

## The Ten Big Waiver Can'ts

1. Can't give cash directly to a waiver participant or parent
  2. Can't pay for room and board with Medicaid money
  3. Can't pay for exactly the same stuff under the waiver that is covered by the Medicaid state plan until you first use those services
  4. Can't pay for services that are covered under the Rehabilitation Act or IDEA...that is services that a vocational rehabilitation agency are required to cover or services that are part of the public education system's responsibility to deliver
  5. Can't pay for services for Medicaid-eligible kids that should be covered by EPSDT, (see acronym list)
  6. Can't cover a few services such as recreation, guardianship, institutional services other than respite, general home repair
  7. Can't serve folks who don't meet the waiver and Medicaid eligibility criteria in the approved waiver
- HCBS are not permissible in:
8. Settings that are located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;
  9. Settings that are in a building located on the grounds of, or immediately adjacent to, a public institution;
  10. Any other settings that have the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS

## What to permit in IDGS?

### The Item, Equipment, Service or Support:

- ✓ Is reasonably related to addressing waiver participant needs that arise as a result of their functional limitations and/or conditions; and/or,
- ✓ Falls within the scope of §1915(c) of the Social Security Act and is not at odds with other provisions of the Act
- ✓ Is not otherwise provided through this waiver, or through the Medicaid State Plan,
- ✓ Contributes to the community functioning of waiver participants and thereby avoids institutionalization;
- ✓ Addresses an identified need in the service plan (including improving and maintaining the participant's opportunities for full membership in the community)

### Meets the following requirements:

- ✓ The item or service would decrease the need for other Medicaid services;
- ✓ Equally effective/cost effective
- ✓ AND/OR promote inclusion in the community;
- ✓ AND/OR increase the participant's safety in the home environment;
- ✓ AND, the participant does not have the funds to purchase the item or service or the item or service is not available through another source.

### Other guiding principles:

- ✓ Equity of access
- ✓ Prioritization of needs
- ✓ Children and "typical" family purchases vs. items needing special modifications/adaptations

