



# Putting People First

## Services for Individuals with Developmental Disabilities



At OPWDD our motto is “putting people first.” With that in mind we are committed to providing top-quality services for the people with developmental disabilities we support. This brochure explains what you need to know to apply for services from OPWDD. It outlines, step by step, how to get these services paid for. I encourage you to read through it. If you need help, representatives from our Revenue Support Field Offices can assist you. Their phone numbers and locations are printed at the end of this information.

Courtney Burke, Commissioner

### What You Need to Know About Payment for Services

Many services for people with developmental disabilities are available from the New York State Office For People With Developmental Disabilities (OPWDD) and agencies in the OPWDD system. Beginning February 15, 2009 there were changes in how some of these services are paid for. This booklet explains what steps you must take to make sure your services are paid for.

### Why has there been a change in how services must be paid for?

The change in how services must be paid for is a result of OPWDD’s Liability for Services regulations that went into effect on February 15, 2009 and changes to the regulations that went into effect on March 15, 2010. The purpose of the regulations is to make sure that individuals receiving OPWDD’s Medicaid services are eligible for Medicaid funding of those services. The revenue received helps OPWDD to maintain services to people with developmental disabilities.

### If you get these Medicaid-funded OPWDD services, you must apply for Medicaid.\*

Most OPWDD services are funded through Medicaid and the Medicaid Home and Community Based Services (HCBS) waiver. OPWDD requires you to enroll in the right type of Medicaid coverage for the services you need. In most cases you will need to enroll in **both** Medicaid and the Medicaid HCBS waiver. The HCBS waiver covers special services that are generally not covered by other types of health insurance.

Once you are enrolled in Medicaid and (if needed) the HCBS waiver, Medicaid will pay for the services and you or your family will not be asked to pay. Talk to the agency you want services from to be sure you apply for the right benefits to get the services you want. If you do not enroll in the correct Medicaid coverage, in most cases, you will have to pay for the services you want.

### Medicaid-funded services:

- **Intermediate Care Facilities (ICF)** – Residential treatment program with 24 -hour care for individuals who need extra help with their daily activities.
- **Medicaid Service Coordination (MSC)** – Help from a service coordinator to get you the right services and supports to meet your needs.
- **Day Treatment Services** – Combination of medical treatment and habilitation services at a specific site.

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\* Talk to the provider you want services from if you have any questions.

## Medicaid-funded HCBS waiver services:

- **Residential habilitation provided in:**
  - **Individualized Residential Alternatives (IRA)** – Certified Homes which provide room, board and individualized service options.
  - **Community Residences (CR)** – Homes that provide semi-independent living.
  - **Family Care** – A certified residence that provides a family-living experience in a structured, stable home environment.
- **Day Habilitation Services** – Help with personal, social, and vocational skills-building to improve community integration.
- **At Home Residential Habilitation** – Help with self-care and skills-building.
- **Prevocational Services\*** – Help learning work-related skills before a job starts.
- **Supported Employment Services\*** – Help finding and keeping a job and improving work skills.
- **Respite Services** – Temporary care giving for individuals.
- **Blended and Comprehensive Services** – Combination of different waiver services to meet individual needs.

Certain family support services—such as support or training groups, advocacy, information and referral—are not funded through Medicaid, and there is no cost to you or your family for these services.

### Limited Exception for Supported Employment or Respite\*

If the only service you receive from the lists above is Supported Employment or Respite services, but not both, and you are not enrolled in Medicaid and the HCBS Waiver, you may meet the criteria for a limited exception to the requirements of the Liability for Services regulations. The limited exception for Supported Employment or Respite services means that you do not have to apply for Medicaid or enroll in the HCBS Waiver or pay for these services. In the future, if you receive any other services from the lists above, you will no longer meet the criteria for the limited exception and you will have to qualify for Medicaid and enroll in the HCBS Waiver or else pay for the services. If you are enrolled in the HCBS Waiver and receive Supported Employment or Respite on or after March 15, 2010, you are not eligible for the limited exception.

### Who is eligible for Medicaid?

If you are an individual with a disability 18 years of age or older you will be eligible for Medicaid if your income and resources (bank accounts, life insurance, etc.) are below a certain amount. Programs like the Medicaid Buy-In for Working People with Disabilities can help you keep more of your income and still get Medicaid.

If you are under age 18 and live at home with your family, you may be eligible for the Medicaid HCBS waiver based on your own income and resources. Your family's income and resources will not be looked at if you are under age 18 and applying for the Medicaid HCBS waiver.

If your income or resources are too high for Medicaid, you may have to spend that money on medical expenses to qualify for Medicaid. This is called a **spenddown**. In most cases, the amount of money you spend out of pocket on medical needs can be used to meet your spenddown. There are also other ways to keep your resources, such as setting up a Medicaid qualifying trust. This is a specific type of trust that must be set up by a lawyer.

### What other benefits does Medicaid provide?

In addition to covering many OPWDD services, Medicaid provides health insurance that will pay for medical care and also for specialized medical care that is not covered by other types of insurance. For example, Medicaid can pay for home health aides and transportation to medical services. You can have other insurance coverage and still apply for Medicaid.

## **How do I apply for Medicaid?**

You should work with the agency you want services from when applying for Medicaid. The agency can help with the application and explain what documents will be needed. The agency can also connect you with a “service coordinator” who can assist with the application process.

In order to apply, you will need your personal records. For example: your birth certificate; proof of where you live, such as a rent receipt or utility bill; proof of income, such as a Social Security check; and proof of your resources, such as bank records.

## **How do I find out what type of Medicaid to apply for?**

You should talk to the agency you want services from to get help with applying for the right Medicaid coverage. The agency will know what type of Medicaid coverage is needed.

## **What if I decide not to apply for Medicaid?**

If you do not apply for coverage or do not complete the application process, then you must pay for the full cost of the service. The agency you want services from will tell you how much you will have to pay.

## **What if Medicaid finds that I am not eligible?**

If Medicaid finds that you are not eligible for coverage, Medicaid will send a letter telling you that Medicaid coverage has been denied. If you receive a denial letter, you must save that letter and show it to the agency you want services from to see if you should appeal the decision. The agency can help you with the appeals process.

If you are not eligible due to income or resources, then you may have to pay a spenddown to get Medicaid to pay for the desired services. If you do not take steps to pay the spenddown or to put your resources in a Medicaid qualifying trust, then you will have to pay the full cost of services.

If you are not eligible for Medicaid because of a reason other than your income or resources, then you should talk to the agency you want services from for help.

## **What if I already get Medicaid- or HCBS Waiver-funded services?\***

If you are getting services right now and are not enrolled in the correct Medicaid coverage for those services, you must apply for the correct Medicaid coverage that will pay for those services.

## **What if I want a new Medicaid- or HCBS Waiver-funded service?**

If you want a new service, you should talk to the agency you want the service from. The agency will tell whether they can provide the service to you and will also explain if you have the right Medicaid coverage to pay for the service. If you do not have the right Medicaid coverage, you must enroll in the right coverage before new services will be provided.

If you do not apply for the Medicaid coverage needed, the agency can deny your request for services. If your health or safety would be in danger without the service, the agency may choose to provide the service before you have enrolled in Medicaid.

## **I still need help! What do I do?**

If you have more questions, our Revenue Support Field Offices can help. There are nine Revenue Support Field Offices (RSFOs) located throughout New York State. RSFO staff share their expertise with voluntary provider agencies, individuals with disabilities, their families, advocates, and other representatives.

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\* Talk to the provider you want services from if you have any questions.

# OPWDD REVENUE SUPPORT FIELD OFFICES (RSFO)

There are nine RSFOs located throughout New York State. Each RSFO is associated with one or more Developmental Disabilities Services Offices (DDSOs). RSFO staff share their expertise with voluntary provider agencies, individuals with disabilities, their families, advocates, and other representatives.

## **BROOME RSFO**

229-231 State Street– 3rd Floor  
Binghamton, NY 13901  
Phone: (607) 771-7210  
Fax: (607) 771-1098  
Counties Served: Broome, Chenango,  
Delaware, Otsego, Tioga, Tompkins

## **CAPITAL DISTRICT RSFO**

O.D. Heck DC—Bldg #12  
Balltown & Consaul Roads  
Schenectady, NY 12304  
Phone: (518) 370-2010  
Fax: (518) 370-2297  
Counties Served: Albany, Fulton,  
Montgomery, Rensselaer, Saratoga,  
Schenectady, Schoharie, Warren,  
Washington

## **CENTRAL/SUNMOUNT RSFO**

101 W. Liberty Street, P.O. Box 388  
Rome, NY 13440  
Phone: (315) 339-3440  
Fax: (315) 336-0407  
Counties Served: Cayuga, Clinton,  
Cortland, Essex, Franklin, Hamilton,  
Herkimer, Jefferson, Lewis, Madison,  
Oneida, Onondaga, Oswego, St.  
Lawrence

## **FINGER LAKES RSFO**

509 Vienna Street  
Newark, NY 14513  
Phone: (315) 331-7141  
Fax: (315) 331-0182  
Counties Served: Chemung, Livingston,  
Monroe, Ontario, Schuyler, Seneca,  
Steuben, Wayne, Wyoming, Yates

## **HUDSON VALLEY RSFO**

3 Wilbur Road, Room 45, P.O. Box 470  
Thiells, NY 10984-0470  
Phone: (845) 947-6250  
Fax: (845) 947-6161  
Counties Served: Orange, Rockland,  
Sullivan, Westchester

## **LONG ISLAND RSFO**

415A Oser Avenue  
Hauppauge, NY 11788  
Phone: (631) 434-6109  
Fax: (631) 434-6511  
Counties Served: Nassau, Suffolk

## **NEW YORK CITY RSFO**

75 Morton Street, 5th Floor  
New York, NY 10014-5798  
Phone: (212) 229-3343  
Fax: (212) 229-3095  
Counties Served: Bronx, Kings,  
Manhattan, Queens, Richmond

## **TACONIC RSFO**

36 Firemen's Way  
Poughkeepsie, NY 12603  
Phone: (845) 473-8210  
Fax: (845) 473-8204  
Counties Served: Columbia, Dutchess,  
Greene, Putnam, Ulster

## **WESTERN NY RSFO**

West Seneca DC, Bldg #70, 2nd Floor  
1200 East and West Road  
West Seneca, NY 14224  
Phone: (716) 675-8666  
Fax: (716) 675-8919  
Counties Served: Allegany,  
Cattaraugus, Chautauqua, Erie,  
Genesee, Niagara, Orleans

 <p>NYS Office For People With Developmental Disabilities <b>Putting People First</b></p>	<p><b>For More Information</b></p> <p><a href="http://www.opwdd.ny.gov">www.opwdd.ny.gov</a> TEL: 866-946-9733 TTY: 866-933-4889</p>
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This document is published by the OPWDD Office of Public Information, located at 44 Holland Ave., Albany, N.Y. 12229.