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HCESB Presentation on
Family Caregiving and Consumer Direction

Division of Health Care Financing and Policy

Presenter: Kirsten Coulombe, Social Services Chief III



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Family Caregivers in Long Term Services and Supports

- Federal regulations place certain limitations on the services that family caregivers can provide.
- In Nevada, family caregivers often provide home and community based services versus services that require a clinician.
- Examples of services rendered by a caregiver:
 - **Activities of Daily Living-** bathing, dressing, grooming, toileting, transferring, eating.
 - **Instrumental Activities of Daily-** light housekeeping, laundry, meal preparation, essential shopping.





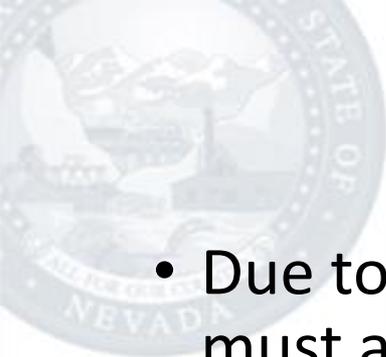
Federal Limitations

- 1905(a) of the Social Security Act is the Medicaid authority for Personal Care Services.

42CFR 440.167 Personal care services.

- (a) Personal care services means services furnished to an individual who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for individuals with intellectual disabilities, or institution for mental disease that are -
 - (1) Authorized for the individual by a physician in accordance with a plan of treatment or (at the option of the State) otherwise authorized for the individual in accordance with a service plan approved by the State;
 - (2) Provided by an individual who is qualified to provide such services and **who is not a member of the individual's family**; and
 - (3) Furnished in a home, and at the State's option, in another location.
- (b) For purposes of this section, **family member means a legally responsible relative.**





Legally Responsible Individual

- Due to the federal limitations related to PCS, Nevada must also place restrictions on whom can be reimbursed by Medicaid for those services.
- Examples of a Legally Responsible Individual (LRI) include:
 - Spouses of recipients
 - Parents of minor recipients
 - An individual who is appointed by a court as the legal guardian for a recipient.



Options for Family Caregivers

- Unlike the code of federal regulation prohibitions for the 1905(a) authority, a 1915(c) Home and Community Based Waiver authority does have flexibilities to allow family caregivers.
- Nevada is requesting federal authority to allow family caregivers to render care for recipients on both the Physically Disabled (PD) and Frail Elderly (FE) Waivers.
 - The services would include:
 - Attendant Care (only within PD Waiver)
 - Chore
 - Homemaker
 - Respite





Service Delivery Models

- Often family members are utilized through the Intermediary Service Organization (ISO) service delivery model.
 - This is different than a provider agency because the recipient chooses their own caregiver versus an agency sending out a caregiver.
- A recipient chooses which service delivery model that works best for them.
- Nevada Medicaid is also towards a new delivery option of a self-directed budget authority model that may expand access for family caregivers.





Questions?



Contact Information

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- Waivers

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