requires providers to obtain a license and chapter 245A requires providers to pay a licensure fee to provide HCBS.

In 2007, CMS informed DHS that the BI, CAC, CADI, and DD waivers were out of compliance with federal requirements for uniform rate determination methods and standards. This was also due to the contracts counties and tribes negotiated with HCBS providers. The 2012 Legislature acted to establish a uniform payment methodology. The 2013 Legislature modified the payment methodology, called the Disability Waivers Rate System, and made it effective January 1, 2014.

## **Intermediate Care Facilities for Persons with Developmental Disabilities (ICF/DD)**

ICFs/DD are MA facilities that serve persons with developmental disabilities and related conditions who require the level of care provided in an ICF/DD and who choose such services.

In order to be eligible for ICF/DD services, a person must:

- ▶ Have a developmental disability or a related condition;
- ▶ Require a 24-hour plan of care;
- ▶ Require active treatment;
- ▶ Meet MA income and asset requirements; and
- ▶ Request ICF/DD services.

Minnesota contracts with ICF/DD facilities for services and sets rates for each facility. Persons may pay through private insurance, Medicare, MA, and/or a combination of all three. Services are a predesigned package and include:

- ▶ Room and board;
- ▶ Services during the day and active treatment; and
- ▶ Transportation.

Related medical services may be covered as part of the rate.

ICFs/DD funding sources include MA funds (50 percent federal MA funds and 50 percent state general funds) and some private and county pay.

The flow of dollars for ICFs/DD begins with the state-determined rate (rate multiplied by the number of days). ICF/DD rates are set by each facility. The county share of the cost for facilities with seven or more beds is 5 percent of total cost, 10 percent of nonfederal share. In nursing facilities, rates are set based on each facility's RUGs (a needs assessment, resource utilization groups). There is a county share for persons under 65 only (10 percent of total cost, 20 percent of nonfederal share).

ICF/DD program statistics for fiscal year 2013:

- ▶ Total expenditures: \$129.4 million
- ▶ Average monthly recipients: 1,684
- ▶ Average monthly cost per recipient: \$6,405

ICF/DD received a rate increase of \$7.81 per day effective June 1, 2013, in order to offset an increase in the ICF/DD license surcharge, and are scheduled to receive a rate increase of 1 percent effective April 1, 2014.

## **Day Training and Habilitation (DT&H)**

DT&H providers are licensed supports to help adults develop and maintain life skills, participate in community life, and engage in proactive and satisfying activities of their own choosing.

To be eligible for DT&H services a person must meet all of the following conditions:

- ▶ Be 18 years of age or older and have a diagnosis of developmental disability or a related condition
- ▶ Receive a screening for home and community-based services or reside in an ICF/DD
- ▶ Have their health and safety in the community addressed in their plan of care
- ▶ Make an informed choice to receive DT&H as part of their individual service plan (ISP)

DT&H services are an option under the DD waiver. However, in order to be eligible, the waiver recipient must have at least one residential service offered through the waiver (such as homemaker services or respite care). DT&H services are offered as part of the predesigned package provided to ICF/DD residents.

For people who do not have MA funding (DD waiver or reside in an ICF/DD), counties are to provide DT&H services to the degree that they are: (1) identified as needed in the person's individual service plan (ISP); and (2) something the county can afford to provide given the funding available.

Services provided include:

- ▶ Supervision, training, and assistance in the areas of self-care, communication, socialization, and behavior management;
- ▶ Supported employment and work-related activities;
- ▶ Community integrated activities, including the use of leisure and recreation time;
- ▶ Training in community survival skills, money management, and therapeutic activities that increase the adaptive living skills of an individual; and
- ▶ Nonmedical transportation services to enable persons to participate in the above listed services.

For persons receiving DT&H services through the DD waiver or an ICF/DD, funding is made up of 50 percent federal MA funds and 50 percent state general funds. For non-MA persons, funding is made up of county funding sources and other sources.

DT&H program statistics for fiscal year 2013 (for ICF/DD residents only):

- ▶ Total expenditures: \$29.7 million
- ▶ Average monthly recipients: 1,398
- ▶ Average monthly cost per recipient: \$1,768

DT&H services will receive a rate increase of 1 percent on April 1, 2014.

## **Case Management**

Case management is assisting an individual to gain access to needed medical, social, educational, and other services. Case management eligibility varies by program. Counties determine consumer eligibility based on the state MA plan, the state MA waiver amendments, and Minnesota Statutes. Persons who meet specific eligibility criteria receive state-mandated services and optional services based on county Vulnerable Children and Adults Act (VCAA) plans.

Case managers perform both administrative and service activities. Administrative functions include the following:

- ▶ Intake
- ▶ Eligibility determination
- ▶ Screening
- ▶ Service authorization
- ▶ Conciliations and appeals
- ▶ Diagnosis

Service activities include the following:

- ▶ Plan development
- ▶ Assisting in accessing services
- ▶ Service coordination
- ▶ Service evaluation and monitoring
- ▶ Plan review and recommendations for service authorization

Case management funding sources include county funding sources, VCAA state grants to counties, federal financial participation for waiver services or targeted case management, and federal reimbursement when provided as part of the state MA plan.

**Case Management Program Statistics, FY 2013**

<b>Waiver</b>	<b>Total Expenditures FY 2013</b>	<b>Average Per Recipient</b>
DD	\$26,357,255	\$1,608
CAC	\$826,137	\$1,848
CADI	\$29,801,394	\$1,429
BI	\$3,180,063	\$2,049
<b>Total</b>	<b>\$60,164,849</b>	<b>\$1,533</b>

House Research and House Fiscal Analysis Departments

The case management expenditures in the above table are included in the overall waiver expenditures included in the table on page 15. Targeted case management is not included in the expenditures in either of these tables.

## Home Care

Home care provides medical and health-related services and assistance with day-to-day activities to people in their home. It can be used to provide short-term care for people moving from a hospital or nursing home back to their home, or it can also be used to provide continuing care to people with ongoing needs. Home care services may also be provided outside the person's home when normal life activities take them away from home.

Home care services are provided to MA-eligible persons and must be:

- ▶ Medically necessary;
- ▶ Ordered by a licensed physician;
- ▶ Documented in a written service plan;
- ▶ Provided at a recipient's residence (not a hospital or LTC facility); and
- ▶ Provided by a Medicare-certified agency.

A registered nurse from a Medicare-certified home health agency completes an assessment to determine the need for service. The assessment identifies the needs of the person, determines the outcomes for a visit, is documented, and includes a plan. In general, all home health services provided by a home health aide must have a prior authorization. The maximum benefit level is one visit per day for home health aide services, one visit per discipline per day for therapies (except respiratory therapy), and two visits per day for skilled nursing.

Home care services include:

- ▶ Intermittent home health aide visits provided by a certified home health aide;
- ▶ Medically oriented tasks to maintain health or to facilitate treatment of an illness or injury provided in a person's place of residence;
- ▶ Personal care assistant services;
- ▶ Private duty nursing;
- ▶ Therapies (occupational, physical, respiratory, and speech);
- ▶ Intermittent skilled nurse visits provided by a licensed nurse; and
- ▶ Equipment and supplies.

Home care services are federal-state funded programs, funded with 50 percent federal MA funds and 50 percent state general funds.

Home care program statistics for fiscal year 2013:

- ▶ Total expenditures: \$17.1 million
- ▶ Monthly average recipients: 3,668
- ▶ Average monthly cost per recipient: \$388

Home care providers will receive a 1 percent rate increase on April 1, 2014.

## **Personal Care Assistant (PCA) Services**

Personal care assistants provide assistance and support to persons with disabilities, the elderly, and others with special health care needs living independently in the community.

In order for a person to receive PCA services, the services must be:

- ▶ Medically necessary;
- ▶ Authorized by a licensed physician;
- ▶ Documented in a written service plan; and
- ▶ Provided at the recipient's place of residence or other location (not a hospital or health care facility).

In addition, the recipient of PCA services must be in stable medical condition and be able to direct his or her own care or have a responsible party who provides support.

The determination of the amount of service available to a person is based on an assessment of need. PCA services provided include:

- ▶ Assistance with activities of daily living including grooming, dressing, bathing, transferring, mobility, positioning, eating, and toileting;
- ▶ Assistance with instrumental activities of daily living, including meal planning and preparation, assistance with paying bills, and shopping for essential items;
- ▶ Assistance with health-related procedures and tasks; and
- ▶ Intervention for behavior including observation and redirection.

PCA services are federal-state funded services, funded with 50 percent federal MA funds and 50 percent state general funds.

PCA program statistics for fiscal year 2013 (fee-for-service only):

- ▶ Total expenditures: \$444.7 million
- ▶ Monthly average recipients: 19,021
- ▶ Average monthly cost per recipient: \$1,948

In 2009, PCA services were redesigned and recodified by the legislature. Some of the modifications to PCA services include:

- ▶ Changing access to PCA services by requiring that a recipient have a need for assistance in at least one activity of daily living or a Level I behavior;
- ▶ Simplifying and creating greater consistency in the process of assessing for and authorizing services;
- ▶ Improving consumer health, safety, choice, and control by requiring professional supervision for all recipients, promoting separation of housing and services, and requiring PCA agencies and agency staff to meet certain standards; and
- ▶ Clarifying the lead agency responsible for investigating reports of maltreatment of PCA service recipients by PCA provider organizations and home care agencies.

PCA services will receive a rate increase of 1 percent effective April 1, 2014.

## **Community First Services and Supports (CFSS)**

CFSS were created by the 2013 Legislature and are intended to replace the PCA and consumer support grant programs. CFSS will be available statewide to eligible individuals to provide assistance and support to persons with disabilities, the elderly, and others with special health care needs living independently in the community.

CFSS will be available to a person who meets one of the following criteria:

- ▶ is a recipient of MA;
- ▶ is a recipient of the alternative care program;
- ▶ is a MA waiver recipient; or
- ▶ has medical services identified in a participant's individualized education program and is eligible for MA special education services.

In addition to meeting the eligibility criteria above, a person must also:

- ▶ require assistance and be determined dependent in one activity of daily living (ADL) or Level I behavior based on an assessment;
- ▶ not be a family support grant recipient; and
- ▶ live in the person's own apartment or home (not an institutional setting).

CFSS services include:

- ▶ assistance with ADLs, including eating, toileting, grooming, dressing, bathing, mobility, positioning, and transferring;
- ▶ assistance with health-related procedures and tasks that can be delegated or assigned by a state-licensed health care or mental health professional and performed by a support worker;
- ▶ assistance to acquire, maintain, or enhance skills necessary for the participant to accomplish ADLs, instrumental ADLs, or health-related procedures and tasks;
- ▶ expenditures for items, services, supports, environmental modifications, or goods, including assistive technology; and
- ▶ transition costs for participants moving out of an institution and into the community.

CFSS will be a federal-state funded service, with 50 percent paid with federal MA funds and 50 percent paid with state general funds.

CFSS is effective upon federal approval but no earlier than April 1, 2014. The services will begin 90 days after federal approval or April 1, 2014, whichever is later.

### **Autism Early Intensive Intervention Benefit**

The autism early intensive intervention benefit was created by the 2013 Legislature to provide coverage for diagnosis, multidisciplinary assessment, ongoing progress evaluation, and medically necessary treatment of autism spectrum disorder.

The benefit is available to a child under the age of 18 enrolled in MA who:

- ▶ has an autism spectrum disorder diagnosis;
- ▶ has had a diagnostic assessment that recommends early intensive intervention services; and
- ▶ meets the criteria for medically necessary autism early intensive intervention services.

The autism early intensive intervention benefit will be a federal-state funded benefit, funded with 50 percent federal MA funds and 50 percent state general funds.

This benefit is effective upon federal approval, but no earlier than March 1, 2014.

## Overview of State Disability Programs and Services

The state disability programs and services described in this section include GRH, family support grants, consumer support grants, and SILS.

### Group Residential Housing (GRH)

GRH is a state-funded income supplement program that pays for room-and-board costs for low-income adults who have been placed in a licensed or registered setting with which a county human service agency has negotiated a monthly rate.

In order to be eligible for GRH payments, a person must have county approval for residence in a GRH setting and must: (1) be aged, blind, or over 18 years old and disabled, and meet specified income and asset standards; or (2) belong to a category of individuals potentially eligible for General Assistance and meet specified income and asset standards.

The GRH basic room and board rate is \$846 per month. Recipients in certain GRH settings may also qualify for a supplemental payment that is in addition to the GRH basic room and board rate. GRH pays for room and board in a number of licensed or registered settings, including the following:

- ▶ Adult foster care
- ▶ Board and lodging establishments
- ▶ Supervised living facilities
- ▶ Noncertified boarding care homes
- ▶ Various forms of assisted living settings registered under the Housing with Services Act

Currently, if an eligible person needs to live in a licensed setting and needs additional services, he or she may receive the services in the setting. Persons residing in a setting with a GRH rate are usually considered to be living in the community in their own home. As such, these persons can receive services from most community sources, such as home care and home and community-based waiver programs.

The GRH program is funded with state general funds.

GRH program statistics for fiscal year 2013:

- ▶ Total expenditures: \$130.2 million
- ▶ Average monthly recipients: 19,031
- ▶ Average monthly cost per recipient: \$570



## Family Support Grants

The Family Support Grant program provides state cash assistance for maintaining a child with a disability in the family home. Funds are for those expenses that are incurred as a result of the disability, not for costs that would normally occur even if the child did not have the disability.

In 2003, Family Support Grant eligibility was expanded to families of children with disabilities whose needs meet institutional levels of care in ICFs/DD, nursing facilities, hospitals, or Institutions of Mental Disease (IMDs), and the age of eligible dependent children was lowered from under age 22 to under age 21. Prior to expanding eligibility to families of children with disabilities whose needs meet certain institutional levels of care, this program was for families with a developmentally disabled child.

The following are eligible for a Family Support Grant:

- ▶ Families of children with a certified disability, under age 21, living in their biological or adoptive home
- ▶ Children currently residing in a regional treatment center, ICF/DD, or other licensed residential service or facility who would return to their family home if a grant was awarded are also eligible
- ▶ Families with an annual adjusted gross income of less than \$93,611

Children receiving services through a BI, CAC, CADI, or DD waiver, personal care assistance, or a consumer support grant are not eligible for a Family Support Grant. Family Support Grants are limited to \$2,936 annually.

Approved expense categories include the following:

- ▶ Medications
- ▶ Education
- ▶ Day care
- ▶ Respite
- ▶ Special clothing
- ▶ Special diet
- ▶ Special equipment
- ▶ Transportation
- ▶ Other

Family Support Grants are 100 percent state funded. Some counties provide similar support programs with 100 percent county funding.

Family Support Grant program statistics:

- ▶ Fiscal year 2013 total expenditures: \$3,946,000
- ▶ Calendar year 2008 total recipients: 1,810

Family support grants are scheduled to receive a 1 percent increase on April 1, 2014.

## **Consumer Support Grants**

The Consumer Support Grant program is a state-funded alternative to MA-reimbursed home care, specifically the home care services of a home health aide, PCA, and private duty nurse (PDN). Eligible participants receive monthly cash grants to replace fee-for-service home care payments and manage and pay for a variety of home and community-based services. In 2011, 47 counties had Consumer Support Grant participants.

In order to be eligible for a Consumer Support Grant, a person must:

- ▶ Be a recipient of MA;
- ▶ Have a long-term functional limitation requiring ongoing supports;
- ▶ Live in a natural home setting;
- ▶ Be able to direct and purchase their own supports or have an authorized representative act on their behalf; and
- ▶ Be eligible to receive home care services from an MA home care program.

A person's Consumer Support Grant amount is calculated as the state share of the assessed value of home health aide, PCA, and private duty nursing services.

Allowable services include home care, PCA, and private duty nursing. The Consumer Support Grant program is funded with 100 percent state funds.

Consumer Support Grant program statistics for fiscal year 2013:

- ▶ Total expenditures: \$16.6 million
- ▶ Monthly average enrollees: 1,756
- ▶ Monthly average allocation: \$788

Consumer Support Grants are scheduled to receive a 1 percent increase on April 1, 2014.

## **Semi-Independent Living Services (SILS)**

SILS are provided to adults with a developmental disability or a related condition in their home and community to maintain or increase their ability to live in the community. In order to be eligible for SILS, a person must:

- ▶ Be at least 18 years old;
- ▶ Have mental retardation or a related condition;
- ▶ Not be at risk of institutionalization; and
- ▶ Require systematic instruction or assistance in order to manage activities of daily living.

Each county receives an allocation from the state and must determine how to distribute the allocation among eligible clients.

SILS include instruction or assistance in the following areas:

- ▶ Meal planning and preparation
- ▶ Shopping
- ▶ Money management
- ▶ Apartment/home maintenance
- ▶ Self-administration of medications
- ▶ Telephone use
- ▶ Generic resources
- ▶ Accessing public transportation
- ▶ Socialization skills

The SILS program is a joint state-county funded program, funded with 70 percent state general funds and 30 percent county funds. Some counties provide county dollars above the county matching requirements. Some counties also fund 100 percent of the cost for some persons not served through state supported allocations.

SILS program statistics:

- ▶ Fiscal year 2013 total expenditures: \$7,675,000
- ▶ Calendar year 2008 total recipients: 1,560

SILS will receive a rate increase of 1 percent on April 1, 2014.

### **Work, Empower, and Encourage Independence Demonstration**

Beginning July 1, 2014, DHS will establish a demonstration project to promote economic stability, increase independence, and reduce applications for disability benefits while providing a positive impact on the health and future of participants. Services provided under the demonstration project will include navigation, employment supports, and benefits planning. These services will be provided to a targeted group of federally funded Medicaid recipients. The demonstration project will be funded with state general funds.

**State Disability Program Statistics, FY 2013**

<b>Program</b>	<b>Average Monthly Recipients</b>	<b>Average Monthly Cost/Recipient</b>	<b>Total Expenditures</b>
GRH	19,031	\$570	\$130,187,929
Family Support Grants	1,810	NA	\$3,946,000
Consumer Support Grants	1,756	\$788	\$16,611,662
SILS	1,560	NA	\$6,592,328 (state share)

Note: Family Support Grant and SILS average monthly recipients numbers are total calendar year 2008 numbers.  
 Source: Department of Human Services

**2013 Federal Poverty Guidelines**

<b>Family Size</b>	<b>75%</b>	<b>100%</b>	<b>150%</b>	<b>200%</b>
1	\$8,618	\$11,490	\$17,235	\$22,980
2	11,633	15,510	23,265	31,020
3	14,648	19,530	29,295	39,060
4	17,663	23,550	35,325	47,100

## Expenditures and Cost Comparisons

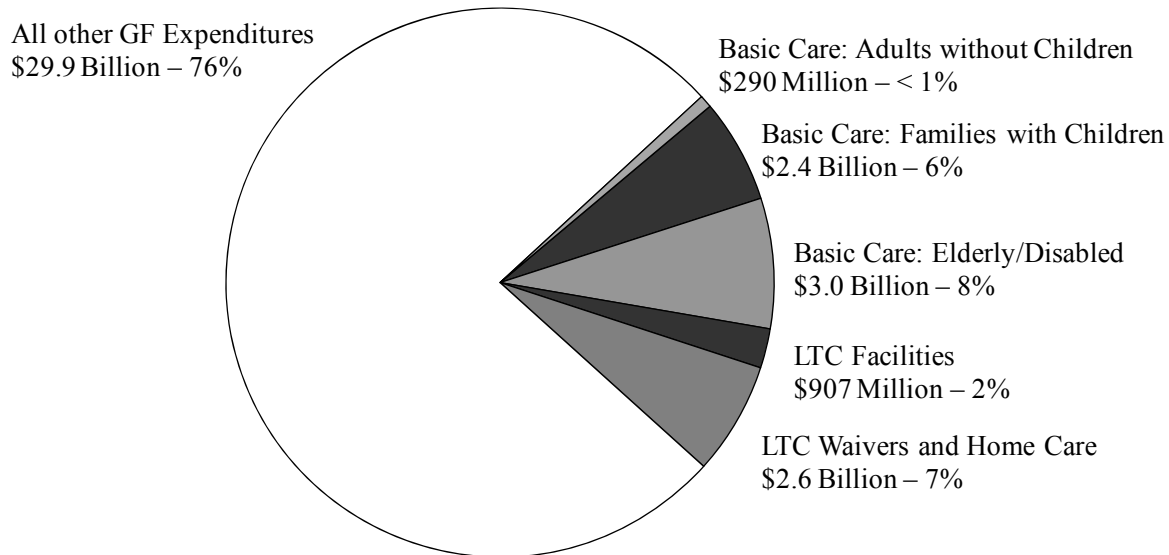
This section includes several figures that compare expenditures and costs for various MA programs for persons with disabilities.

Figures 1 and 5 to 7 include home care and elderly waiver (EW) fee-for-service in the long-term care (LTC) waivers and home care category. The other waivers included in this category include services provided on both a fee-for-service and managed care basis. Figures 1 to 3 and 5 to 7 include information from the Department of Human Services November 2013 Forecast. Beginning with fiscal year 2014, all dollar amounts are projected.

Figure 1 shows the MA state general fund expenditures by category and percentage of total general fund expenditures. MA general fund expenditures account for 24 percent of total general fund expenditures in fiscal years 2014-2015.

Figure 1

**Medical Assistance GF Expenditures and  
Percent of Total GF Expenditures**  
FY 2014-2015 Total GF Expenditures: \$39.067 billion  
FY 2014-2015 Total State Share MA Expenditures: \$9.139 billion



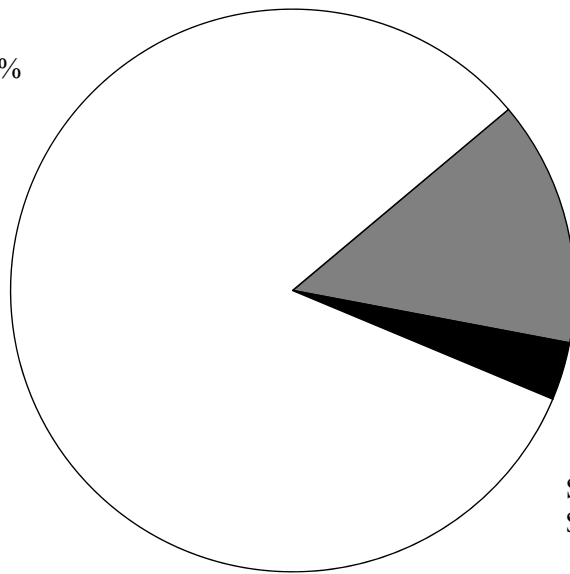
Source: House Fiscal Analysis Department

Figure 2 shows MA long-term care (LTC) expenditures by facility category. Nursing facilities make up 82 percent of the total MA LTC facilities state share expenditures in fiscal years 2014-2015.

Figure 2

**Medical Assistance Long-Term Care Facilities**  
**FY 2014-2015**  
Total LTC Facilities State Share: \$907 million

Nursing Facilities  
\$744 Million – 82%



ICF/DD  
\$132 Million – 15%

Day Training & Habilitation  
\$31 Million – 3%

State Operated Services MH  
\$150,000 – <1%

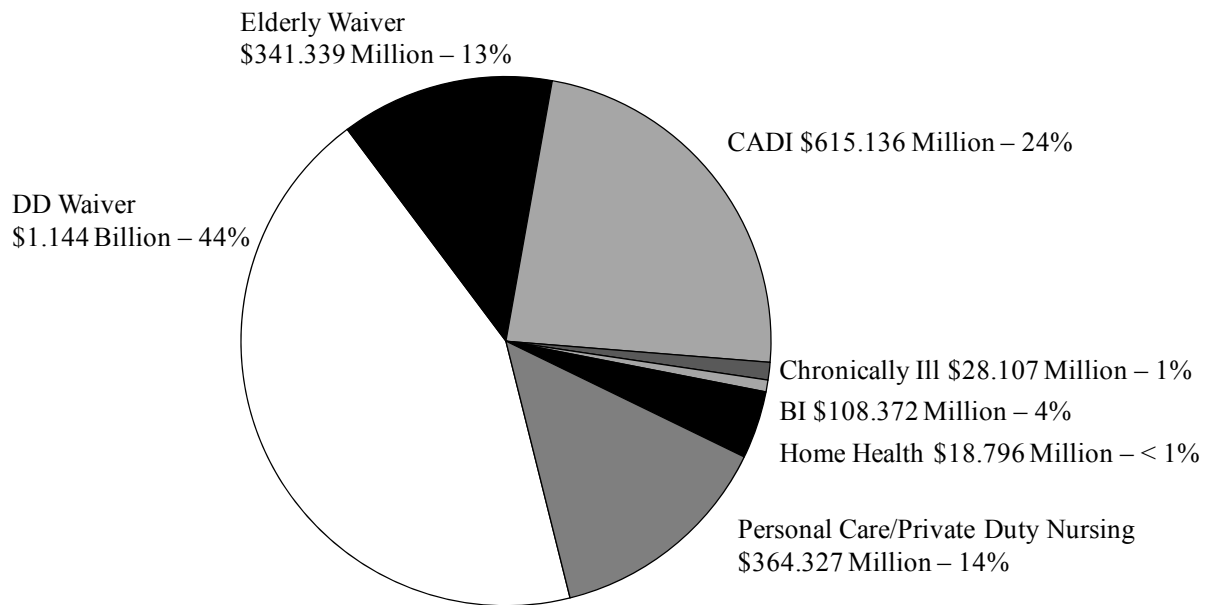
Source: House Fiscal Analysis Department

Figure 3 shows MA LTC waiver and home care expenditures by program. The Developmental Disabilities or Related Conditions (DD) waiver constitutes 44 percent of the total MA LTC waivers and home care state share expenditures in fiscal years 2014-2015.

Figure 3

**Medical Assistance Long-Term Care Waivers/Home Care  
FY 2014-2015**

Total LTC Waivers State Share: \$2.6 billion

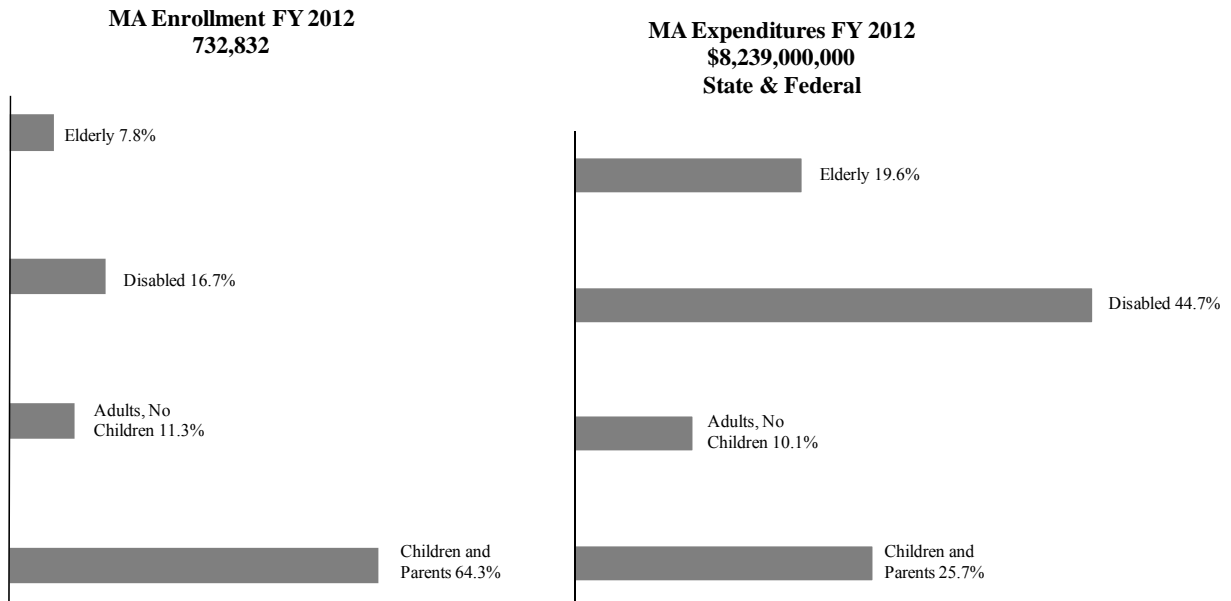


Source: House Fiscal Analysis Department

Figure 4 compares the percentage of MA enrollees by category to the percentage of MA spending by category. In fiscal year 2012, families with children accounted for 64.3 percent of MA enrollees but only 25.7 percent of MA spending, while disabled or blind persons accounted for 16.7 percent of MA enrollees and 44.7 percent of MA spending.

Figure 4

### Minnesota Medical Assistance Eligibles – SFY 2012

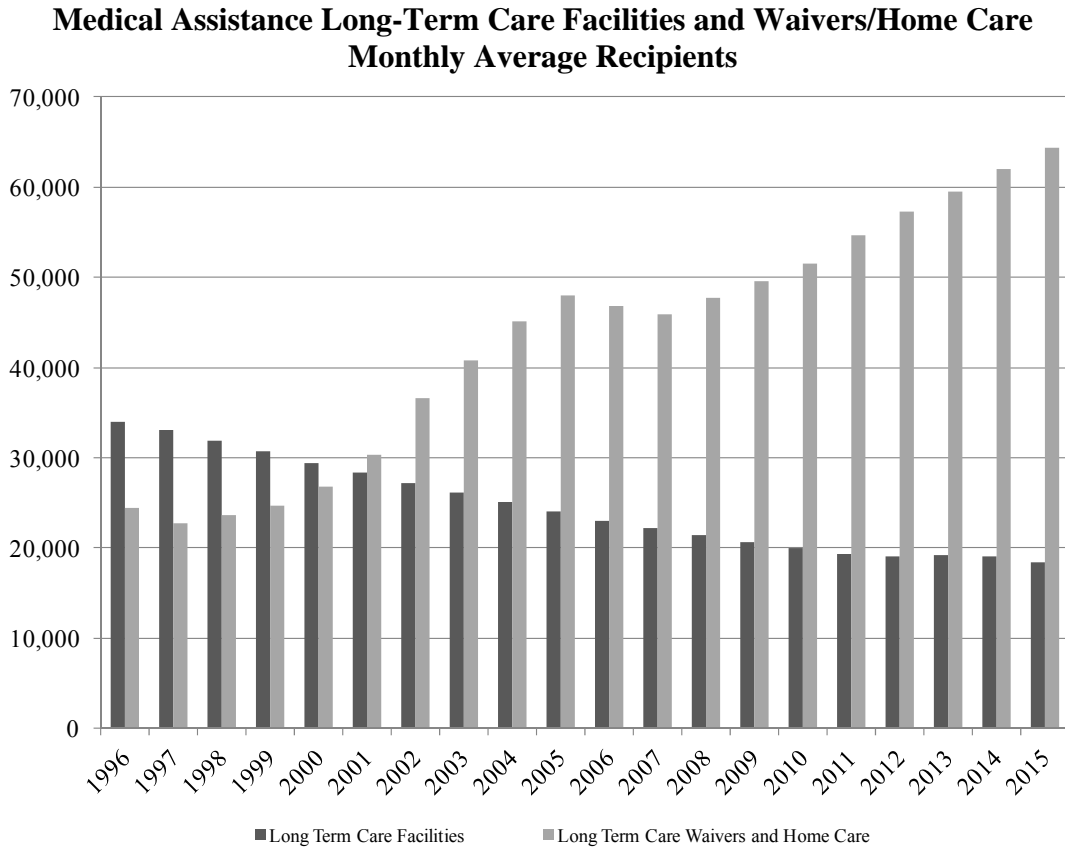


Source: DHS



Figure 5 compares MA LTC facilities and waiver/home care monthly average recipients over time. MA LTC facilities monthly average recipients have been declining over time while MA LTC waiver and home care monthly average recipients have been increasing during the same time period.

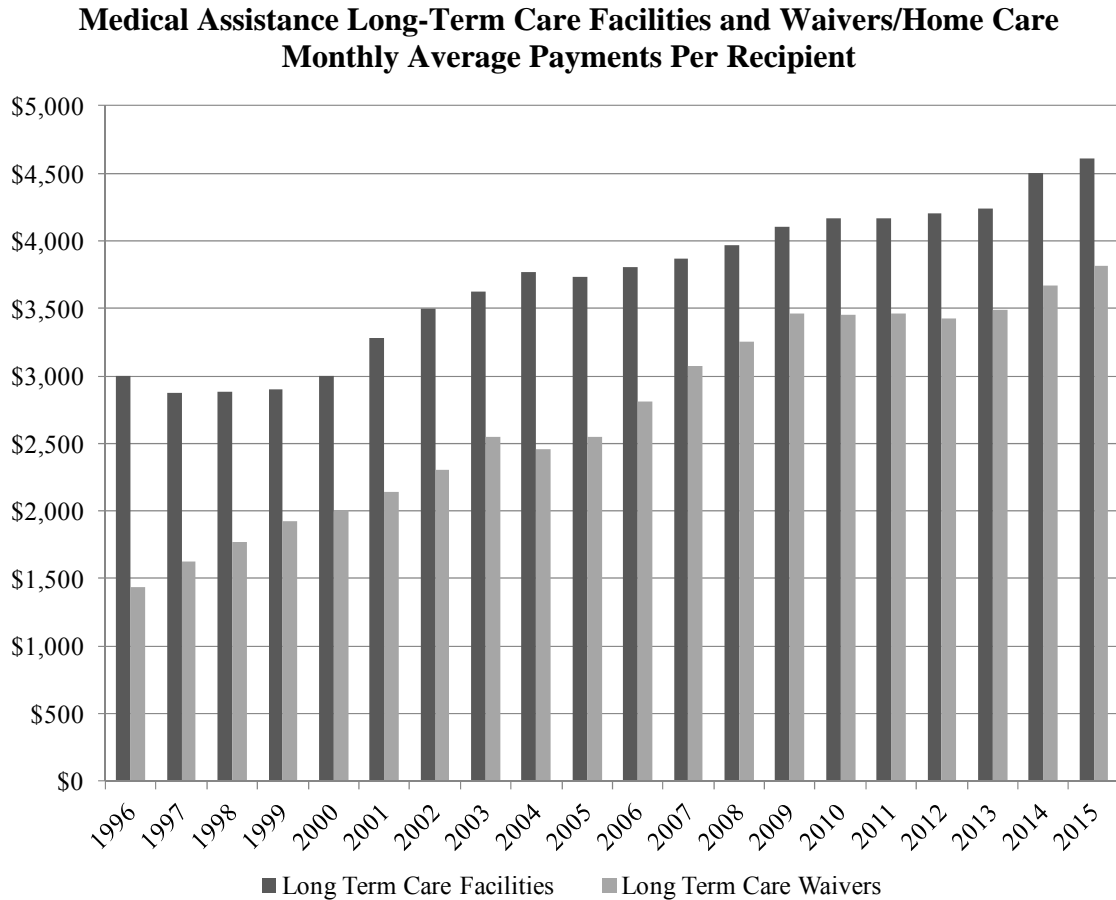
Figure 5



Source: House Fiscal Analysis Department

Figure 6 compares MA LTC facilities and waiver/home care monthly average payments over time. MA LTC facilities and waiver and home care monthly average payments per recipient have both been increasing over time; however, LTC facilities monthly average payments per recipient are higher than LTC waiver and home care monthly average payments.

Figure 6

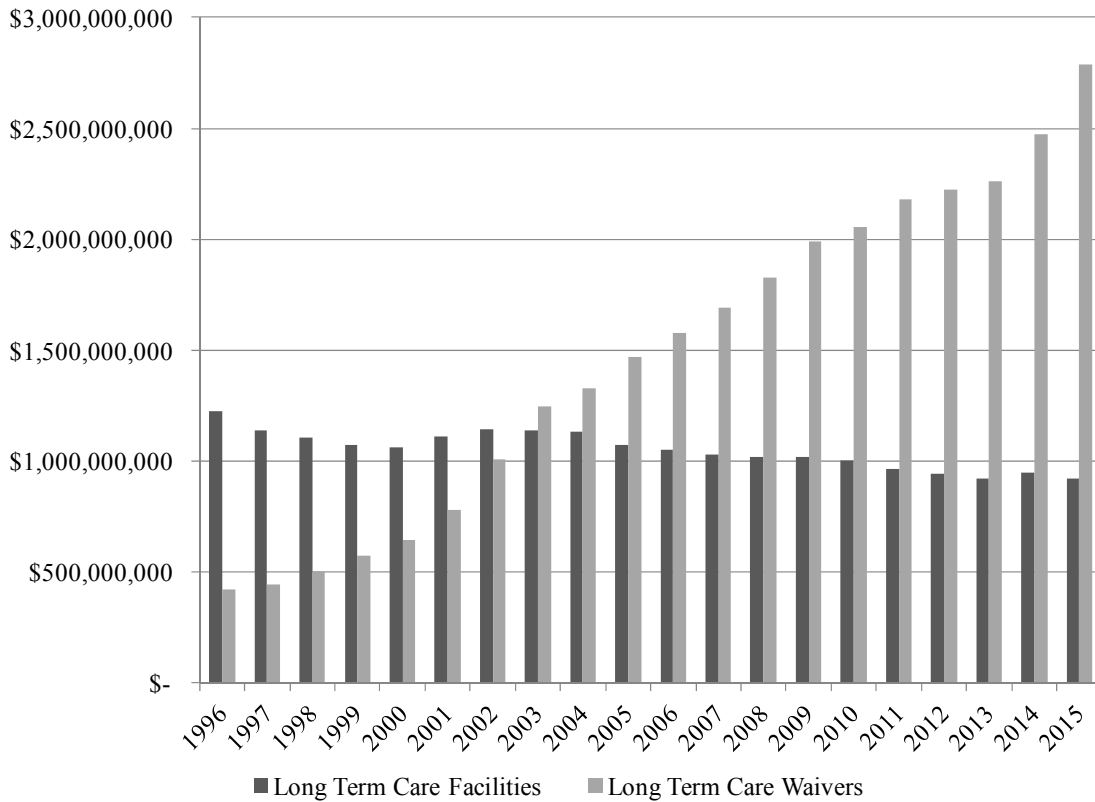


Source: House Fiscal Analysis Department

Figure 7 compares MA LTC facilities and waiver/home care total expenditures over time. MA LTC facilities total expenditures have begun to decrease over the past few fiscal years while LTC waivers and home care total expenditures have been rapidly increasing.

Figure 7

### Medical Assistance Long-Term Care Facilities and Waivers/Home Care Total Expenditures

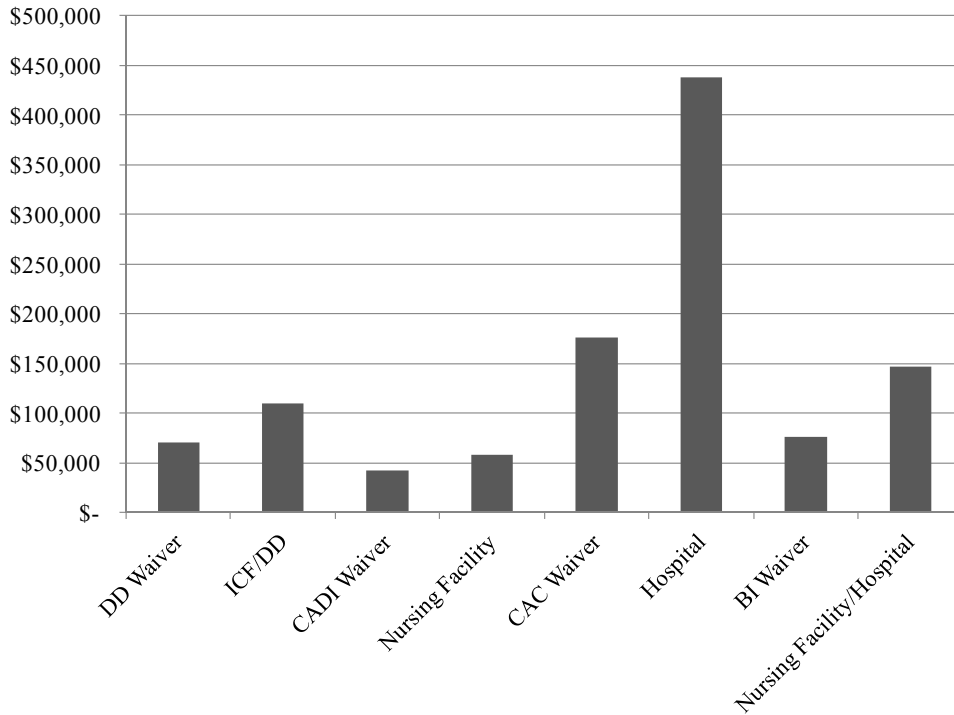


Source: House Fiscal Analysis Department

Finally, figure 8 shows disability waiver cost effectiveness as compared to other LTC facilities. The CAC waiver is very cost-effective as compared to care in a hospital setting.

Figure 8

**Disability Waiver Cost Effectiveness  
Average Annual Cost Per Recipient\***



Source: Minnesota Department of Human Services

\*The comparison periods are:

DD waiver: July 1, 2010, to June 30, 2011

CADI waiver: October 1, 2010, to September 30, 2011

CAC waiver: April 1, 2010, to March 31, 2011

BI waiver: April 1, 2010, to March 31, 2011

## Acronyms

**AGI:** Adjusted Gross Income  
**BI:** Brain Injury  
**CAC:** Community Alternatives for Chronically Ill Individuals  
**CADI:** Community Alternatives for Disabled Individuals  
**CDCS:** Consumer-directed Community Supports  
**COLA:** Cost-of-Living Adjustment  
**DD:** Developmental Disabilities  
**DHS:** Minnesota Department of Human Services  
**DT&H:** Day Training and Habilitation  
**EW:** Elderly Waiver  
**FFS:** Fee-for-service  
**FMAP:** Federal Medical Assistance Percentage  
**FPG:** Federal Poverty Guidelines  
**GRH:** Group Residential Housing  
**HCBS:** Home and Community-Based Waiver Services  
**ICF/DD:** Intermediate Care Facility for Persons with Developmental Disabilities  
**IMD:** Institution of Mental Disease  
**ISP:** Individual Service Plan  
**LTC:** Long-Term Care  
**MA:** Medical Assistance  
**MA-EPD:** Medical Assistance Employed Persons with Disabilities  
**MnDHO:** Minnesota Disability Health Options  
**PCA:** Personal Care Assistant  
**PDN:** Private Duty Nurse  
**RTC:** Regional Treatment Center  
**RUGs:** Resource Utilization Groups  
**SILS:** Semi-Independent Living Skills  
**SMRT:** State Medical Review Team  
**SSA:** Social Security Administration  
**SSI:** Supplemental Security Income  
**TEFRA:** Tax Equity and Fiscal Responsibility Act of 1982  
**VCAA:** Minnesota Vulnerable Child and Adults Act

*For more information about assistance programs, visit the health and human services area of our website, [www.house.mn/hrd/](http://www.house.mn/hrd/).*