

The Personal Care Option under Medi-Caid
Deborah Kaplan, World Institute on Disability
510 16th St.
Oakland, CA 94612-1500
<http://www.wid.org>

Introduction

- ? This presentation will provide an overview of the PC Option:
- ? Pro's and Con's
- ? How States Use the PC Option
- ? Strategic features of a state program

Overview of the PC Option

- ? Title XIX of Medicaid (same as waivers)
- ? PC-Option means that states have the option to include personal care services (Personal Assistance Services or PAS) in the state's Medicaid program - it's not mandatory
- ? States can define services and design the program with very few federal restrictions

Overview of the PC Option

- ? 3 Federal requirements:
 - provided in the home or other location as defined by state
 - authorized by a physician or by a state service plan
 - provided by a qualified individual who is not a spouse or parent (this can be circumvented)

Overview of the PC Option

- ? states can determine how these requirements will be implemented (I.e., degree of kinship that excludes a family member from providing services)
- ? all eligible clients must be served - no waiting lists
- ? money can't go directly to client

Pro's

- ? States can't limit the number of eligible clients to a set number (i.e., 100 people only)
- ? Must be statewide
- ? States can leverage federal money through this option (like waivers)
- ? No constraints on consumer control
- ? The PC Option serves a much larger number of people than other programs

Con's

- ? States are afraid to create an open-ended eligibility program - less fiscally predictable
- ? The program that a state creates might leave out many of the people who need PAS
- ? States have discretion to limit hours, services, over-medicalize services

Con's

- ? No mandated priority for people coming out of nursing homes and institutions
- ? Tied to poverty-level income

How States Use the PC Option

- ? 32 states include PAS as an optional service
- ? 25 states have a PC Option and also have waiver programs

? 18 states do not include PAS as an option

Strategic Features of a State Program (What to look out for!) - Eligibility

- ? Income eligibility: A state can use the SSI Income standard or can allow a Medically Needy Spend Down
- ? All ages are eligible, but implementation practices such as outreach may operate to exclude people in certain age groups
- ? Children with significant disabilities have to be served
- ? Degree of disability: ADL's determine numbers of hours or type of services needed

Strategic Features of a State Program - Services Provided

- ? Personal Care services must be provided - but breadth of coverage is discretionary - each state can decide:
- ? Household Maintenance services?
- ? Communication services?
- ? Transportation services?
- ? Short-term services?
- ? Workplace services?

Strategic Features of a State Program - Availability and Intensity of Services

- ? Hour limits can make services unrealistic for people with most significant disabilities
- ? Dollar limits can also keep services too low to reach all who might need them
- ? Availability of services - the best is 24hrs 7 days a week
- ? Outreach makes a difference!

Strategic Features of a State Program - Types of Providers

- ? Agencies - profit or non-profit
- ? Emergency Services - variant of agency
- ? Independent - employed by recipient or by state for withholding
- ? Government - civil service or contract
- ? Public Authority - collective bargaining agent (in California)
- ? wages and benefits to workers are especially important

Strategic Features of a State Program - Quality Assurance

- ? State level oversight - does the State monitor?
- ? Case level oversight - who takes complaints?
- ? Provider screening and training - what are criteria? What is curriculum?
- ? Recipient complaint process?

Conclusion

- ? PC Option has the potential to provide broadest range of services to the broadest number of people who need PAS
- ? Without a federal mandate, actual state programs often fall short of this potential
- ? Strong cross-disability coalitions can influence program design - follow the strategic features!

Questions for discussion

- ? Which state currently use the PC Option? What's your experience?
- ? What is experience of advocates who have promoted PC Option in states that don't have it?

? What arguments or tactics work?

? How do we promote consumer control under this option?