

## OHCA/OCAL

### Assisted Living Waiver Fact Sheet

**Issue:** The Ohio General Assembly authorized the creation of a Medicaid-funded assisted living waiver in the budget bill for the 2006-2007 biennium. The Ohio Department of Aging (ODA) is currently working with key stakeholders, including OHCA/OCAL ([www.ohca.org](http://www.ohca.org)) and other representatives of residential care facilities, to develop criteria for the new assisted living waiver.

#### **Background:**

- Up to 1,800 eligible Ohioans will be enrolled during the first year of operation (beginning July 1, 2006). The program is contingent on federal government approval that first requires the state to submit a Medicaid waiver to the federal Centers for Medicare and Medicaid Services (CMS). CMS will then review the application and make a determination on whether the program can move forward. Consumers will apply for the assisted living waiver through their Area Agencies on Aging.
- Participants must be financially eligible for Medicaid and determined by ODA's Area Agencies on Aging to need a "nursing facility level of care," the same requirements as for the existing PASSPORT program.
- Further, participation is limited to nursing facility residents desiring to relocate to assisted living and existing Medicaid waiver consumers (i.e., PASSPORT, Ohio Home Care, or Choices participants) who are disenrolling from the program and would otherwise permanently enter a nursing facility.
- Consumers, once determined eligible, can select from any eligible assisted living provider. However, this is a voluntary program and assisted living providers are not required to participate.
- Providers must be licensed as residential care facilities (RCFs) and meet all of the current requirements for licensure. In addition, the provider must be willing to meet the ODA's certification requirements (to be determined). ODA can write rules that could further restrict which RCFs qualify by establishing structural or other requirements that some RCFs could not meet.
- The Ohio Department of Health will assure that participating assisted living facilities meet the certification standards and will inform ODA staff that the facility is eligible.
- Assisted living participants must be given a private room unless the participant chooses otherwise, according to CMS requirements.
- The state will pay for services rendered by the provider (estimated at \$1,800 per month); the consumer is responsible for expenses relating to "room and board."
- Once approved, the consumer and the consumer's family will be assigned to a care manager who will facilitate the enrollment, assist the consumer in selecting a facility, develop an initial service plan in consultation with the facility and the consumer and monitor ongoing care.
- There will be no minimum or maximum number of participants a facility can serve.
- ODA is required to contract with an outside entity to evaluate the waiver's cost-effectiveness by June 30, 2007.

**OHCA Position:** The association is supportive of assisted living and the 150 member facilities in our assisted living affiliate, the Ohio Centers for Assisted Living (OCAL). OHCA/OCAL continue to be concerned that public funding will bring with it a significant rise in regulation, which will restrict the assisted living profession's ability to respond to consumer demand. We are also concerned that private pay residents will end up paying more for assisted living if costs increase to meet new Medicaid regulations. Assisted living is an important piece of the continuum of care and should be allowed to continue flourishing in the private market. Having said that, we are supportive of a limited waiver program but would recommend that a legislative change be made that would make current assisted living residents eligible for the assisted living waiver.