

OTHER ELIGIBILITY REQUIREMENTS

WAIVERS

CARE AT HOME WAIVERS

Description: Section 366.6 & .7 of Social Services Law authorizes the Care At Home (CAH) program. The CAH Medicaid waiver programs were established and began enrolling children December 1, 1985. Currently there are 5 CAH waivers administered by the SDOH; CAH I & II are overseen on a daily basis by the LDSS and CAH III, IV & VI are overseen on a daily basis by the Office of Mental Retardation and Developmental Disabilities (OMRDD) and the Developmental Disabilities Services Office (DDSO) in twelve regional offices.

The CAH programs are 1915(c) Home and Community Based Medicaid waivers that enable children to access Medicaid for medically necessary State Plan services as well as waiver services such as case management and respite. In order to be enrolled in the CAH waiver, the child must meet several criteria. For example, to enroll in CAH I & II the child(ren) must be: under the age of 18, physically disabled based on SSI program criteria, require the level of care provided by a skilled nursing facility or hospital, and be capable of being cared for safely in the community. For CAH III, IV & VI the children must be disabled based on SSI program criteria and in addition have a developmental disability. The disability certification for any of the waivers can be done by the State or LDSS Disability Review Team. The Social Security Administration determines disability for CAH I and II children who are also in receipt of SSI.

NOTE: Applicants no longer require a 30 day inpatient stay.

Each LDSS has a designated CAH coordinator who can be contacted for information regarding the CAH program. It is important for all staff in the LDSS to be aware of the CAH program as applicants may be referred to them from the LDSS CAH coordinator as well as from various other outside sources, such as DDSOs, hospitals, physicians, case management agencies and parents.

Policy: The Medicaid eligibility determination for participants in the CAH waiver is different for CAH I & II and CAH III, IV and VI. Effective 12/01/2008 for CAH I/II, children who are Medicaid eligible based on their parent's income and, if applicable, resources, as well as children who are ineligible for Medicaid based on their parent's income and/or resources, may apply for enrollment in the waiver if they meet the qualifications stated above. For OMRDD CAH waivers (III, IV and VI) only children who are ineligible for Medicaid based on their parent's income and/or resources, may apply for enrollment.

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For CAH III, IV & VI, and the CAH I/II children who are not otherwise Medicaid eligible based on their parent's income and/or resources, the eligibility determination is made for the child counting only their own income and resources and excluding the income and resources of the parent/legal guardian. The child is considered a household of one and the child's income and resources are compared to the medically needy level for one. If the child is receiving services paid for by a public program (i.e. Early Intervention, School Supportive Health), these services can be used to spenddown the child's excess income/resources. (See **INCOME EXCESS** and **RESOURCES EXCESS RESOURCES**)

Enrollment in the CAH waivers ends on the child's 18th birthday. Prior to turning 18 the child may file an application for SSI.

References:	SSL Sect.	366.6 & .7
	ADMs	86 ADM-4 91 ADM-11
	GIS	09 OLTC/04

Interpretation: **CAH III, IV and VI:** When making an eligibility determination for a CAH III, IV and VI applicant, the child must be found ineligible for Medicaid when parental income and resources are budgeted and found eligible when deeming is not applied.

CAH I/II: When making an eligibility determination for a CAH I/II applicant, the child may be:

- found ineligible for Medicaid when parental income and resources are budgeted, but found eligible when deeming is not applied, OR
- be Medicaid eligible when parental income and resources are budgeted.