Paying for Home Care in the Pandemic & Beyond: Medicaid & VA Benefits

CHRISTINA LESHER

LORI A. LEU

Home care benefits in a time of pandemic (and in regular times)

❑ COVID -19 illustrated the need for a comprehensive planning for long-term care program for clients.

❑ Programs take time to organize information, review options, collect information for the application, process the application and start benefits.

❑ Interest list required for one Medicaid home program (StarPlus Waiver).

❑ Misunderstanding on public benefits (example: VA benefits only if injured in war).

❑ Practitioners should start reviewing the programs as soon as possible- even if client(s) are healthy and still working.

Public Benefit Home Care Options

MEDICAID

- Pays for care to vendor (not a cash benefit)

- 2 programs-
  - Community Care for the Aged and Disabled
  - StarPlus Waiver (SPW)

- Different income & asset requirements for CCAD & SPW

- Interest list for SPW - no interest list for CCAD

- Different medical requirements

VETERANS' BENEFITS

- Cash benefit – retroactive reimbursement

- Limited to veterans during wartime periods and surviving spouses

- Expansive list of home care expenses included

- Net Worth and Income limits

- Federally funded and regulated – no interest list

- May allow veterans to stay home longer and still have assets ($130,773 limit)

Community Care for the Aged and Disabled (CCAD)

Benefits:

Up to 40 hours/week of attendant services at home (number of hours is based on need–usually much less)

No interest list

Can use Consumer Directed Services (CDS)- hire own caregivers using Medicaid

Medical Eligibility: In order to qualify for the program and maintain eligibility once qualified, client must meet the functional need necessity requirements. Under Texas rules:

(a) The Client Needs Assessment Questionnaire is used to determine an individual's functional need for CCAD services.
(b) Regardless of a client's functional eligibility as determined by her score on the Client Needs Assessment Questionnaire, he/she receives CCAD services only if he/she has an unmet need for those services.

To be eligible the individual must have a functional disability related to a medical diagnosis.

Some of the services that an individual may require assistance with are: bathing and dressing, transfers and ambulation, toileting, feeding, fluid intake, nutrition, medication, medical treatments, restorative nursing procedures and managing behavioral issues.

CCAD financial information

Income: $2,382/ gross monthly, <u>cannot</u> use QIT if over income cap

Countable Resources: $2,000 single, $3,000 couple

No transfer penalty- can gift assets to qualify for Medicaid
  ◦ May cause a loss of eligibility for other Medicaid programs- StarPlus Waiver and Veterans' Benefits

Can bridge gap until client is on StarPlus Waiver

CCAD asset information

<u>Countable- (not exhaustive list)</u>

• Checking, savings, 2nd home, 2nd car

• Cash value of life insurance policies

• Any asset that is not in exempt category

<u>Exempt- (not exhaustive list)</u>

• One homestead (no cap on equity of the home if there is a spouse or other exemption. If one applicant, then equity is capped at $603,000.)

**VA rules are different.

• Personal items, pre- need funeral contract, one car (any value)

• Some IRA's (see CL paper for income info.) ** VA rules are different.

• Business necessary to self support.

Title search: Paying for Home Care in the Pandemic and Beyond: Medicaid and VA Benefits

Also available as part of the eCourse
[Paying for Home Care in the Pandemic and Beyond: Medicaid and VA Benefits](#)

First appeared as part of the conference materials for the
23rd Annual Estate Planning, Guardianship and Elder Law Conference session
"Paying for Home Care in the Pandemic and Beyond: Medicaid and VA Benefits"