

Chapter 16

Medicaid Waivers

16.1. Waiver Services for Adults with Traumatic Brain Injury

16.2. Rates

16.1. Waiver Services for Adults with Traumatic Brain Injury

Maryland's Home and Community-Based Services (HCBS) Waiver for Adults with Traumatic Brain Injury (TBI), also referred to as the TBI Waiver, was implemented on July 1, 2003 and renewed for an additional five years on July 1, 2006. The administering State agency is the Behavioral Health Administration (BHA), with oversight from the Office of Health Services, Division of Waiver Programs (OHS/DWP).

The program was initially designed as a resource for Maryland residents with TBI who could not be served in traditional long-term care settings within the State primarily due to the severity of their neurobehavioral deficits. Technical eligibility is based on the type of injury, age at injury, and location where the applicant is residing. Technical eligibility is limited to an individual with a TBI that has occurred after the age of 21 who is in a state psychiatric hospital, an out-of-state placement funded through Maryland Medicaid, a state-owned and operated nursing facility, or a chronic hospital that is CARF-accredited for inpatient brain injury rehabilitation.

The following four services are available through the TBI Waiver:

1. Residential habilitation
2. Day habilitation
3. Supported employment
4. Individual support services

Technical, medical, and financial eligibility for the program is established in COMAR 10.09.46. TBI Waiver services are authorized, and must be approved by, BHA's Office of Adult Services in accordance with COMAR 10.09.46.

RESIDENTIAL HABILITATION

Residential habilitation services provide participants assistance with acquisition, retention, or improvement in skills related to activities of daily living (ADLs) and the social and adaptive skills necessary to enable the individual to live in a non-institutional setting. The services provided in a residential program are provided and reimbursed at one of the following three levels of service, as pre-authorized in the participant's waiver plan of care approved by BHA:

1. Level 1 requires a staff to participant ratio of 1:3, at a minimum, during day and evening shifts and non-awake supervision during an overnight shift or an awake staff person covering more than one site during the overnight shift.
2. Level 2 requires a staff to participant ratio of 1:3, at a minimum, during day and evening shifts and awake, onsite supervision during an overnight shift.
3. Level 3 requires a staff to participant ratio of 1:1 during day and evening shifts and awake onsite supervision during an overnight shift.

DAY HABILITATION

Day habilitation services provide participants with assistance with acquisition, retention, or improvement in self-help, socialization, and adaptive skills which takes place in a non-residential setting, separate from the home or facility in which the individual resides, normally furnished four or more hours per day.

The services provided in a day habilitation program are provided and reimbursed at one of the following three levels of services, as pre-authorized in the participant's waiver plan of care approved by BHA:

1. Level 1 requires a staff to participant ratio of 1:6, at a minimum.
2. Level 2 requires a staff to participant ratio of 1:4, at a minimum.
3. Level 3 requires a staff to participant ratio of 1:1, at a minimum.

SUPPORTED EMPLOYMENT

Supported employment services include activities needed to support paid work by individuals receiving waiver services, including supervision and training. The services are provided and reimbursed at one of the following three levels of service, as pre-authorized in the participant's waiver plan of care approved by BHA:

1. Level 1 requires staff members to provide daily contacts to the waiver participant.
2. Level 2 requires staff members to provide a minimum of one hour of direct support per day.
3. Level 3 requires staff members to provide continuous support for a minimum of four hours of service per day.

INDIVIDUAL SUPPORT SERVICES

Individual support services means assistance provided to an individual to enable them to fully participate in the community. This may include, but not be limited to, supports involving:

- Budgeting
- Medication administration
- Counseling
- Helping an individual to access and complete his or her education
- Participation in recreational and social activities
- Accessing community services
- Grocery shopping
- Behavioral and other services and support needed by the family of the individual
- Developing relationships

16.2. Rates

Rates for TBI Waiver services can be found in COMAR 10.21.25.

- Residential habilitation
 - Level 1 – W0037
 - Level 2 – W0038
 - Level 3 – W0039
- Day habilitation

- Level 1 – W0054
- Level 2 – W0055
- Level 3 – W0056
- Supported employment
 - Level 1 – W0057
 - Level 2 – W0058
 - Level 3 – W0059
- Individual support services – W0060

LIMITATIONS

TBI Waiver services shall be reimbursed for a participant no more than:

- One unit of residential habilitation services for a date of service
- One unit of day habilitation per day
- One unit of support employment per day
- A combined maximum of five units of supported employment and day habilitation per week
- Eight units of individual support services for a date of service

The following is not covered:

- Payment for day habilitation on the same date of service as onsite psychiatric rehabilitation as defined in COMAR 10.21.21 and COMAR 10.21.25
- Payment for residential habilitation on the same date of services as residential rehabilitation services as defined in COMAR 10.21.22
- Payment for supported employment on the same date of service as mental health vocational supported employment as defined in COMAR 10.21.28
- Payment for individual support services on the same day as residential habilitation services

For more information, call BHA, Office of Adult Services at 410.402.8476.