

Operations Memorandum
Medical Assistance
Long Term Care
OPS121203

December 10, 2012

SUBJECT: Process for Applications for Home and Community-Based Services (HCBS)

TO: Executive Directors

FROM: Richard Wallace, Acting Director, Bureau of Operations

Purpose

To provide an overview of the process for authorizing eligibility for certain HCBS Programs administered by the Office of Long Term Living (OLTL), effective **September 1, 2012**. Under this process, DPW is introducing a new form, the **Pending HCBS Eligibility/Ineligibility/Change Form, PA1768.1-Pending** ([see Attachment](#)). The PA 1768.1-Pending will be used as an interim form to begin the process of financial eligibility determination. A PA 1768.1-Pending form will usually be followed by a PA 1768, HCBS Eligibility/Ineligibility/Change Form, when all other documentation has been gathered.

Discussion

MAXIMUS is the Independent Enrollment Broker (IEB) for individuals applying for certain HCBS Programs. Those HCBS Programs are:

- 0192 Waiver (80)
- Attendant Care Waiver (40)
- Independence Waiver (42)
- COMMCARE Waiver (59)
- OBRA Waiver (79)

The role of the IEB is to meet with the individual, facilitate the determination of the individual's functional eligibility and send the resulting determination to the appropriate County Assistance Office (CAO).

To ensure timely decisions on the applications for the HCBS programs listed above, the IEB will send to the CAO a PA 1768.1-Pending. This initial PA 1768.1-Pending will NOT verify functional eligibility or the specific HCBS program; however, the PA 1768.1-

Pending will start the process of determining eligibility at the CAO. The application will be denied or approved within 85 days from the application date listed on the PA1768.1-Pending.

NOTE: The 85-day timeline is based on guidance from the Office of General Counsel and is necessary to ensure timely treatment of these applications according to Federal law.

The IEB will also send to the CAO a PA600L, Application for Benefits, if the applicant is not a current Medical Assistance (MA) recipient. No PA600L is required for current MA recipients.

Independent Enrollment Broker (IEB) Responsibilities

1. Identify an individual who is requesting HCBS.

NOTE: Once an individual requesting HCBS is identified by the IEB, the application process begins.

2. Request a Physician Certification and Level of Care Assessment.

3. Send a PA 1768 verifying the individual's functional eligibility or a PA 1768.1-Pending and a PA600L, if applicable, within 40 days from the application date, notifying the CAO to begin the eligibility determination.

NOTE: For current MA recipients, a new PA600L is not needed.

4. Send a completed PA 1768 verifying the individual's functional eligibility following a PA 1768.1-Pending, and if eligible, the service-begin date and appropriate waiver.

CAO Procedures/Responsibilities

The CAO shall use the following procedures for the HCBS programs identified above when a PA 1768.1-Pending form is received. If a complete PA 1768 is received, continue to follow current procedures for processing HCBS eligibility.

1. Review the PA 1768.1-Pending sent from the IEB. See the Attachment for an example of the information that will be included on a PA 1768.1-Pending.

NOTE: The actual type of waiver will not yet be determined and will not be included on the PA 1768.1-Pending. If the individual is later determined functionally eligible, the waiver type will be included on the completed PA 1768.

2. Send a pending verification letter to the individual, individual's representative and the **IEB** within five (5) business days of receiving the application. List all required financial documentation.

List the missing or incomplete documents noted on the PA 1768.1-

Pending:

- Complete and accurate Physician's Certification.
- Complete and accurate Level of Care Assessment.
- Completed PA 600L, Application for Benefits.

3. Create a work item on the workload dashboard for the 85th day from the application date listed on the PA 1768.1-Pending.

4. Receive a completed PA 1768 within 85 days of the application date verifying functional eligibility for HCBS, the HCBS program and the requested effective date for payment of HCBS.

Reminder: The requested effective date is the service-begin date found on the PA 1768. If there is no service-begin date listed, the assessment date will be the requested effective date used.

5. Process eligibility for HCBS following current procedures. If the individual is not financially or functionally eligible for HCBS, the CAO must review for non-Long Term Care related MA.

NOTE: The CAO must not reject for failure to provide pending verification, including verification of functional eligibility, until the record has been pending for 85 days from the application date listed on the PA 1768.1-Pending form. If a completed PA 1768 and/or other documentation is not provided, the CAO will reject the application on the 85th day.

6. Send notice of eligibility or ineligibility to all involved parties, including:

- Individual
- Individual's representative
- **IEB** (A copy of all notices **MUST** be sent to the IEB)
- OLTL-Bureau of Individual Supports (0192 Waiver only, see PMN 15281477).

ADDITIONAL INFORMATION

- If an individual calls inquiring about medical documents that were listed on either the pending verification list or rejection notice as incomplete or not provided, the

CAO should direct the individual to call MAXIMUS at 1-877-550-4227. The CAO should only be directing the individual to call MAXIMUS for questions about incomplete or inaccurate medical documents such as the Physician's Certification or Level of Care Assessment.

- If the individual is found not eligible for payment of HCBS and chooses to reapply, the CAO should direct the individual to call MAXIMUS at 1-877-550-4227 to begin the application process.
- In spousal cases, the Resource Assessment (RA) should be completed effective the application date listed on the PA 1768.1-Pending. If the individual is later determined not functionally eligible for HCBS, the RA is no longer valid.
- The date the look-back period begins for an MA recipient applying for HCBS is five years prior to the application date listed on the PA 1768.1-Pending.
- The date the look-back period begins for a new applicant applying for HCBS is five years prior to the application date listed on the PA 1768.1-Pending.

The attached PA 1768.1-Pending will be used by the IEB to alert the CAO to begin the application process. The demographic information and application date will be included on the PA 1768.1-Pending.

Next Steps

1. Review this Operations Memorandum with appropriate staff.
2. Direct any questions to your Area Manager.
3. Retain this Operations Memorandum until further notice.