

Medi-Cal Programs to Help You Stay in Your Own Home or Leave a Nursing Home

January 2019, Pub. # 5392.01

There are a number of different programs in California that can help individuals with disabilities and/or seniors who receive Medi-Cal remain in their homes, or help them return home from a long-term care facility (including hospitals, nursing homes, and other medical facilities). This publication provides an overview of these programs, but if you need assistance getting services, you can contact Disability Rights California toll free at (800) 776-5746 or TTY: (800) 719-5798. You can also visit our website at www.disabilityrightsca.org.

How Can I Get Help With Daily Care Needs at Home?

The main Medi-Cal program that provides attendant care to help people with disabilities with personal care, cleaning, errands, and meals is **InHome Supportive Services (IHSS)**. IHSS is designed to help low-income people with disabilities of all ages live safely in their own homes if they wish to do so, rather than in a nursing home or other group care facility. IHSS pays for a wide variety of home-based services performed by attendant care workers, including non-medical personal care such as bathing, grooming, feeding, dressing or toilet assistance. It also pays for other services such as cleaning, laundry, shopping, cooking and washing dishes. IHSS can fund “paramedical services” with a doctor’s authorization, and can provide transportation to and from medical and other necessary appointments. Most people find and hire their own attendants (including family members under some circumstances), but in some counties, agencies may be able to arrange for IHSS attendant care. For more information about IHSS, see DRC’s publication *In-Home Supportive Services: Nuts and Bolts Manual* at:

<http://www.disabilityrightsca.org/pubs/PublicationsIHSSNutsandBolts.htm> or the California Department of Social Services website at <http://www.cdss.ca.gov/In-Home-Supportive-Services>.

Another option for people over age 55 who are eligible for Medi-Cal and Medicare and would qualify for placement in a nursing facility is the **Program of All Inclusive care for the Elderly (PACE)**. PACE provides coverage for all needed preventive, primary, acute and long-term care services including

prescription drugs, doctor medical care, transportation, home care, checkups, hospital visits, and even nursing home stays whenever necessary. When enrolled in PACE, you work with PACE providers and you cannot get IHSS (although PACE offers some home care services). PACE is not available in all parts of California. For more information, see the California Department of Health Care Services website at:

<http://www.dhcs.ca.gov/services/ltc/Pages/ProgramofAllInclusiveCarefortheElderly.aspx>.

What if I Need More than Attendant Care (like nursing care or residential care)?

California also operates several **Home and Community-Based (HCBS) Waivers** which are special Medi-Cal programs that waive certain Medi-Cal rules so that people can live at home instead of living in a facility.

There are a variety of different HCBS Waivers in California, including: Acquired Immune Deficiency Syndrome (AIDS) Waiver; Assisted Living Waiver (ALW); Home and Community-Based Services Waiver for the Developmentally Disabled (HCBS-DD); the Home and Community-Based (HCB) Alternatives Waiver (formerly known as the Nursing Facility/Acute Hospital (NF/AH) Waiver); and the Multi-Purpose Senior Services Waiver (MSSP). These Waivers are described below:

Assisted Living Waiver (ALW): The Assisted Living Waiver is a Medi-Cal program that pays for assisted living, care coordination and other benefits provided to eligible seniors and persons with disabilities who qualify for placement in a nursing facility. ALW services are available in Alameda, Contra Costa, Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Clara, and Sonoma counties. Individuals receive services in participating Residential Care Facilities (RCFs), Residential Care Facilities for the Elderly (RCFEs) or in publicly subsidized housing. For more information about this waiver, you can visit <http://www.dhcs.ca.gov/services/ltc/Pages/AssistedLivingWaiver.aspx>.

Home and Community Based Alternatives (HCBA) Waiver (formerly the Nursing Facility/Acute Hospital Waiver): The HCBA Waiver provides in-home shift nursing care, attendant care, habilitation, case management, and other services to individuals who qualify for placement in Medi-Cal facilities such as nursing facilities, subacute facilities, Intermediate Care Facilities for Individuals with Intellectual Disabilities/Continuous Nursing (ICF/DD-CN), or acute hospitals. This program is available statewide and has been administered directly by the Department of Health Care Services – In-Home Operations division. Starting in

August 2018, DHCS began to contract with community-based Waiver Agencies to provide assessments and case management. For more information about the HCBA Waiver see DHCS web pages at:

[http://www.dhcs.ca.gov/services/ltc/Pages/Home-and-Community-Based-\(HCB\)-Alternatives-Waiver.aspx](http://www.dhcs.ca.gov/services/ltc/Pages/Home-and-Community-Based-(HCB)-Alternatives-Waiver.aspx). DRC also has a fact sheet about the HCBA Waiver, available at: <https://www.disabilityrightsca.org/publications/the-home-and-community-based-alternatives-hcb-alternatives-waiver-formerly-known-as>.

Multipurpose Senior Services Program (MSSP): The MSSP Waiver provides Home and Community-Based Services (HCBS) to Medi-Cal eligible individuals who are 65 years or older and disabled, as an alternative to nursing facility placement. MSSP provides community-based case management, linkages to other needed services, and can fund or purchase some services needed to help participants remain in their homes. MSSP is available in almost all parts of the state. For more information, including the MSSP program contact information by county, see the California Department of Aging website at:

<http://www.aging.ca.gov/programsproviders/mssp/> or DRC's MSSP publication at: <https://www.disabilityrightsca.org/publications/the-multipurpose-senior-services-program-may-be-the-answer-to-staying-at-home-rather>.

Home and Community-Based Services Waiver for the Developmentally Disabled (HCB-DD Waiver): The DD Waiver funds many of the home and community based services available for people with developmental disabilities through California's regional centers. For more information generally about regional center services, see the California Department of Developmental Services website at: <http://www.dds.ca.gov/RC/index.cfm> or DRC's publication, Rights Under the Lanterman Act, at:

<http://www.disabilityrightsca.org/pubs/PublicationsRULAEnglish.htm>.

Acquired Immune Deficiency Syndrome (AIDS) Waiver: The AIDS Waiver serves Medi-Cal eligible children and adults with HIV disease or AIDS who qualify for placement in a nursing facility. Available services include: case management, skilled nursing, attendant care, psychotherapy, homedelivered meals, nutritional counseling, nutritional supplements, medical equipment and supplies, minor physical adaptations to the home, nonemergency medical transportation, and financial supplements for foster care. There are 20 AIDS Waiver providers in the state. Here is the current list of providers:

<https://www.cdph.ca.gov/Programs/CID/DOA/CDPH%20Document%20Library/MCWP%20Provider%20List.pdf>. For more information, go to the California Department of Health Care Services website at:

<http://www.dhcs.ca.gov/services/ltc/Pages/AIDS.aspx>.

DRC also has a fact

sheet about the AIDS Waiver: <https://www.disabilityrightsca.org/publications/how-the-aids-medi-cal-waiver-can-help-you-get-the-care-you-need-at-home-instead-of-in>.

Who Can Help Me Get Home from a Nursing Facility?

If you need help to get out of a medical facility, the discharge planners should assist you. Note that the HCB Alternatives Waiver, described above, also can provide Transitional Case Management and Community Transition services to help you find housing and pay for things like security deposits and utility setup.

Federal funding for the **California Community Transitions (CCT)** program has ended. Funding may become available again, depending on federal legislation and whether the state of California is able to continue the program. Check DRC's website for more information in the coming months. The CCT program was available for Medi-Cal eligible individuals who have resided in a hospital or nursing facility for at least 90 days. The CCT helped to find a place to live and make sure that home care, furniture, and utilities are ready for you to come home. The CCT was not available in all counties. For more information, see the California Department of Health Care Services website at:

<http://www.dhcs.ca.gov/services/ltc/Pages/CCT.aspx>, or DRC's publication at:

<https://www.disabilityrightsca.org/publications/the-california-community-transitions-cct-program-a-way-for-a-nursing-home-resident-to>

How Can I Get Out-of-Home Help During the Day?

Community Based Adult Services (CBAS) is a licensed program that offers daytime health and other services at centers throughout the state. Also known as Adult Day Health Care, CBAS is available for adults with disabilities who would otherwise qualify for nursing facility care, or have chronic conditions that meet entrance criteria (e.g., dementia, mental health diagnosis). Services provided at CBAS programs include: professional nursing services; physical, occupational and speech therapies; mental health services; therapeutic activities; social services; personal care; hot meals and nutritional counseling; and transportation to and from the participant's residence. For more information about CBAS, including how to find a program near you, see the California Department of Aging website at:

<http://www.aging.ca.gov/ProgramsProviders/ADHC-CBAS/> and

http://www.aging.ca.gov/ProgramsProviders/ADHCCBAS/Program_Overview.aspx. In addition, PACE programs (described above), typically offer adult day health

care as a part of their program.

<http://www.dhcs.ca.gov/services/ltc/Pages/ProgramofAllInclusiveCarefortheElderly.aspx>.

How Can I Get Community Based Mental Health Services?

Your primary care physician or other physical health care provider can provide mental health services to you if you both agree. In addition, “specialty mental health services” are services that are provided by mental health specialists, such as psychiatrists, psychologists, licensed clinical social workers (LCSWs), licensed marriage and family therapists (MFTs), psychiatric technicians, or peer support providers. Specialty mental health services are provided to Medi-Cal beneficiaries through Medi-Cal Mental Health Plans (MHPs). All of the MHPs are part of county mental health or behavioral health departments. The MHP can provide services through its own employees, or through contract providers. For more information about specialty mental health services, see DRC’s publication at: <https://www.disabilityrightsca.org/publications/medi-cal-mental-health-entitlement>

What if I Have a Medi-Cal Share of Cost that Makes Home Care Too Expensive?

If you are eligible for Medi-Cal but you have a Share of Cost (SOC), you can use that share of cost to pay for home and community based services, including personal care services, that you need to move home or remain at home. The California Department of Health Care Services (DHCS) has issued guidance about this as All County Welfare Director’s Letter 15-02, available at <http://www.dhcs.ca.gov/services/medi-cal/eligibility/Documents/ACWDL/2015/15-02.pdf>

For more information, see DRC’s publication on this topic at: <https://www.disabilityrightsca.org/publications/how-can-i-use-my-share-of-cost-to-get-more-services-i-need>.

If I Am Married and Disabled, How Can I Get Medi-Cal Services At Home and Not Just in Nursing Facility?

Until recently, Medicaid law has used more generous income rules for Medicaid eligibility for married couples when one spouse becomes disabled and goes to a nursing facility. This is intended to prevent the community spouse from becoming impoverished in order to pay for care for the disabled spouse. These rules also applied when the disabled spouse is on a HCBS Waiver. The Affordable Care Act expanded these “spousal impoverishment” rules to couples

in which one spouse meets nursing facility level of care but is (and wants to) remain in the community. Applying these rules enables married individuals to receive community based Medi-Cal services like IHSS, CBAS, etc. The letter is here: <https://www.dhcs.ca.gov/services/medi-cal/eligibility/Documents/ACWDL/2018/18-19.pdf>

However, the expansion of the spousal impoverishment rules, like CCT, ended December 31, 2018. There is a possibility that either federal legislation or state action may continue the CCT program and expanded spousal impoverishment protections. Spousal impoverishment protections still apply to individuals in nursing facilities and on HCBS waivers. If you are not sure if the protections apply to you, you can contact DRC.

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For legal assistance call 800-776-5746 or complete a [request for assistance form](#). For all other purposes call 916-504-5800 (Northern CA); 213-213-8000 (Southern CA).

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.