

# SUPPORT EQUAL ACCESS TO COMMUNITY CARE FOR ELDERLY AND DISABLED INDIVIDUALS

H128 / S668

Representative Higgins and Senator Comerford

## WHAT THE LEGISLATION DOES:

This bill would ease the financial impact of increased income by allowing participants of Home and Community Based Service Waiver programs and the PACE program with income over program limits to remain on the program and be charged a reasonable premium.

## WHO IT HELPS

Seniors who are clinically eligible for nursing home care but want to remain at home.

## BACKGROUND

**Home and Community Based Services Waiver (HCBS) Programs:** These are the programs that provide the continuum of care that can include adult day health services, skilled nursing care, nutrition programs, home care, home health aide, assisted living and personal care that make it possible for seniors and individuals with disabilities to continue to live at home in their communities. The programs are noted for their ability to delay or prevent institutional care.

**PACE:** (Program for All Inclusive Care for the Elderly) Program provides a broad scope of health and social support services to frail elders who are clinically eligible for nursing home care but want to remain at home. This is a joint program between Medicare and Medicaid.

## THE ISSUE THE BILL ADDRESSES

Problems arise when a member receives an increase in income, for example, due to the death of a spouse and the receipt of Social Security widow's benefits.

If the participant has income in excess of the program limit, he or she will be charged an exorbitant monthly premium, requiring them to spend all their income down to \$542 for the month, to remain in the program. This rule forces individuals to live below the federal poverty level. Even \$1 of income above the eligibility level will result in this large out-of-pocket expense. The same issue can occur for an applicant who can enroll in the program but finds the premium cost makes living at home impossible.

As a result, many elders are forced out of the programs or never enroll and end up in a nursing home, costing the state three times what it pays for an individual in the waiver or PACE programs.

## HOW THE LEGISLATION WILL HELP

This bill would provide that PACE and Waiver applicants and participants with income over program limits be charged a premium equal to his/her income above the program income limits.



Contact **Nomita Ganguly:**  
[nganguly@verizon.net](mailto:nganguly@verizon.net);  
781.354.2444; **Chris Gregory**  
[cgregory@neec.org](mailto:cgregory@neec.org) 617.510.0866