

Dear legislators:

Re: Increase in Personal Needs Allowance for participants on the A & D waiver.

I am requesting a reasonable modification of the policies and practices utilized in calculating a participant's contribution for Medicaid under Idaho's A & D waiver program.

Currently, I am eligible for community-based services under Idaho's Aged and Disabled Services (A&D) Waiver. Previously, I was eligible for Medicaid waiver services under the Medicaid for Workers Program. I am currently eligible for Medicaid and Medicare. While eligible for the Medicaid for Workers Program, I was assessed a Reasonable Premium for my services. After I was determined eligible under the A&D waiver, I was informed that my client participation amount was \$2,258.72 per month - an increase in over \$2,000.00 per month.

It is recognized that federal law requires states to set policies and procedures for recipients of home and community-based waiver services that could potentially result in a recipient's participation in the cost of the Medicaid services. Federal rules require a consideration of the income of the recipient, but they also require that certain items be deducted from this income before the share of cost is determined. One of these items is a deduction for maintenance needs allowance. This maintenance needs allowance must be based upon a reasonable assessment of the individual's needs. States are allowed to set a maximum amount for the deduction and this amount must be included in the states' waiver applications.

Idaho has set a maintenance allowance for A&D waiver recipients who are responsible for a rent or mortgage payment at 180% of the federal benefit rate, or \$1,323.00 as of July 1, 2016. It is this amount that I requested be modified as necessary to allow me to remain in the community in the most integrated setting. Idaho's maintenance needs allowance and other policies make it virtually impossible for me to maintain my residence. With this allowance, I must fund my most right mortgage, utilities, property taxes, home owner's association dues, over-the-counter medications, home maintenance and repairs, yard care, water and irrigation costs, trash removal, food, clothing, transportation in an accessible van, supportive home care not covered by Medicaid, and many other daily living expenses.

The Medicaid and Welfare programs do not do an individualized assessment of need, and therefore do not make adjustments for the amount of an individual's mortgage and other housing costs. For some recipients such as myself, many of these costs are higher than average because the individual's disability must be accommodated. Additionally, the Department's own cost sharing rules for other eligibility criteria point out the discrimination that occurs for an individual in my situation. For example, a single recipient who does not pay rent or a mortgage is allowed \$735.00 as a maintenance allowance, but this person has no mortgage or other costs associated with a home. Thus this individual has that amount to pay for food, clothing, and over-the-counter medications. Although the Department has apparently determined this amount is necessary to purchase these items in the community, I would've had nothing left to purchase these items after I paid for all the expenses associated with my home. Even if this \$735 was deducted from the \$1,323.00 allowance, I would only have \$588.00 left for my housing costs.

Likewise, individuals who pay rent are allowed the same \$1,323.00, but do not have similar home maintenance costs. These individuals can also lower their rent and/or their maintenance costs by having a roommate. If I receive rental income, this money does not go to my mortgage; it is rather counted as income to me and increases my share of cost. An individual eligible under the Department's other 1915(c) waiver, the Developmentally Disabled Services Waiver, is allowed three times the federal benefit rate, or \$2,205.00 for a maintenance allowance. Community spouses were allowed a minimum of \$1,891.25 and a maximum of \$2,898.00 for monthly home maintenance costs in 2013, in addition to being allowed resources of over \$100,000.00. Although, individuals eligible under the Medicaid for Workers with Disabilities program pay monthly premiums, these premiums are far less than my share of cost even though these recipients can earn and retain more money than A&D waiver recipients.

I am an individual with a serious medical condition that has resulted in significant medical needs. Because I have limited upper and lower extremity mobility, I cannot reside in the community home care. I could also not afford to retain and maintain my residence under the current maintenance allowance set by Idaho. I am a relatively young individual with a son who needs a father and a home to live in. My most integrated setting is unquestionably the community.

I believe the state of Idaho should increase its personal needs allowance for an individual on the A & D waiver to 300% of the federal SSI benefit rate to allow individuals to remain in their homes.

- Medicaid Participant, Randall Nilson

- (208)-409-8798 (cell), (208)-375-9760 (home)