

THE NEW JERSEY DIVISION OF DEVELOPMENTAL DISABILITIES' AMENDED COMMUNITY CARE WAIVER

By: **Valerie A. Powers Smith, Esq.**

Eligibility

If a child under age 18 is ineligible for Medicaid because of parental income or resources, the Community Care Waiver (CCW) waives the deeming of parental income and resources. For individuals 18 years and older, the resource limitation is still \$2,000 as is the case with the Medicaid State Plan; but the income limitation is higher at approximately \$2,022 per month.

The following Medicaid eligibility groups are now served under the CCW:

- SSI recipients
- Optional State supplemental recipients
- Optional categorically needy, aged and/or disabled with income at 100% F.P.L.¹
- Special home & community-based waiver group under 42 C.F.R. 435.217 with 300% of SSI Federal Benefit Rate² and ABD population with 100% of F.P.L.

Services

In addition to Medicaid State Plan services, a DDD client under the CCW may receive:

- Case management services
- Respite care
- Day habilitation (i.e., pre-vocational or day programming & transportation)
- Supported employment services (includes transportation)
- Individual supports (i.e., personal care assistant & training)
- Integrated Therapeutic Network Therapies (i.e., occupational, physical & speech therapies and psychological services)
- Environmental & vehicle modifications (not to exceed \$11,000 every 3 years)
- Assistive technology devices (included in the above \$11,000 tri-annual maximum)
- Personal Emergency Response Systems (PERS)
- Transportation
- Community transition services (temporary)

Application

To apply for the CCW, contact your DDD (800-832-9137) or your DDD case manager directly to request an application.

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Valerie A. Powers Smith, Esq., Of Counsel, Slovak Baron & Empey, LLP, is licensed to practice in New Jersey, New York, Pennsylvania, and California and specializes in the following special needs and disability law subject areas: health care insurance, Medicaid, Medicare, special needs trust, trust administration, estate planning & administration, guardianships, and accessing federal and state government disability-based benefits. Valerie can be contacted at powers@sbemp.com, 609.655.3393 or 760.322.2275 or 609.955.3393.

¹ The 2011 Federal Poverty Level ("F.P.L.") is \$10,890.00 for an individual gross monthly income and \$908.00 for an individual gross monthly income.

² The 2011 Federal Benefit Rate for SSI is \$674.00 for an individual and \$1,011.00 for a couple.