

The Medicaid Process: The CHOICES Program

HOICES" is TennCare's program for long-term services and supports for older people (age 65 years and older) or disabled (age 21 years and older). The TennCare CHOICES Web site (www.tn.gov/tenncare/) has provided some helpful information about the program.

CHOICES and Long-Term Care

Long-term care includes help doing everyday activities that you may no longer be able to do for yourself as you grow older, or if you have a physical disability like getting around your home, preparing meals, or doing household chores.

Long-term care services include care in a nursing home. Long-term care also includes certain services to help a person remain at home or in the community. These are called Home and Community-Based Services or HCBS.

CHOICES Eligibility

To be in CHOICES, you must:

- Need the level of care provided in a nursing home; or
- Meet the "at risk" for nursing home level of care; and
- Qualify for Medicaid long term care.

To qualify for Medicaid long-term care,

1. Your monthly gross income cannot be

- more than the three times the Federal Benefit Rate (changes annually, \$2829 in 2024). (If it is, you may be able to set up a Qualifying Income Trust.); and
- 2. The total value of things you own can't be more than \$2,000. (Some things are exempt, like your house where you live does not count.); and
- You cannot have given away or sold anything for less than what it's worth in the last five years. (There are some exceptions to the gift rules, however.)

There are three groups of people in CHOICES:

- 1. CHOICES Group 1 is for people who receive nursing home care.
- CHOICES Group 2 is for certain people who receive care in their home or a community-based setting, such as an Assisted Living Facility, instead of nursing home care. It's only for adults:
 - Age 65 years and older or age 21 years and older who have physical

This document is copyright 2024 by Johnson McGinnis Elder Care Law and Estate Planning, PLLC, and is meant for its clients.

disabilities

- Meet nursing facility level of care.
- 3. CHOICES Group 3 is for certain people who receive home care instead of nursing home care because they do not qualify for nursing facility level of care; but who, in the absence of HCBS, are "at risk" for nursing facility care. It's only for adults:
 - Age 65 years and older or age 21 years and older who have physical disabilities; and
 - Meet "at risk" level of care.
 - Currently this program is closed to applicants except SSI beneficiaries.

Your TennCare health plan (or MCO) must be able to safely meet your needs at home AND, the cost of your home care can't be more than the cost of nursing home care. The cost of your home care includes any home health or private duty nursing that TennCare provides.

CHOICES Home Care Services

Here are some of the kinds of home care covered in CHOICES. Some of these services have limits. Your MCO will help you to determine what services below will meet your needs.

Personal care visits - Short visits of no more than 4 hours where someone will help you do things like get out of bed, take a bath, get dressed, fix and eat meals, or use the bathroom.

Attendant care - The same kinds of help you would get with personal care visits, but for longer periods of time.

Homemaker services - Help with your household chores or errands like laundry,

sweeping, mopping or grocery shopping.

Home-delivered meals

Personal Emergency Response System - A call button so you can get help in an emergency.

Adult day care - A place that provides supervised care and activities during the day.

In-home respite care - Someone to stay with you in your home for a short time so your caregiver can get some rest.

In-patient respite care - A short stay in a nursing home or assisted care living facility so your caregiver can get some rest.

Assistive technology - Certain low-cost items that help you do things more easily or safely in your home like grabbers to reach things.

Minor home modifications - Changes to your home that will help you get around more easily and safely like grab bars or a wheelchair ramp.

Pest control - Spraying your home for bugs or mice.

Some of these services can be provided through Consumer Direction.

Consumer Direction is a way of getting some of the home care you need. It offers more choice and control over WHO gives your home care and HOW your care is given. You employ the people who provide some of your home care services-they work for you (instead of an agency). This means you must be able to do the things that an employer would do - like hire, train, and schedule workers.

You can hire a family member, friend, neighbor, or other person you know to provide care in Consumer Direction, but there are some limitations.

CHOICES Community-Based Services

Community-Based Residential Alternatives are places that offer care and support for someone who can no longer live alone, such as an Assisted-Living Facility.

CHOICES provides monthly financial support of up to \$1,305 for some services eligible residents receive at an assisted living facility. These include personal care services like assistance with activities of daily living, medical oversight, transportation assistance, and homemaker services like meals and laundry. However, TennCare members are expected to pay for room and board themselves.