

California Assisted Living Waiver

ALW

Alternative Home Care

Jonathan Istrin



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Project Description

- **The *Assisted Living Waiver (ALW)* was created by legislation that directed the California State Department of Health Care Services (DHCS) to develop and implement the project. A key goal of the project is to enable low-income, Medi-Cal eligible seniors and persons with disabilities, who would otherwise require nursing facility services, to remain in or relocate to the community.**

Project Description

- **The DHCS will both oversee the delivery of assisted living services and determine whether those services are being provided cost-effectively and in a manner that assures the safety and well-being of consumers.**



Home and Community-Based Services (HCBS) Waivers

- **HCBS Waivers allow states that participate in Medicaid, known as Medi-Cal in California, to develop creative alternatives for individuals who would otherwise require care in a nursing facility or hospital.**



Home and Community-Based Services (HCBS) Waivers

- **Medi-Cal has an agreement with the Federal Government, which allows for waiver services to be offered in either a home or community setting. The services offered under the waiver must cost no more than the alternative institutional level of care. Recipients of HCBS Waivers must have full-scope Medi-Cal eligibility.**



Olmstead v. L.C. and E.W.



Sue Jamieson, Elaine Wilson and Lois Curtis

Olmstead Cont

- One June 22, 1999, the U. S. Supreme Court ruled in the case *Olmstead v. L.C. and E.W.* that the "integration mandate" of the Americans with Disabilities Act requires public agencies to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities." Disabled people segregated in institutions have used it to require states provide services in the community

Olmstead Cont

- *Olmstead v. L.C. and E.W.* reached the Supreme Court when the Georgia Department of Human Resources appealed a decision by the 11th Circuit that it had violated the ADA's "integration mandate" by segregating two women with mental disabilities in a state psychiatric hospital -- long after the agency's treatment professionals had recommended their transfer to community care.

Olmstead Cont.

- Lois Curtis, 31, and Elaine Wilson, 47, have mental disabilities. Each was hospitalized repeatedly over two decades, with periodic discharges to inappropriate settings--including a homeless shelter--followed by return to the hospital. Only after Atlanta Legal Aid attorney Susan Jamieson brought a lawsuit in 1995 were they moved to a small group home.

Facility Pre-requisites to Enroll

- **Must be operating for at least 6 months**
- **Must be surveyed within the last 12 months with no type A deficiencies.**
- **Should have a good standing relationship with the Community Care License Division (CCL).**



Goals of The ALW

- **Making affordable housing with personal and health-related services available to frail older adults and individuals with disabilities**
- **Maximizing dignity, privacy, independence and autonomy**
- **Providing an alternative to long-term care placement in a nursing home**



Services provided

RCFE ALW

- **24-hour awake staff to provide oversight and meet residents scheduled and unscheduled needs**
- **Assistance with activities of daily living and instrumental activities of daily living**
- **Health related services (e.g., medication management services)**
- **Social services**
- **Recreational activities**
- **Meals**
- **Housekeeping / laundry**
- **Transportation**



Where does the ALW serve?

The ALW pays for Assisted Living, care coordination and other specified benefits provided to eligible seniors and persons with disabilities who reside in any of the Project's target counties:

- Sacramento
- San Joaquin
- Los Angeles
- Fresno
- Sonoma
- San Bernardino
- Riverside

New Counties!!!

- San Diego
- Alameda
- Contra Costa



Two Implementation Models

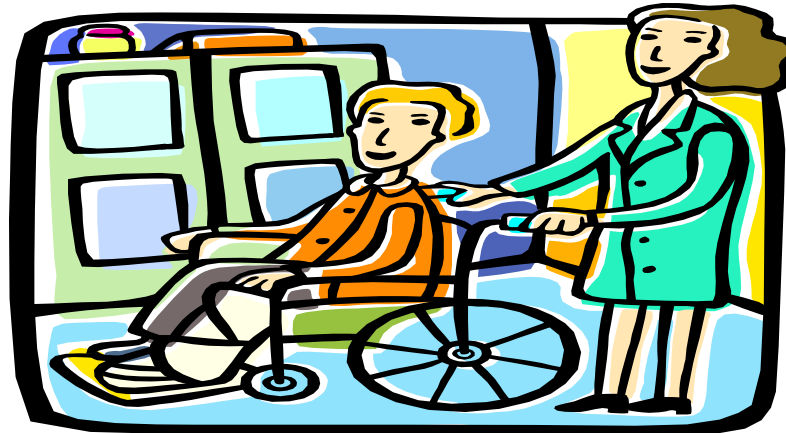
Assisted Living services are provided to:

- **Publicly subsidized Housing (PH)- services are delivered by a home health agency.**
- **Residential Care Facilities for the Elderly (RCFE)- services are delivered by the RCFE staff.**



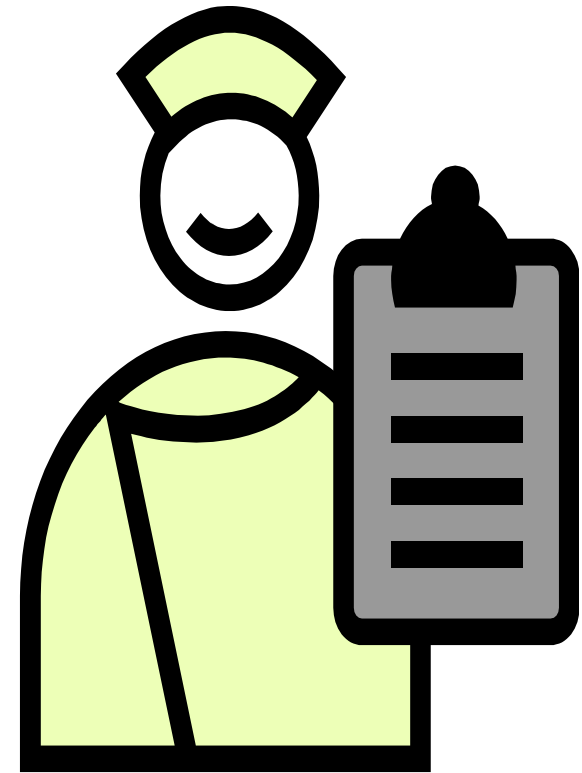
Eligible Residents

- **ALW-eligible residents are those who are enrolled in Medi-Cal and need the level of care provided in a nursing facility. If the individual meets both the financial and health/functional requirements of the project, then he or she can choose to enroll in the ALW as an alternative to receiving nursing home care.**



Resident Enrollment

- To begin the process of enrolling in the ALW, interested residents should contact a care coordinator agency (CCA) in one of the participating counties. The care coordinator will then determine if the individual is eligible for the program.



Resident Rights

- **The resident has the right to make choices and receive services in a way that will promote their dignity, autonomy, independence, and quality of life. These services are disclosed and agreed to in the contract between themselves along with the provider.**
- **Assisted living does not generally provide ongoing, 24-hour skilled nursing. Their units are private occupancy and shared only by the choice of residents (e.g., by spouses, partners or friends).**

Responsibilities of the CCA

- **Enrolling eligible clients**
- **Conducting assessments**
- **Determining individual level of care**



Responsibilities of the CCA

- **Developing individualized service plans (ISP)**
- **Arranging for Waiver, State Plan and other services as determined necessary by the assessment and as documented on the ISP**
- **Frequent monitoring of service delivery- monthly visits**

Responsibilities of the CCA

- **Help transition clients from nursing facilities to RCFEs or PH settings**
- **Maintaining progress notes and case records for each enrolled client**
- **Adhering to schedule of client contact**



Responsibilities of the CCA

- **Handling client and family complaints and forwarding them to DHCS**
- **Reporting any and all signs of abuse or neglect to DHCS and Ombudsman (if in RCFE) and DHCS and APS (if in PH)**
- **Arranging for payment for vendors who opt not to bill Medi-Cal directly**

Let us answer your questions!

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Long-Term Care

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State of California

Department of Health Care Services