

## **INFORMATION ABOUT THE LIMITED EXCEPTION FOR SUPPORTED EMPLOYMENT FOR INDIVIDUALS ELIGIBLE TO BE GRANDFATHERED**

As of July 1, 2015, anyone enrolling in supported employment (SEMP) services, whether or not they are receiving any other services, must pay for them or have the kind of Medicaid that pays for them. However, people who are already enrolled in SEMP and qualify for the limited exception on June 30, 2015 will remain eligible for the limited exception. To qualify for the limited exception on June 30, 2015, a person must:

- 1) Be enrolled in SEMP services, AND
- 2) Not live in a residence certified by OPWDD (These residences are intermediate care facilities for persons with developmental disabilities, individualized residential alternatives (IRA), community residences or family care homes.) AND
- 3) Not receive any of the following services OPWDD oversees: Medicaid Service Coordination (MSC), day treatment, community habilitation, day habilitation, prevocational services, or respite services AND
- 4) Not be enrolled in the OPWDD Home and Community Based Services (HCBS) Waiver and not have been enrolled in the HCBS Waiver at any time after March 14, 2010.

**The limited exception means** that a person can continue to receive SEMP services without applying for Medicaid and the HCBS Waiver and without being billed for the services. Individuals who are eligible for the limited exception on June 30, 2015 will be considered “grandfathered” under the limited exception for SEMP.

### **The limited exception will end if:**

- 1) **the person receives other services.** The limited exception will end if the person moves into an ICF/DD, IRA, community residence or family care home, or if the person starts to receive MSC, day treatment, community habilitation, day habilitation, prevocational services, or respite services.

The limited exception will end on the date the other services begin.

- 2) **the person enrolls in Medicaid coverage that pays for SEMP services and also enrolls in the HCBS waiver.** However, in this case the person will not have to pay for SEMP services because Medicaid will pay for them.
- 3) **the person is no longer enrolled in SEMP services with the provider from which they were receiving SEMP on 6/30/2015 and is enrolled in SEMP services with another provider on 7/1/2015 or any time after.** This does not apply if the change is the result of provider actions: one provider assuming operation or control of the other provider’s operations and programs; a merger or consolidation of providers; or the original provider downsizing or eliminating the provision of the service for any reason.

**If the limited exception ends,** the person must have the kind of Medicaid that pays for the services or someone must pay for the services. If the limited exception ends because the person started to receive another service, the person can become eligible for another limited exception by dropping the other service. However, the person permanently loses his or her limited exception if he or she gets the kind of Medicaid that pays for SEMP services and enrolls in the HCBS Waiver or if he or she changes to another SEMP provider on or after 7/1/2015 because of provider actions.