DEPARTMENT POLICY

MA Only

This waiver is called the MI Choice Waiver Program. This waiver program provides home and community-based services for aged and disabled persons who, if they did not receive such services, would require care in a nursing home.

Services provided under this waiver program must be less costly for Medicaid (MA) than the cost of nursing home services for the total number of waiver participants, not per person.

The MI Choice waiver is **not an MA category**, but there are special eligibility rules for people approved for the waiver.

TARGETED GROUP

Waiver services are covered for MA recipients who:

- Are age 65 or over, or
- at least age 18 years and disabled.
- Medically qualify, and
- Have needs that cannot be met by the Home Help program and may be addressed with MI Choice services.
- Seek or have an expanded Home Help Program exception grant of $1000 or more per month.

WAIVER ADMINISTRATION

The Medical Services Administration (MSA) administers the waiver through contracts with Pre-paid Ambulatory Health Plans. See *Exhibit I* in this item for a list of these waiver agencies. The agency's functions are described below.

Assisting Participants

The agent will assist prospective waiver participants in applying for MA and for initial asset assessments. The agent will also help the person obtain requested information and verification.

WAIVER PROCESS

The waiver process includes:

Assessment

The agent completes an assessment to verify medical eligibility for the waiver.

Plan of Service

A written plan of services is developed by the agency and the waiver participant if the assessment confirms medical eligibility for the waiver. The participant may choose to receive home and community-based services from the waiver agency.

At a minimum, the plan includes:

- Types of services to be furnished; and
- The amount, frequency, and duration of each service; and
- The type of provider to furnish each service and
- Participant goals, preferences, and outcomes: and
- Participant approval of the plan; and
- The signature of the supports coordinator assisting with developing the plan.

Supports Coordination

The agent is responsible for arranging for planned services to be provided.

APPROVED FOR THE WAIVER

Approved for the waiver means:

- The agent conducted the assessment, **and**
- There is an available wavier slot for the individual's placement **and**

- A waiver agent has developed a person-centered plan of service **and**
- The participant has already received appropriate waiver services for more than 30 consecutive days or is currently receiving appropriate waiver services that are expected to continue more than 30 consecutive days, or expects to receive appropriate waiver services from the agent for at least 30 consecutive days.

Approval and Termination Dates

The agent determines the waiver approval date and termination date. The agent is responsible for advising the appropriate local Michigan Department of Health and Human Services (MDHHS) office of these dates. The agent is responsible for advising the appropriate local MDHHS office the dates of enrollment and disenrollment information in CHAMPS.

Waiver enrollment automatically terminates when the participant enters an LTC facility; see BEM 547 for instructions.

MDHHS LOCAL OFFICE RESPONSIBILITIES

The local MDHHS office is responsible for completing an initial asset assessment and determining MA eligibility for potential waiver participants.

Waiver Participant Defined

A waiver participant is a person who is approved to receive or receives waiver services in the month being tested for Medicaid eligibility.

Waiver Month Defined

A waiver month is a calendar month containing at least one day that the participant is (was) approved for the waiver. The agent determines the waiver approval date.

NONFINANCIAL ELIGIBILITY FACTORS

The eligibility factors in the following items must be met.

- BEM 220, Residence.
- BEM 221, Identity.
- BEM 223, Social Security Numbers.
- BEM 225, Citizenship/Alien Status.
- BEM 255, Child Support.
- BEM 256, Spousal/Parental Support.
- BEM 257, Third Party Resource Liability.
- BEM 265, Institutional Status.
- BEM 270, Pursuit of Benefits.

FINANCIAL ELIGIBILITY FACTORS

Use special MA policies in the MA eligibility determination:

- A waiver participant is a group of one even when he lives with his spouse; see BEM 211.

- The Special MA Asset Rules in BEM 402 apply when completing the Initial Asset Assessment. See *special initial asset assessment rules for waiver applicants* in this item for rules on determining the first period of continuous care.

- The MA divestment policy in BEM 405 applies to waiver participants.

- The extended-care category is available to waiver participants; see BEM 164.

- Income eligibility exists when gross countable income does not exceed 300 percent of the SSI benefit rate. To determine gross countable income, apply the MA policies in BEM 500, 501, 502, 503, 504 and 530. Do not exclude Veteran Aid and Attendance income from the gross countable income for waiver. Do not apply the deductions in BEM 540 and 541.

- Income eligibility cannot be established with a patient-pay amount or by meeting a deductible. see BEM 500.

A waiver participant may no longer qualify for waiver services; however, they may still qualify for MA.

Note: An ex-parte review (see glossary) is required before Medicaid closures when there is an actual or anticipated change unless the change would result in closure due to ineligibility for all Medicaid. When possible, an ex-parte review should begin at least 90 days before the anticipated change is expected to result in case closure. The review includes consideration of all MA categories; see BAM 115 and 220.

Initial Asset Assessment for Waiver Applicants

An Initial Asset Assessment (IAA) may be needed for potential waiver participants with a spouse. The IAA is used to protect a certain amount of the couple's combined resources for the community spouse. It does not determine the start of Medicaid eligibility. Use policy in BEM 402 to determine if an IAA is appropriate.

An IAA uses a first day of continuous care (See BEM 402 for a definition). The first period of continuous care is a period of at least 30 consecutive days where the institutionalized spouse/applicant has been or is expected to be:

- In a hospital and/or LTC facility and/or
- Approved for the waiver.
- The period is no longer continuous when none of the above is true for 30 or more consecutive days; see BEM 402 for examples.
- The first period of continuous care may have occurred in the past; however, the applicant must be currently receiving services to complete an IAA.
- If there is no past period of continuous care, then the IAA date must start on the first day that meets the definition of continuous care in BEM 402.

Start of a Divestment Penalty Period

The penalty period begins on the date which all the criteria listed under the *approved for the waiver* section in this item has been confirmed.

Notices

Waiver activities are performed by agents who meet the federal definition of administering the MA program. Therefore, you can share the following information with the agents without a signed release from the participant:

- A copy of the DHS-3503, Verification Checklist.
- A copy of the DHS-4588, Initial Asset Assessment Notice.

The original DHS-3503, and DHS-4588 must be sent to the participant or the guardian, court or agency that is legally responsible for the participant.

Do not enter waiver agencies in Bridges as a third-party type. Only the participant's legal guardian, court, or agency legally responsible for the participant can be entered as a third-party type.

HOSPICE SERVICES

Waiver participants may receive hospice services and waiver services simultaneously.

The waiver agency and the hospice coordinate their plans of care to avoid overlapping services. MSA is responsible for assuring correct payments are made.

MANAGED CARE PLANS

MA recipients must choose either waiver services or enrollment in a health maintenance organization (HMO). They cannot receive both waiver services and be enrolled in an HMO. Recipients cannot be enrolled in more than one program (MI Choice, PACE, MI Health Link, or Home Help) at the same time.

LIST OF SOME HOME AND COMMUNITY BASED SERVICES

- Adult Day Health.
- Chore Services.
- Community Health Worker.
- Community Living Supports.
- Community Transportation.
- Counseling.
- Environmental Accessibility Adaptations.
- Fiscal Intermediary.
- Goods and Services.
- Home Delivered Meals.
- Nursing Services.
- Personal Emergency Response System.
- Private Duty Nursing/Respiratory Care.
- Respite.
- Specialized Medical Equipment and Supplies.
- Supports Coordination.
- Training.

MSA WAIVER SERVICE AGENTS

WAIVER AGENCIES	COUNTIES SERVED
Detroit Area Agency on Aging 1333 Brewery Park Blvd, Suite 200 Detroit, MI 48207 Phone: 313-446-4444 Fax: 313-446-4446 Web: www:daaa1a.org	Cities of: Detroit, Hamtramck, Highland Park, Grosse Pointe, Grosse Pointe Park, Grosse Pointe Shores, Grosse Pointe Woods, Grosse Pointe Farms, Harper Woods
The Senior Alliance 5454 Venoy Road Wayne, MI 48184 Phone: 734-722-2830 1-800-815-1112 Fax: 734-722-2836 Web: www.aaa1c.org	All of Wayne County excluding those areas served by the Detroit Area Agency on Aging

WAIVER AGENCIES	COUNTIES SERVED
The Information Center, Inc. 20400 Superior Road Taylor, MI 48180 Phone: 734-282-7171 Fax: 734-282-7105 Web: www.theinfocenter.info	All of Wayne County excluding those areas served by the Detroit Area Agency on Aging
Area Agency on Aging 1B 29100 Northwestern Hwy, Suite 400 Southfield, MI 48034 Phone: 248-357-2255 1-800-852-7795 Fax: 248-948-9691 Web: www.aaa1b.org	Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw
Macomb-Oakland Regional Center, Inc. 16200 Nineteen Mile Road PO Box 380710 Clinton Township, MI 48038-0070 Phone:586-263-8700 Fax: 586-228-7029 Web: www.MORChomecare.org	Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw
Region 2 Area Agency on Aging 102 North Main Street PO Box 189 Brooklyn, MI 49230 Phone: 517-592-1974 Fax: 517-592-1975 Web: www.r2aaa.net	Jackson Hillsdale Lenawee
Senior Services, Inc. 918 Jasper Street Kalamazoo, MI 49001 Phone: 269-382-0515 Fax: 269-382-3189 Web:www.seniorservices1.org	Barry, Branch, Calhoun, Kalamazoo, St. Joseph
Region 3B Area Agency on Aging/Care Well Services 200 West Michigan Avenue Suite 102 Battle Creek, MI 49017 Phone: 269-966-2450 1-800-626-6719 Fax: 269-966-2493 Web: www.region3b.org	Barry, Berrien, Branch, Calhoun, Cass, Kalamazoo, St. Joseph, Van Buren

WAIVER AGENCIES	**COUNTIES SERVED**
Region IV Area Agency on Aging 2900 Lakeview Avenue St. Joseph, MI 49085 Phone: 269-983-0177 1-800-442-2803 Fax: 269-983-5218 Web: www.areaagencyonaging.org	Berrien Cass Van Buren
Valley Area Agency on Aging 225 E. Fifth Street, Flint, MI 48502 Phone: 810-239-7671 1-800-978-6275 Fax: 810-239-8869 Web: www.valleyaaa.org	Genesee Lapeer Shiawassee
Tri-County Office on Aging 5303 South Cedar Street Lansing, MI 48911-3800 Phone: 517-887-1440 1-800-405-9141 Fax: 517-887-8071 Web: www.tcoa.org	Clinton Eaton Ingham
Area Agency on Aging of Western Michigan, Inc. 3215 Eaglecrest Dr. NE Grand Rapids, MI 49525 Phone: 616-456-5664 1-888-456-5664 Fax: 616-456-5692 Web: www.aaawm.org	Allegan, Ionia, Kent, Lake, Mason, Mecosta, Montcalm, Newaygo, Osceola
Reliance Community Care Partners 2100 Raybrook SE Suite 203 Grand Rapids, MI 49546 Phone: 616-956-9440 1-800-447-3007 Fax: 616-954-1520 Web: www.relianceccp.org	Allegan, Ionia, Kent, Lake, Mason, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa
Region VII Area Agency on Aging 1615 S. Euclid Ave. Bay City, MI 48706 Phone: 989-893-4506 1-800-858-1637 Fax: 989-893-3770 Web: www.region7aaa.org	Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac, Tuscola

WAIVER AGENCIES	COUNTIES SERVED
A&D Home Health Care, Inc. 3150 Enterprise, Suite 200 Saginaw, MI 48603 Phone: 989-249-0929 1-800-884-3335 Fax: 989-249-1147 Web: www.a-dhomecare.com	Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Saginaw, Sanilac, Tuscola
Northeast Mich Comm. Service Agency, Inc. Region IX Area Agency on Aging 2375 Gordon Road Alpena, MI 49707 Phone: 989-356-3474 1-800-219-2273 Fax: 517-354-5909 Web: www.nemcsa.org	Alcona, Alpena, Arenac, Cheboygan, Crawford, Iosco, Montmorency, Ogemaw, Otsego, Presque Isle, Roscommon
Area Agency on Aging of Northwest Michigan 1609 Park Drive PO Box 5946 Traverse City, MI 49696-5946 Phone: 231-947-8920 1-800-442-1713 Fax: 231-947-6401 Web: www.aaanm.org	Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee, Wexford
Northern Lakes Community Mental Health/ Northern Health Care Management 105 Hall Street, Suite D Traverse City, MI 49684 Phone: 231-933-4917 or 800-640-7478Fax: 231-995-7900 Web: www.northernlakescmh.org	Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee, Wexford
Senior Resources 560 Seminole Rd. Muskegon, MI 49444 Phone: 231-739-5858 1-800-442-0054 Fax: 231-739-4452 Web: www.seniorresourceswmi.org	Muskegon Oceana Ottawa
U.P. Area Agency on Aging (UPCAP) 2501 14th Avenue South PO Box 606 Escanaba, MI 49829 Phone: 906-786-4701 1-800-338-7227 Fax: 906-786-5853 Web: www.upcap.org	Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft

LEGAL BASE

MA

Social Security Act, Section 1915
42 CFR Part 435.217, 441.350,.400