

Personal Assistance Services Available Soon for Working Healthy Participants

By Mary Ellen O'Brien Wright, Working Healthy Program Director

The Kansas Health Policy Authority (KHPA) is excited to announce that it has received approval for a State Plan Amendment that will provide personal assistance services for *Working Healthy* enrollees who need those services to live and work independently.

As part of the Ticket-to-Work and Work Incentives Improvement Act (TWWIIA), states receiving Medicaid Infrastructure Grants awarded by the Centers for Medicare and Medicaid Services (CMS) are required to “offer personal assistance services statewide inside and outside the home to the extent necessary to enable an individual to be engaged in full-time employment.” Kansas meets this requirement through Home and Community Based Services (HCBS) Waivers with one exception: *Working Healthy* enrollees cannot receive services through an HCBS Waiver.

Following effort on the part of SRS, and later KHPA, including the submission of a Medicaid State Plan Amendment in August 2002, the submission of an 1115 Independence Plus Demonstration application in August 2003, nearly three years of negotiation with CMS, and the submission of a second Medicaid State Plan Amendment in June 2006, KHPA was finally able to obtain CMS approval utilizing a new option available under the Deficit Reduction Act of 2005 (DRA).

Using this new option, KHPA submitted a third Medicaid State Plan Amendment in August 2006. Via the “Flexibility in Benefits – Benchmark Package” available under Section 6044 of the Deficit Reduction Act, KHPA has created a benefit plan that includes all of the state’s regular state plan services *plus* personal assistance services for employed adults with developmental disabilities, physical disabilities, and traumatic brain injuries who are eligible to enroll in *Working Healthy*. The “benchmark benefit package” also includes assessment, independent living counseling, and assistive services.

There are several unique features to the new package of services. Personal assistance services will be offered using a “cash model,” allowing participants to handle funds and purchase their services directly. Those wanting to manage their funds will be expected to take a web-based course and assessment prior to assuming responsibility for their funds. Participants also have the option to use a more traditional approach to fiscal management and employ a fiscal agent to manage their funds. Moreover, participants will also be given the flexibility to purchase services in an alternative and cost-effective way, e.g., send laundry out rather than pay an attendant to do the laundry. Individuals have the option to choose to use an Independent Living Counselor to direct their services or assist them in directing their services. If they feel capable of directing their services without the help of an Independent Living Counselor, they may do so. Finally, participants who choose to use fiscal management and/or independent living counseling services are free to designate the agency of their choice.

KHPA is hoping to implement the program, titled WORK (Work Opportunities Reward Kansans), in the spring of 2007. For more information or questions about WORK, please contact the *Working Healthy* program.

Benefits Specialists' Corner

This issue features *Working Healthy* Benefits Specialist Steve Curtis from the Topeka Service Center. Steve's coverage area includes the counties of Atchison, Brown, Doniphan, Jackson, Jefferson and Shawnee. He can be reached by phone at (785) 296-5816 or by E-mail at SXXC@srs.ks.gov.

Childhood Disability Benefits, *Working Healthy* and Benefits Planning

Adults with disabilities who do not have enough work quarters to qualify for Social Security Disability Insurance (SSDI) benefits on their own may receive benefits based on their parents' employment record. This program is called the Childhood Disability Benefit (CDB). For Medicaid purposes, it is known as the Adult Disabled Child Benefit. To be eligible in this manner the individual must be 18 years of age or older, be disabled per Social Security standards prior to age 22, and be the child of an insured worker who is disabled, retired, or deceased. Marriage usually results in loss of CDB eligibility, unless the marriage is to another Social Security beneficiary.

For employment purposes, receiving SSDI under the CDB is just like regular SSDI. The trial work period, grace period, substantial gainful activity limit, and other SSDI work incentives are applicable.

Sometimes, individuals receiving benefits through the CDB continue to qualify for Medicaid. If the individual was receiving Supplemental Security Income (SSI) or Section 1619 and lost it because they became newly eligible for CDB, or due to an increase in CDB, Medicaid may continue if the individual would otherwise be eligible for SSI if the amount of CDB is disregarded.

When an individual receiving CDB goes to work, the earnings may affect Medicaid eligibility.

For example, let's say Lucy receives SSI and marries Ricky, an SSDI beneficiary based on his own insured status. Ricky gets \$800 in SSDI. For 2006, the SSI benefit for an individual and spouse is \$904. Lucy's SSI is \$62 and Ricardo also receives \$62 in SSI, which brings their total SSDI and SSI to \$924 (allowing for the \$20 general income exclusion on the SSDI).

A few months pass and Lucy's father dies from a sudden illness. Lucy's impairment is such that she met Social Security disability criteria at age 19 and she now qualifies for CDB through her deceased father's insured earnings. Her CDB benefit is \$800. Because her and her spouse's combined SSDI is \$1600, they no longer qualify for any SSI. However, Lucy continues to be eligible for Medicaid because she receives CDB; it was the receipt of CDB which caused her to lose SSI, and if it were not for the CDB she would still be SSI eligible.

Another few months pass and Lucy begins to work and earns \$600 per month. Her countable earnings after disregards (assuming no IRWE, subsidy, or special condition) equals \$267.50. Medicaid eligibility as an Adult Disabled Child ends because her spouse's SSDI of \$800 plus her countable earnings of \$267.50 exceeds the \$904 SSI federal benefit rate for a couple.

She could be eligible for Medicaid through *Working Healthy* with a \$112 premium.

Since it is no longer the CDB income alone that causes ineligibility for SSI, her connection to Medicaid as a CDB recipient may be forever lost. Fortunately, Lucy has discussed this with her Benefits Specialist and, with her goal being full-time employment, she was willing to risk the connection to Medicaid in return for the work experience.

-Steve Curtis, *Working Healthy* Benefits Specialist

New Requirements for Medical Coverage

By Jeanine Schieferecke, Medicaid Eligibility Manager, Kansas Health Policy Authority

In July, 2006 the Kansas Health Policy Authority (KHPA) and SRS implemented new requirements for the Medicaid, MediKan and HealthWave programs. The new rules require verification of U.S. citizenship and identity for most new applicants and current recipients. These requirements will impact some *Working Healthy* participants.

People who have received Supplemental Security Income (SSI) payments or are covered under Medicare are exempt from the requirement and do not have to provide documentation.

The new rules are based on a federal law, the Deficit Reduction Act. The law requires the eligibility worker to get proof of citizenship and identity for all new applicants before coverage is approved. For current recipients, proof is required at the annual review. SRS and KHPA will give extra time for people who have trouble getting the documents.

Many different documents can be used to meet the requirement. A passport is considered a primary document and will verify both citizenship and identity. If a passport isn't available, two documents must be provided – one for identity and one for citizenship.

Examples of citizenship documents include a birth certificate, certain military records and records issued by the State Department. If these aren't available, hospital/medical records or insurance policies may be used.

Examples of identity documents include a driver's license, Kansas ID card, certain Native American tribal documents, government ID cards and school ID cards. Certain employment ID cards are also acceptable. For children under 16, school, daycare or medical records may also be used.

Both KHPA and SRS stress the importance of communication in dealing with the new requirements. If a person is having a hard time finding documentation the SRS case worker will give extra time to submit the needed documents.



Remember!

If you have questions about Working Healthy you can call toll free 1-800-449-1439 or visit our website, www.workinghealthy.org

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