

TO: Local District Commissioners, Medicaid Directors

FROM: Judith Arnold, Director
Division of Eligibility and Marketplace Integration

SUBJECT: Requirements for Participation in OPWDD Home and Community Based Services waivers

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support
Upstate (518) 474-8887 NYC (212) 417-4500

The purpose of this General Information System (GIS) message is to clarify for local departments of social services (LDSS) that it is not necessary to obtain a disability certification to qualify for the Office for People with Developmental Disabilities (OPWDD) Home and Community Based Services (HCBS) waiver.

If a child who otherwise qualifies for participation in the OPWDD HCBS waiver is not financially eligible for Medicaid under the Modified Adjusted Gross Income (MAGI) category of assistance and is ineligible under ADC-related budgeting when counting family income, or there is excess income, obtaining a disability determination and certification would allow the child to be budgeted as a household of one under SSI-related eligibility rules. This may be a more favorable outcome for the child's Medicaid eligibility.

Therefore, there may be situations in which a disability determination should be pursued; however, it is related to the child's financial eligibility for Medicaid and not a requirement for participation in the waiver.

Please direct any questions to your Local District Support Liaison.