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Texas 1915(c) Home and Community Based Services “Medicaid Waiver Programs”

1915(c) Home and Community-Based Services (HCBS)¹, also known as “Medicaid waivers” are state-funded programs that provide financial support to people with an intellectual or developmental disability (I/DD) so they may live and receive services in their home or local community. Medicaid waivers allow people with I/DD to receive the home and community services they need to live a happy, healthy life and live as independently as possible. It provides an alternative to people with I/DD being forced to live in a hospital, nursing home, state supported living center or intermediate care facility to receive the supports and services they need.

People with I/DD or a “related condition” may qualify to receive a Medicaid waiver program. Related conditions² are severe, chronic disabilities such as cerebral palsy, epilepsy, down syndrome, muscular dystrophy, etc., that require treatment or services.

¹ Social Security Act 1915(c) 42 U.S.C. 1396n

² 42 CFR 435.1010

Related Condition must:

1. Occur before age 22
 2. Be likely to continue indefinitely
 3. Result in substantial functional limitation of 3 or more areas of major life activity: self-care, understanding and use of language, learning, mobility, self-direction, or independent living.
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Eligibility for Medicaid waiver programs is based on a person’s disability alone, not family income. This is different from Medicaid healthcare services which does take a person’s income into account. It is important to know the difference between Medicaid waivers and Medicaid healthcare services. Medicaid healthcare is managed by Texas Health and Human Services (HHS). Contact your local HHS office for more information and to apply for Medicaid healthcare.

Medicaid waivers provide funds to the person with a disability, or their guardian, to find and pay for consumer driven long-term services and supports such as physician services and therapies, medical equipment, community living, home modifications, employment support, respite and various personal care services. Medicaid waivers are flexible since they allow people to choose and change service providers if they want.

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- *HCS - Home and Community-based Services*
 - *YES - Youth Empowerment Services*
 - *TxHmL - Texas Home Living Waiver*
 - *CLASS - Community Living Assistance and Support Services*
 - *MDCP - Medically Dependent Children Program*
 - *DB-MD - Deaf/Blind and Multiple Disabilities*
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Waivers:

Home and Community Based Services (HCS)

HCS is an alternative to institutionalization in an intermediate care facility (ICF) or residential center. This waiver is for children and adults with a primary diagnosis of intellectual disability and an IQ of 69 or below, or, a related condition and an IQ of 75 or below. To qualify applicants must have a related condition and two (2) moderate to extreme deficits in adaptive behavior. Services include residential assistance, supported home living/companion care, residential support in 3 – 4 bedroom group home, minor home modifications, day habilitation, behavioral support and therapies, cognitive rehabilitation therapy, adaptive aids, nursing, audiology, dental, dietitian, employment assistance/supported employment, case management, consumer directed services for supported home living and more.

Youth Empowerment Services (YES)

YES provides intensive community services for children age 3 – 18 years old who have a “severe emotional disturbance” (SED). An SED is a diagnosable mental, behavioral or emotional disorder which results in functional impairments. Children who have extremely aggressive behavior, at risk of self-harm, harm of others or show severe disruptive behavior may qualify. This waiver is an alternative to in-patient psychiatric care. Services include family and community living supports, specialized psychiatric observation, specialized therapies, minor home modifications, adaptive aids, non-medical transportation, respite, supported employment & more.

Texas Home Living (TxHmL)

TxHmL provides supports and services to allow children and adults with an intellectual disability to live in their own or a family home. To qualify, the person must be Medicaid eligible before enrolling in TxHmL. The person may remain on the HCS waiting list while receiving TxHmL. Services include home modifications, adaptive aids, nursing, dental, audiology, dietitian, therapies like speech, physical and occupational therapy, behavioral supports, day habilitation, respite, consumer directed services.

Community Living Assistance and Support Services (CLASS)

CLASS is an alternative to institutionalization in an intermediate care facility (ICF) or residential center. To qualify applicants must have a related condition, moderate to extreme deficits in adaptive behavior and need help with daily living skills. Services include: home habilitation, employment assistance/supported employment, home/car modifications, adaptive aids/supplies, therapies (speech, PT, OT), nursing, dental, behavioral support, respite (including camps), consumer directed services, cognitive rehabilitation therapy, case management and more.

Medically Dependent Children Program (MDCP)

MDCP is one way for children with disabilities to become eligible for Medicaid without considering their parent's income. This waiver offers an alternative to a nursing facility for children under age 21 who meet nursing facility eligibility. Services include: respite, minor home modifications, adaptive aids, employment assistance/supported employment, supports to enable children to participate in child care, transition assistance services and more.

Deaf/Blind and Multiple Disabilities (DB-MD)

DB-MD has the shortest wait time of all the Medicaid waivers since there are not many people who will qualify. This waiver is for people who are deaf/blind and have a third disability which requires daily habilitation services. Services include residential services in group home or assisted living facility (ALF), habilitation services, nursing, dental, orientation and mobility assistance, therapies like speech, physical and occupational, adaptive aids and supplies, behavioral support, environmental accessibility, intervenor, chore provider, employment assistance/supported employment, case management and more.

Unfortunately, many Medicaid waiver programs can have a 10 – 15 year waiting list. Parents are urged to contact THHS and the LIDDA to have their child added to the Medicaid waiver lists as soon as possible.

Medicaid Waiver List: <https://hhs.texas.gov/about-hhs/records-statistics/interest-list-reduction>

Description: <https://texasmedicaidwaivers.com/>

The interest lists for the Medicaid waiver programs are managed by Texas Health and Human Services (THHS), or the “Local Intellectual and Developmental Disability Authority” or LIDDA. The LIDDA for Fort Bend County is Texana Authority. THHS manages three waivers: CLASS, MDCP and DB-MD. Texana (the LIDDA for Fort Bend County) manages three waivers: HCS, YES, and TxHml.

**Contact the Local Intellectual and Developmental Disability Authority (LIDDA)
or Texas Health and Human Services (THHS) for more information
and to sign up for 1915(c) Medicaid waiver programs.**

Texana Center
4706 Airport Ave.
Rosenberg, TX 77471
281-239-1363
www.texanacenter.com

Texas Health & Human Services
877-438-5658
hhs.texas.gov/services/disability

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