Today’s Presentation

• Working and Social Security Benefits – Understanding How It Works
  – Michele Boardman and John Miller – AHEDD

• Pennsylvania Medicaid Waivers 101
  – Steve Evrard - Allegheny County Department of Human Services
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PA Community of Practice on Transition

The Pennsylvania Community on Transition is a group of various stakeholders from across Pennsylvania who work collaboratively to ensure appropriate transition outcomes for Pennsylvania youth and young adults.

PaTTAN’s Mission

The mission of the Pennsylvania Training and Technical Assistance Network (PaTTAN) is to support the efforts and initiatives of the Bureau of Special Education, and to build the capacity of local educational agencies to serve students who receive special education services.
PDE’s Commitment to Least Restrictive Environment (LRE)

Our goal for each child is to ensure Individualized Education Program (IEP) teams begin with the general education setting with the use of Supplementary Aids and Services before considering a more restrictive environment.

PA’s Secondary Transition Website

www.secondarytransition.org
Working and Social Security Benefits – Understanding How It Works

Facilitators & Disclaimer

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About the Agency

- AHEDD’s mission: to serve the community as a catalyst in the employment and development of persons with disabilities
- State network with exclusive focus on employment since inception in 1977
- Work Incentive Counseling Cooperative Agreement with Social Security since 2001, expanded to other communities through other sponsors including The Pew Charitable Trusts.
- Coordinate PA Business Leadership Network

Supplemental Security Income (SSI) for Young Adults

- Nationwide, 1.3 million children receive SSI, over 72,000 in PA (December 2014)
- PA has one of the highest SSI rates for children in the nation
- Most will retain eligibility into adulthood
- Path to self sufficiency is murky!
Outcomes of SSI Youth

<table>
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<th>SSI-eligible, ages 19-23</th>
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<tr>
<td>HS Drop Out</td>
<td>39%</td>
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<tr>
<td>Enrolled in VR Services</td>
<td>13%</td>
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<tr>
<td>Inactivity</td>
<td>57%</td>
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</tbody>
</table>

Source: Congressional Hearing on SSI for Children, David Wittenburg, MPR, October 27, 2011

School District Response—Past

- “District Personnel have found that some students are quitting work because they are afraid they will lose their Social Security benefits, which many area families depend upon financially to survive.

- Federal and state work incentives …can help to ease the transition to competitive employment, but a widespread lack of knowledge about the incentives exists among the District’s teachers, parents and students.”

Source: MIG Proposal, Transition Staff, Local High School 2010
School District Response—Present

“I also wanted to let you know that we successfully met with 79% of the students that filled out an interest letter. I think if we begin campaigning in the beginning of the year …. I think we would be able to successfully reach even more than nearly 30 families (which is great for just a few months)! Thank you so much for all that you've provided with your Work Incentive Counseling and helping to dispel the myths about working when receiving government benefits. I've learned a lot through your agency, and I know our families have too!’

Email to AHEDD Coordinator, Pew Work Incentive Counseling for Transition Aged Youth

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Barriers to Employment for Social Security beneficiaries

- Fear
- Eligibility criteria and difficulty qualifying
- Inaccurate, partial information from numerous sources
- Disconnect with administration of other benefit programs (e.g. SNAP)
- Overpayments
Social Security Disability Insurance

- Publicly funded Long Term Disability (LTD) from FICA
- Monthly payments based on personal work history - credits
- 6 month wait for cash, 2 year wait for Medicare
- Relevant Sub group: Childhood Disability Beneficiaries (CDB)

Supplemental Security Income (SSI)

- Low income program for adults and youth with disabilities
- Limited Assets (@ application, continuous)
- Earnings below SGA for eligibility, irrelevant post eligibility
- No wait for standard federal benefit: $733 (CY 2015) Federal Benefit Rate
- Most states provide a SSI supplement. In PA, DHS provides $22.10
- Monthly Benefit adjustment based on countable unearned and earned income
SSI Reductions – Unearned, In-Kind

- Deeming: Parent to Child (<18)
- In Kind Support & Maintenance (ISM): for adults living with or receiving support from parents or others.
- Many SSI beneficiaries also qualify for SSDI or SSCDB – this causes a reduction in SSI cash payment, as “unearned income”

SSI - Reduction from Earned Income

With monthly earnings of $1,090 in CY 2015, the person has continuation of benefits under 1619(a). Even when cash benefits are suspended, 1619(b) allows for continuation of Medicaid. **In CY 2015, the Medicaid Threshold is $35,821.** Example does not include the PA State Supplement!
Student Earned Income Exclusion: 
*Instant Increase to Monthly Income*

- Criteria:
  - <22
  - Enrolled in school
  - SSI
  - Earning a paycheck

- Monthly exclusion up to $1,780 (CY 2015) of countable earnings up to $7,180

- Proof of being in school

- Need to request!

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**Plan for Achieving Self Support (PASS) 
A “Hidden Savings Program”**

- A vocational goal that requires the beneficiary to save money over a specific time period.

- SSI or potentially eligible for SSI & another source of income: earned, unearned, in-kind (e.g. deemed income)

- PASS Application submitted to local Social Security Office, approved by Regional PASS Cadre

- Form: [http://www.ssa.gov/online/ssa-545.pdf](http://www.ssa.gov/online/ssa-545.pdf)
PASS

- A PASS must:
  - Be in writing
  - State a specific work goal
  - Contain a reasonable time frame
  - Have expenses that are necessary to achieve the work goal

Representative Payee

- Nearly all SSI beneficiaries under age 18 have an assigned representative payee
- At age 18, like most federal agencies, Social Security views individuals as their own legal guardians (e.g. power to sign contracts, vote)
- Legal Guardianship & Representative Payee are not the same, and neither guarantees the other
Redetermination – Age 18

- Following 18th birthday, an SSI beneficiary will be re-determined for adult status
- Work, including at level of substantial gainful activity, is not a reason for denial (POMS DI 23570.020)
- Section 301 -- State VR IPE or continuation of IEP can potentially allow for continuation of benefits despite being determined no long eligible.

DI 11070.105 Age 18 Notice of Disability Redetermination—Exhibit

Jane G. Beneficiary
101 Main Street
My City, ST 00001

Important Notice - You must contact us or your SSI may stop.

- We must review the cases of people getting Supplemental Security Income (SSI) payments based on childhood disability after they become age 18. We are writing to let you know that we are starting to review your SSI disability case to decide if you are disabled under the disability rules for adults.

Work Incentive Counseling

- Delivered through nationally certified Community Work Incentives Coordinators

Service Model

- Confirm current status with SSA (optional)
- Relevant Personal elements
- Scenario Analysis of Income
- Applicable Work Incentives
- Address unusual circumstances (e.g. overpayments)
- Recommended form letters & benefit management tools
- Delivered via individualized report
- Follow up
Benefits Planning Query (BPQY)

- The BPQY communicates information on Social Security records specifically for beneficiaries with disabilities and encourages financial planning for a return to work. The information is generally accurate but if earnings were not reported by the beneficiary or if work reports were not processed by Social Security, the data must be updated and corrected.
- A BPQY (SSA-2459) is given to beneficiaries upon request. The BPQY and its cover letter (SSAL-634) will be mailed directly to the beneficiary at the address shown on the current Social Security record.

Ticket to Work Program

- Beneficiaries aged 18 – 64
- More choices to obtain employment services through an approved “Employment Network” (EN) and/or State VR
- Beneficiary receives preferential treatment with reassurance that EN will strive for an employment outcome and support over many years
- Community benefits from beneficiary becoming employed and infusion of federal funds that are not costing taxpayers additional money
- Optional voluntary (for both beneficiaries and ENs)
- EN is paid by SSA when the customer becomes employed at specific earning benchmarks over a multi-year horizon
Possible Points of Engagement For Transition Program

- Active discussion about career planning and SSI/Medicaid with parent & student
  - Work
  - Representative Payee Status
- Engage a Community Work Incentives Coordinator – as early and as often as possible
- Utilize work incentives within the transition plan
- Communications to parent/students: print, website
Pennsylvania Medicaid Waivers 101

Presented by:
Steve Evrard, M.Ed.
Allegheny County Department of Human Services

Topics We’ll Cover

- History of Medicaid Waivers
- Types of Medicaid Waivers Provided in PA
- How Waivers are Funded
- How Individuals’ Supports Are Funded
- Eligibility
- Role of Prioritization of Urgency of Need for Services (PUNS) in Accessing Waivers
- Services and Supports Directory (SSD)
- Participant Directed Option
- Quality Assurance
- Recipient Rights and Appeals
- Waivers and Transition Process
History of Medicaid Waivers

- **July 30, 1965** President Johnson signs Public Law 89-97 to establish Medicare for the elderly and Medicaid for the poor.

- **August 2, 1965** Medicaid becomes a federal-state partnership in which participating states receive grants for eligible residents to access a defined set of medical and long-term care benefits.

- **January 23, 1967** Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services for eligible children up to age 21. Designed to meet the special physical, emotional, and developmental needs of low-income children.

- **January 1, 1971** States are given the option to use Medicaid to pay for services in Intermediate Care Facilities for individuals with Mental Retardation (ICF/MR).

- **1981** Federal government begins to offer states the option of providing Medicaid Home and Community-Based Services (HCBS) waiver as authorized by section 1915 (c) of the Social Security Act. The program permits states to offer an array of services to assist recipients to live in their home and community rather than an institution with a "waiver" of certain Medicaid regulations.

- **1983** PA offers HCBS waiver via the "Consolidated" waiver program affording individuals living in state ICF/MR centers the choice to move to home and community services.

- **1990** PA offers option for Consolidated Waiver services for people living in private homes. Until then services had only been offered in licensed community homes.

- **1999** PA offers eligible citizens the choice to participate in the "Person/Family Directed Support" waiver program designed to support people living in private homes.

Consolidated Waiver

**Eligibility Requirements**

- Age 3 or older
- Require an ICF/ID level of care
- Sub-average intellectual functioning and impairments in adaptive behavior
- Income at or below 300% of the SSI Federal Benefit Rate
- Assets up to $2,000

**Services Provided**

- Assistive technology
- Behavior support
- Companion
- Education support
- Home accessibility adaptations
- Home and community habilitation (unlicensed)
- Homemaker/chore
- Licensed day habilitation
- Nursing
- Prevocational
- (Licensed) residential habilitation
- (Unlicensed) residential habilitation
- Respite
- Specialized supplies
- Supported employment
- Supports broker
- Supports coordination
- Therapy (physical, occupational, visual/mobility, behavioral and speech and language)
- Transitional work
- Transportation
Person/Family Directed Support Waiver

- **Eligibility Requirements**
  - Age 3 or older
  - Require an ICF/ID level of care
  - Sub-average intellectual functioning and impairments in adaptive behavior
  - Does not reside in an ODP licensed community residential home or a licensed family living home.
  - Income at or below 300% of the SSI Federal Benefit Rate
  - Assets up to $2,000

- **Services Provided**
  - Homemaker/chore
  - Habilitation
  - Respite services
  - Physical adaptations
  - Visual mobility therapy
  - Behavioral therapy
  - Visiting nurse
  - Personal support
  - Adaptive appliances and equipment services
  - Extended State Plan services

Adult Autism Waiver

- **Eligibility Requirements**
  - Age 21 or older
  - Diagnosed with Autism Spectrum Disorder (Autistic Disorder, Childhood Disintegrative Disorder, PDD-NOS, Asperger Syndrome or Rett Disorder)
  - Meet Intermediate Care Facility level of care
  - Income at or below 300% of the SSI Federal Benefit Rate
  - Assets up to $2,000

- **Services Provided**
  - Assistive technology
  - Behavioral health services
  - Community inclusion
  - Community Transition Services
  - Counseling
  - Day & residential habilitation
  - Environmental modifications
  - Family counseling & training
  - Job assessment and finding
  - Nutritional consultation
  - Occupational therapy
  - Respite
  - Speech/language therapy
  - Supported employment
  - Supports coordination
  - Temporary crisis services
  - Transitional work services
How Waivers Are Funded

- Waivers are funded roughly by 50% federal and 50% state funding under an agreement that lasts for a period of five years.
- The number of people that can be served in any particular Waiver Agreement is a figure set under agreement between the federal and state governments.
- PA Office of Developmental Programs determines how many people can be served by any particular county in PA.
- The Person/Family Directed Support Waiver is capped at $30,000 per recipient per year, exclusive of Supports Coordination cost. Other Waivers are not capped, but the funding level for each recipient must be authorized by the AEs and ODP has oversight of authorizations.

How Individuals’ Supports Are Funded

- Funding is allocated to pay for recipients’ services based on their Individual Support Plan, which is developed with their ISP team (person, family, SC and providers) and then reviewed and authorized by the AEs.
- Service rates for providers are set by ODP.
- Providers are paid directly by ODP through the PROMISE billing system on a fee for service basis, similar to how Medicaid pays health care providers.
- Individual Support Plans are authorized for one year each July 1st through June 30th. Plans may be revised and authorized based on changing recipient needs.
- Certain services require authorization by ODP, namely Additional Individualized Support (long term enhanced staffing ratio) and Supplemental Habilitation (time limited enhanced staffing ratio).
Eligibility

- **Level of Care Determination**
  - Eligibility for Consolidated and P/FDS Waivers is determined by the County Intellectual Disability programs (aka Administrative Entities - AEs). AEs contact numbers are available at the following link: [https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/prhom.asp](https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/prhom.asp)
  - Eligibility for Autism Waiver is determined by the state Bureau of Autism. Candidates may apply by calling 1-866-539-7689

- **Financial Eligibility Determination**
  - Financial eligibility is determined by candidate's local County Assistance Office via written application. The application is submitted at the time that a candidate has been selected as a Waiver recipient by the AE.

Role of PUNS in Accessing Waivers

- The state ODP and AEs use candidates' PUNS status to determine access to Consolidated and P/FDS Waivers.
- PUNS has three levels of urgency of need for services:
  - Emergency – person needs services within 30 days. 4,482 Pennsylvanians are in this category. *
  - Critical – person needs services within one year. 5,690 Pennsylvanians are in this category.
  - Planning – person needs services within five years. 3,578 Pennsylvanians are in this category.

* According to PA Waiting List Campaign figures.

- PUNS status is determined by way of a conversation between the person/family and their Supports Coordinator with concurrence by AEs and ODP.
- Preference to accessing Waivers is given to those in the Emergency status on PUNS.
# Waiver Capacity (No. of Participants)

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<th>Year</th>
<th>Consolidated</th>
<th>P/FDS</th>
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<tr>
<td>2015/2016</td>
<td>17637</td>
<td>11900</td>
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<tr>
<td>2016/2017</td>
<td>17807</td>
<td>12600</td>
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<td>2017/2018</td>
<td>18067</td>
<td>13300</td>
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<tr>
<td>2019/2020</td>
<td>18097</td>
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<table>
<thead>
<tr>
<th>Year</th>
<th>Autism</th>
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<tbody>
<tr>
<td>2011/2012</td>
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<tr>
<td>2012/2013</td>
<td>315</td>
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<td>2013/2014</td>
<td>418</td>
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<tr>
<td>2014/2015</td>
<td>518</td>
</tr>
<tr>
<td>2015/2016</td>
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## ODP Services and Supports Directory

- Waiver providers in PA must be approved by ODP for ID services and by the Bureau of Autism for Autism services.
- Recipient choice
- Approved providers, by services offered can be found online at the following link:
  - [www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/prhom.asp](https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/prhom.asp)
Participant Directed Option

- Affords eligible Consolidated and P/FDS waivers the option of greater choice in directing their budget and in selecting their support staff.
- This option is available to recipients of Consolidated and P/FDS waivers who do not receive services in licensed community homes.

There are two types of Participant Directed Options:

1. Agency with Choice
   - Person/family selects qualified support staff and refers them to an Agency with Choice to hire and pay staff.

2. Vendor/Fiscal
   - Person/Designated Person are Employer of Record who are able to hire/fire and pay staff of their choice. Payroll function is handled by a Vendor under contract with ODP.

Quality Assurance

- Quality Improvement Plans
- Provider Qualification
- Monitoring
- Incident Management
- AE Oversight
- IM4Q
- Health Care Quality Units

- ODP Customer Service Line
- Disability Rights Network
- Adult Protective Services
- Risk Management
- Center for Medicare & Medicaid Services Reviews
Recipient Rights and Appeals

- Recipient rights
- Providers’ appeals policies/procedures
- County Conference
- Mediation
- Fair Hearing
- Customer Service Lines

Waivers and Transition

- What Waiver will pay for
- Register in ODP system early
- Apply for Waiver early
- Develop rapport with SC
- Include SC in IEP and Transition Planning meetings
- Ensure PUNS form is up to date reflecting current urgency of need

- ODP Initiatives
- CMS Final Rule
- WIOA
- Special Needs Trusts and Future Planning
- The PEAL Center
- 21 & Able initiatives
- Transition checklist
Information Resources

- http://www.dhs.pa.gov/
- https://www.cms.gov/
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<th>Topic</th>
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<tr>
<td>December 9, 2015</td>
<td>9:00 am - 11:00 am</td>
<td>Navigating Financial Considerations for Secondary Transition Part # 2</td>
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<tr>
<td>January 28, 2016</td>
<td>(9:00 am – 11:00 am)</td>
<td>Overview of the Workforce Innovation and Opportunity Act</td>
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<tr>
<td>March 9, 2016</td>
<td>(9:00 am – 11:00 am)</td>
<td>Overview of Labor Laws and Employment Related Issues</td>
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<td>March 23, 2016</td>
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<td>Making the Connections with Local Transition Coordinating Councils</td>
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<td>Integrated Youth Development and Youth Leadership</td>
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<td>April 27, 2016</td>
<td>(9:00 am – 11:00 am)</td>
<td>Assistive Technology for Youth with Complex Needs</td>
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Thank you for joining us on today’s webinar.

Please join us for the remaining webinar sessions in this series
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