

# Virginia Department of Medical Assistance Services

## Community Living (CL) Waiver

### Fact Sheet 2018

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<b>Initiative</b>	Formerly the Intellectual Disability Waiver, the purpose of the Community Living home and community-based 1915 (c) waiver is to provide support in the community rather than in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) or related condition.
<b>Targeted Population</b>	Adults and children who have a diagnosis of a Developmental Disability (DD). All individuals must:  <ol style="list-style-type: none"><li>(1) Meet the ICF level of care criteria;</li><li>(2) Require waiver services within 30 days;</li><li>(3) Have a diagnosis of a developmental disability</li><li>(4) Be determined that community-based services under the waiver are the critical services that enable the individual to delay or avoid placement in an ICF or promote exiting from either an ICF or other institutional placement.</li></ol>
<b>Program Administration</b>	Program is administered by the Department of Behavioral Health and Developmental Services (DBHDS) and the Department of Medical Assistance Services (DMAS).
<b>Eligibility Rules</b>	The individual must be eligible for Medicaid and meet screening criteria; the income limit is 300% of the SSI payment limit for one person. The individual must meet criteria for ICF and must have a diagnosis of DD.
<b>Services Available</b>	<ul style="list-style-type: none"><li>• Companion Services – Agency-Directed and Consumer-Directed</li><li>• Assistive Technology</li><li>• Benefits Planning</li><li>• Residential Services: Group Home Residential, Supported Living Residential, Shared Living, Sponsored Residential</li><li>• Support Coordination/Case Management (through State Plan Option)</li><li>• Community Coaching</li><li>• Community Engagement</li><li>• Community Guide</li><li>• Crisis Services: Center Based, Community Based, &amp; Crisis Support Services</li><li>• Group Day Support Services</li><li>• Electronic Home Based Supports</li><li>• Employment &amp; Community Transportation</li><li>• Environmental Modifications</li><li>• In-Home Support Services</li><li>• Peer Mentor Supports</li><li>• Personal Emergency Response System (PERS) – (Installation and Monthly Monitoring)</li><li>• Personal Assistance Services – Agency-Directed and Consumer-Directed</li><li>• Respite Services – Agency-Directed and Consumer-Directed</li><li>• Services Facilitation</li><li>• Skilled &amp; Private Duty Nursing</li><li>• Group and Individual Supported Employment</li><li>• Therapeutic Consultation</li><li>• Transition Services</li><li>• Workplace Assistance Services</li></ul>

**Service Authorization**

An individual is screened at the local Community Services Board (CSB). DBHDS performs enrollment and service authorization for this waiver.

**Waiting List**

A single statewide wait list exists for all three Developmental Disability Waivers including the Community Living Waiver.

In order to ensure waiver services are provided to those with the most urgent needs, the support coordinator/case manager will identify, after discussion with the individual and family, the priority status that best reflects the individual's situation. A Waiver Slot Assignment Committee (WSAC) will determine from among the individuals who meet priority one criteria who should be served first, based on the needs of the individual at the time a slot becomes available.

In addition, an individual shall be considered to meet the criteria for slot assignment if:

- the individual meets waiver diagnostic and functional eligibility requirements,
- the individual is determined to meet one of the Priority One criteria below, and
- the individual, the individual's spouse or the parent of an individual who is a minor child would accept services within 30 days.

**Wait List Criteria**

**Priority One**

It is anticipated that the individual will need waiver services within one year and the individual meets one of the following criteria:

- An immediate jeopardy exists to the health and safety of the individual due to the unpaid primary caregiver having a chronic or long-term physical or psychiatric condition or conditions that significantly limit the ability of the primary caregiver or caregivers to care for the individual; there are no other unpaid caregivers available to provide supports.
- There is immediate risk to the health or safety of the individual, primary caregiver, or other person living in the home due to either of the following conditions:
  - The individual's behavior or behaviors, presenting a risk to himself or others, cannot be effectively managed by the primary caregiver or unpaid provider even with support coordinator/case manager-arranged generic or specialized supports; or
  - There are physical care needs or medical needs that cannot be managed by the primary caregiver even with support coordinator/case manager-arranged generic or specialized supports;
- The individual lives in an institutional setting and has a viable discharge plan; OR
- The individual is a young adult who is no longer eligible for IDEA services and is transitioning to independent living. After individuals attain 27 years of age, this criterion shall no longer apply.

**Priority Two**

It is anticipated that the individual may require waiver services in one to five years and the individual meets one of the following criteria:

- The health and safety of the individual is likely to be in future jeopardy due to
  - The unpaid primary caregiver or caregivers having a declining chronic or long term physical or psychiatric condition or conditions that significantly limit his ability to care for the individual;
  - There are no other unpaid caregivers available to provide supports; and
  - The individual's skills are declining as a result of lack of supports;
- The individual is at risk of losing employment supports;

- The individual is at risk of losing current housing due to a lack of adequate supports and services; or
- The individual has needs or desired outcomes that with adequate supports will result in a significantly improved quality of life.

### **Priority Three**

Priority Three shall be assigned to individuals who meet one of the following criteria and will need a waiver slot in five years or longer as long as the current supports and services remain:

- The individual is receiving a service through another funding source that meets current needs;
- The individual is not currently receiving a service but is likely to need a service in five or more years; or
- The individual has needs or desired outcomes that with adequate supports will result in a significantly improved quality of life.

### **Definitions**

**"Assistive technology"** means specialized medical equipment and supplies including those devices, controls, or appliances, specified in the Individual Support Plan but not available under the State Plan for Medical Assistance, which enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live, or that are necessary to the proper functioning of the specialized equipment.

**"Benefits planning"** is an individualized analysis and consultation service provided to assist individuals receiving waiver services and social security benefits (SSI, SSDI, SSI/SSDI) to understand their benefits and explore the possibility of work, to start work, and the effect of work on local, state, and federal benefits. This service includes education and analysis about current benefits status and implementation and management of state and federal work incentives as appropriate.

**"Case management"** means the assessing and planning of services; linking the individual to services and supports identified in the Individual Support Plan; assisting the individual directly for the purpose of locating, developing or obtaining needed services and resources; coordinating services and service planning with other agencies and providers involved with the individual; enhancing community integration; making collateral contacts to promote the implementation of the Individual Support Plan and community integration; monitoring to assess ongoing progress and ensuring services are delivered; and education and counseling that guides the individual and develops a supportive relationship that promotes the Individual Support Plan.

**"Community Coaching"** means a service designed for individuals who need one-to-one support in order to develop a specific skill to address barriers preventing that individual from participating in the community engagement services.

**"Community Engagement"** means services that support and foster individuals' abilities to acquire, retain, or improve skills necessary to build positive social behavior, interpersonal competence, greater independence, employability, and personal choice necessary to access

typical activities and functions of community life such as those chosen by the general population.

**“Community Guide”** services include direct assistance to promote individuals’ self-determination through brokering very specific community resources that lead to connection to and independent participation in integrated, independent housing or community activities so as to avoid isolation.

**"Companion services"** means nonmedical care, support, and socialization, provided to an adult (age 18 and over). The provision of companion services does not entail routine hands-on care. It is provided in accordance with a therapeutic goal in the consumer service plan and is not purely diversional in nature.

**"Consumer-directed model"** means services for which the individual and the individual's employer of record, as appropriate, is responsible for hiring, training, supervising, and firing of the person or persons who render the direct support or services reimbursed by DMAS.

**"Center-based crisis support services”** means crisis prevention and stabilization in a crisis therapeutic home using planned and emergency admissions. They are designed for those individuals who need on-going crisis supports.

**“Community-based crisis support services”** means services to individuals who are experiencing crisis events putting them at risk for homelessness, incarceration, hospitalization or danger to themselves or others. This service shall provide ongoing supports to individuals in their homes and in community settings.

**“Crisis support services”** means intensive supports by trained and, where applicable, licensed staff in crisis prevention, crisis intervention, and crisis stabilization to an individual who is experiencing an episodic behavioral or psychiatric event in the community which has the potential to jeopardize the current community living situation.

**"Group Day support"** means services that promote skill building and provide supports (assistance) and safety supports for the acquisition, retention, or improvement of self-help, socialization, and adaptive skills, which typically take place outside the home in which the individual resides. Day support services shall focus on enabling the individual to attain or maintain his highest potential level of functioning.

**“Group home residential services”** means skill-building, routine supports, general supports, and safety supports that are provided primarily in a licensed residence which enable the individual to acquire, retain, or improve skills necessary to successfully live in the community.

**“Electronic Home Based Supports”** means goods and services based on current technology, such as Smart Home ©, and includes purchasing electronic devices, software, services and supplies not otherwise covered through other benefits in this waiver or through the State Plan that allows individuals to use technology in their residences to achieve greater independence, self-determination and reduce the need for human intervention.

**“Employment and Community Transportation”** service is offered in order to enable individuals to gain access to an individual’s place of employment or volunteer activity, other community services or events, activities and resources, homes of family or friends, civic

organizations or social clubs, public meetings or other civic activities, and spiritual activities or events as specified by the support plan and when no other means of access is available.

**"Environmental modifications"** means physical adaptations to a primary place of residence, primary vehicle or work site (when the work site modification exceeds reasonable accommodation requirements of the Americans with Disabilities Act) that are necessary to ensure the individual's health and safety or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards. Such EM shall be of direct medical or remedial benefit to the individual.

**"Group supported employment services"** means continuous support provided by staff in a naturally occurring place of employment to groups of two to eight individuals with developmental disabilities and involves interactions with the public and coworkers who do not have developmental disabilities.

**"Individual supported employment"** means one-on-one ongoing supports that enable individuals, for whom competitive employment at or above the minimum wage is unlikely absent the provision of supports, to work in an integrated setting.

**"Peer Mentor Supports"** provide information, resources, guidance, and support from an experienced, trained peer mentor to an individual who is a waiver recipient. This service is delivered to waiver recipients by other individuals with developmental disabilities who are or have been service recipients, have shared experiences with the individual, and provide support and guidance to him/her.

**"Personal assistance services"** means assistance with activities of daily living, instrumental activities of daily living, access to the community, self-administration of medication, or other medical needs, and the monitoring of health status and physical condition.

**"Personal emergency response system (PERS)"** is an electronic device and monitoring service that enables certain individuals at high risk of institutionalization to secure help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision.

**"Private Duty Nursing"** means individual and continuous nursing care to individuals that may be provided, concurrently with other services, due to the medical nature of supports required by individuals who have a serious medical condition or complex health care needs, or both, and which has been certified by a physician as medically necessary to enable the individual to remain at home rather than in a hospital, nursing facility, or ICF/IID.

**"Respite services"** means services provided to individuals who are unable to care for themselves, furnished on a short-term basis because of the absence or need for relief of those unpaid persons normally providing the care.

**"Shared living"** means an arrangement in which a roommate resides in the same household as the individual receiving waiver services and provides an agreed-upon, limited amount of supports. In exchange for providing the agreed-upon support, a portion of the total cost of

rent, food, and utilities that can be reasonably attributed to the live-in roommate is reimbursed to the individual.

**"Sponsored residential services"** means residential services that consist of skill-building, routine supports, general supports, and safety supports provided in the homes of families or persons (sponsors) providing supports under the supervision of a DBHDS-licensed provider that enable an individual to acquire, retain, or improve the self-help, socialization, and adaptive skills necessary to reside successfully in home and community settings.

**"Supported living residential services"** means a service taking place in an apartment setting operated by a DBHDS-licensed provider that consist of skill-building, routine supports, general supports, and safety supports that enable the individual to acquire, retain, or improve self-help, socialization, and adaptive skills necessary to successfully live in home and community settings.

**"Skilled nursing services"** means both skilled and hands-on care, as rendered by either a licensed RN or LPN, of either a supportive or health-related nature and may include, but shall not be limited to, all skilled nursing care as ordered by the attending physician and documented on the Plan for Supports, assistance with ADLs, administration of medications or other medical needs, and monitoring of the health status and physical condition of the individual enrolled in the waiver.

**"Therapeutic consultation"** means covered services designed to assist the individual and the individual's family/caregiver, as appropriate, with assessments, plan design, and teaching for the purpose of assisting the individual enrolled in the waiver.

**"Transition services"** means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his own living expenses.

**"Workplace Assistance Services"** services means supports provided to an individual who has completed job development and completed or nearly completed job placement training (i.e. supported employment) but requires more than the typical job coach services to maintain stabilization in his employment. These services are supplementary to individual supported employment services.

**Quality Management Review** DMAS conducts quality management reviews of the services provided and interviews individuals for all providers providing services in this waiver to ensure the health and safety of all individuals. Level of Care reviews are performed at least annually by the CSB support coordinator/case manager.

**Reimbursement Rates** Reimbursement rates can be found on the DMAS website at <http://www.dmas.virginia.gov/#/longtermwaivers>

**Number of Individuals Served (SFY 2014)** 9,995\*

**Total Waiver Expenditures (SFY 2014)** \$657,884,138\*

**Average Cost  
Per Individual  
(SFY 2014)** \$65,821\* (includes waiver and acute care costs)

**Regulatory  
Basis** 12VAC30-50-440 et seq.

**Program  
Contacts** Dawn Traver, Waiver Operations Director of DBHDS at (804) 382-7055 or by email at dawn.traver @dbhds.virginia.gov. Information can also be found on the DMAS website at [www.dmas.virginia.gov](http://www.dmas.virginia.gov) or the DBHDS website at <http://www.dbhds.virginia.gov/>.

*\*Cost-effectiveness Summary of Virginia's 1915(c) Home- & Community-Based Waivers SFY 2014 Initial Lag Report Intellectual Disability Waiver*