

What is the Home & Community-Based Services Waiver?

The Home & Community-Based Services Waiver (HCBS) is a program for low-income Massachusetts residents who qualify for nursing facility or other institutional care but want to live at home. The Waiver allows MassHealth members to get needed health care & support services at home rather than in an institution. MassHealth does not cover these home-based services without a waiver.

The Home & Community-Based Services Waiver (HCBS) program helps:

- frail elders
- people with intellectual disabilities
- young children with autism spectrum disorders & adults with traumatic brain injuries to live safely in their communities, & to prevent or delay institutionalization.



Compliments of:
The Law Offices of
Patricia Bloom-McDonald

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Attorney Patricia Bloom-McDonald is a Licensed attorney in the Commonwealth of Massachusetts & has been in private practice since 2003.

She is admitted to practice before the U.S. District Court, 1st Circuit, U.S. Bankruptcy Court, & all courts in the Commonwealth of Massachusetts.

She has extensive knowledge & experience with the preparation of Wills, Trusts, Health Care Proxies, Durable Power of Attorneys, & other Estate Planning documents.

Additionally, Attorney Bloom-McDonald possesses exceptional knowledge of Probate law & procedure as it is applied to Estate Administration, Elder Law, Guardianships, Conservatorships, Adoptions, & Name Change procedures.

Her outstanding experience with Real Estate procedures relating to loan & refinance documentation, including Reverse Mortgages, affords her the ability to counsel those over 62 years of age who wish to age at home with dignity. Attorney Bloom-McDonald is able to communicate clearly & concisely with people of diverse backgrounds, age, & levels of authority & is available for in-home consultations.

She is a Member of:
Massachusetts Bar
Federal Bar, District of Massachusetts
National Academy of Elder Law Attorneys
Bristol County Estate Planning Council
Norfolk County Bar Association
Bristol County Bar Association
Resources to Remember



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General Practice of Law concentrating in:
Probate
Estate Planning
Elder Law
Real Estate *including*
Reverse Mortgages

Law Offices of Patricia Bloom-McDonald

HELPING CLIENTS AGE AT HOME **Home and Community-Based Services Waiver**

Also known as
Community
MassHealth / Medicaid
benefits



Attorney Patricia Bloom-McDonald
is an Elder Law &
Estate Planning Attorney.

You may reach Attorney Bloom-McDonald
with questions or comments

at **781-713-4709**

at her website: www.McBloomLaw.com or
email: McBloomLaw@McBloomLaw.com

**She is Available to meet you at YOUR office, home, or
at an alternative place of convenience**

How do I apply?

Frail Elder Waiver:

Elders should call Attorney Patricia Bloom-McDonald, an *Elder Law Attorney*, or their local Aging Services Access Point (ASAP) to be evaluated for the Home & Community-Based Waiver program or the Community Choices program.

A case worker will do a quick eligibility screening over the phone. If you appear to be eligible, a case worker will conduct a no-cost home visit to further assess your needs & it is recommended that you seek an Elder Law Attorney to assist with the completion of the application so call Attorney Bloom-McDonald to schedule an appointment.

Am I eligible?

You may be eligible for the **Frail Elder Home & Community-Based Services Waiver (HCBS)** if you:

- are age 60 or older
- are certified by the state as medically eligible for nursing home care
- are able to live safely at home with one or more support services & meet the HCBS waiver income & asset limits

Am I medically eligible for nursing facility care?

You are medically eligible for nursing facility care: if you need at least one skilled nursing or therapist service daily (for example, an IV, feeding tube, oxygen, sterile dressings, catheters, skilled-nursing evaluation, physical therapy, speech therapy, occupational therapy)

OR

if you need a nursing service at least 3 times per week, plus two other services. Other services can be assistance with Activities of Daily Living (ADLs), or additional nursing services. Activities of Daily

Living are personal care activities such as bathing, dressing, toileting, getting in or out of a bed or chair, walking (or moving a wheelchair), or eating.

A nurse will come to your home to find out about your physical & mental health, the amount of nursing care you need, the prescription medicines you are taking, your ability to care for yourself, & your ability to do basic tasks (prepare meals, do housekeeping, use transportation, manage finances, etc.). The nurse will fill out a form which will be used to decide if you meet Medicaid nursing facility eligibility standards.



Note: If you are not medically eligible for nursing facility care, but you still need help at home, you may qualify for the [Massachusetts Home & Community-Based Services Waiver Program](#).

What are the income & asset limits?

For adults, the income & asset limits for the Home & Community-Based Services Waiver program are:

- Your countable *income* must be no greater than \$2,130.00 per month (*in 2013*).
- If you are married, your spouse's income & assets are *not* counted for this program.
- If your *assets* are higher than \$2,000.00, you can meet a deductible or spend down your assets to qualify— *there is no look back period*.

Attorney Patricia Bloom-McDonald will answer all your questions and assist you in completing the application process . . . Contact her for a *no obligation, complimentary, one-hour consultation*

Telephone: [781-713-4709](tel:781-713-4709) or [508-636-6097](tel:508-636-6097)

email: McBloomLaw@McBloomLaw.com

What benefits will I get?

You will get MassHealth Standard medical coverage & Waiver services. Waiver services are health care & support services that you get at home or in the community, instead of in a hospital or other institution.

Frail Elder Waiver:

For frail elders, waiver services may include personal care services, housekeeping & chore services, laundry, home health aide, skilled nursing, companion services, supportive day program, home delivered meals, grocery shopping, transportation, wander response system, respite care, environmental accessibility adaptation, & transitional assistance.

What is the Community Choices Program?

The Community Choices Program is a special program for frail elder waiver members who are at risk of entering a nursing facility very soon unless they get extra help at home. Elders currently in a nursing facility who want to return home are also eligible. Case managers develop service plans, arrange for services, & monitor progress.

Community Choices gives more hours of services than other home care programs. Total cost of services must be less than the cost of nursing facility care.

To qualify for Community Choices, you must be enrolled in (or eligible for) the Home & Community-Based Services Waiver program. In addition, you must meet other requirements that show you are at risk for immediate nursing home placement unless you get additional services. For example, you might be at risk & need extra services if you recently had a major medical problem.