



Medi-Cal & In-Home Supportive Services (IHSS)

Eligibility & Benefits for Older Adults

Presentation developed with the input and support of the
DCA Statewide Medical-Legal Partnership Network



Neighborhood Legal Services
of Los Angeles County



Training Goals:

1. Medi-Cal eligibility
2. Long-Term Care coverage in Medi-Cal
3. In-Home Supportive Services benefits and eligibility

Medi-Cal: Broad Overview

Medi-Cal: What is it?

Free health coverage for low-income Californians
(aka California's "Medicaid" program)

Medi-Cal: Who Qualifies?

Income	Assets	Immigration
<p data-bbox="290 548 886 705">Under 138% of the federal poverty level (\$1,677/mo for 1 person in 2023)</p> <p data-bbox="267 886 909 1011">*There are higher income limits for certain categories of people, such as kids, people with disabilities, and others</p>	<p data-bbox="963 548 1582 648">No asset test! (effective January 2024)</p>	<p data-bbox="1653 548 2262 648">No immigration status required (effective January 2024)</p>

Medi-Cal: What Does Medi-Cal Cover?

Medi-Cal covers “medically necessary services” within the following categories:

- Physical healthcare
- Mental healthcare
- Substance use disorder services
- Prescription drugs (Medi-Cal Rx)
- Dental
- Vision
- Transportation
- Long-term care and in-home care
- *CalAIM + case management (ECM)



Medi-Cal: How do people receive services?

Physical Health	Mental Health + Substance Use Disorder Services	Prescription Drugs
Commercial Medi-Cal managed care plans (such as Anthem Blue Cross, Kaiser, Health Net, etc.)	County + Medi-Cal managed care plan jointly	A state-wide system called “Medi-Cal Rx”

Medi-Cal: What to do if there's a problem?

Eligibility Issues	Service Issues (Denials, delays, etc.)
Request a “state fair hearing” within 90 days of the negative action or notice	<ol style="list-style-type: none"><li data-bbox="1294 559 2226 714">(1) Request an appeal with the Medi-Cal health plan within 60 days of the negative action or notice<li data-bbox="1294 731 2283 828">(2) After the plan level appeal, request a “state fair hearing” within 120 days

*Contact your local legal aid organization for free legal help!

Long-Term Care Medi-Cal

Long-Term Care (LTC) Medi-Cal

What long-term care services does Medi-Cal pay for?

- Medi-Cal pays for nursing facility services for individuals who need skilled nursing care or rehabilitation services
- Does not pay for room and board expenses in assisted living facilities

Special Rules for LTC Medi-Cal

- Special income rules: “spousal impoverishment”
 - The spouse at home gets to keep:
 1. All income in their own name, or
 2. Their spouse's income up to the “maximum monthly maintenance needs allowance” (\$3,716/mo in 2023)
- Medi-Cal “estate recovery”
 - The state can recover the cost of long-term care services from a Medi-Cal beneficiary's “estate” after their death
 - Can recover the amount of benefits paid for the decedent OR the value of the decedent's property left to an heir by distribution – whichever is less

Case Study #1

Mr. Mozzie

- Mr. Mozzie is an 82-year old patient who has been diagnosed with dementia. He lives alone and does not have any friends or family nearby who can come over to help him around the house. He currently has Medicare and receives \$1,550 per month in Social Security retirement benefits. He has about \$100,000 in savings, which he draws from regularly to supplement his monthly income, but has no other assets.
- Discussion Questions:
 - Is Mr. Mozzie eligible for Medi-Cal?
 - What are Mr. Mozzie's potential options for long-term care?

Case Study #2

Amanda Lorian

- Your patient Amanda Lorian needs skilled nursing care. Her husband Mr. Lorian doesn't think they can afford the cost of a skilled nursing facility. He is also worried he won't be able to afford the rent at their current apartment without his wife's income. Mrs. Lorian receives \$4,000/mo from her pension. Mr. Lorian is still working and earns \$800/mo. They have \$180,000 in savings.
- Discussion Questions:
 - Is Mrs. Lorian eligible for LTC Medi-Cal?
 - Are there any options for Mr. Lorian to receive additional financial support?

Mr. and Mrs. Lorian utilizing the "maximum monthly maintenance needs allowance"



In-Home Supportive Services (IHSS)



IHSS: What is it?

IHSS is a statewide program that provides low-income people with in-home care services to help them remain safely at home

IHSS: What services does IHSS provide?

Services include, but are not limited to:

- Domestic and Related Services: meal preparation, cleaning, laundry and taking out the garbage.
- Personal Care Services/Non-Medical Care: bathing, feeding, dressing, grooming and toileting.
- Paramedical Tasks: assistance with medications, injections, bowel and bladder care.
- Protective Supervision: monitoring persons with cognitive or mental impairments to prevent injury.
- Transportation and accompaniment to medical appointments.

IHSS: Who is eligible?

Any California resident is eligible for IHSS if they:

- Are SSI/SSP or Medi-Cal eligible.
- Are blind, disabled or 65 years of age or older.
- Are living in a home, apartment or abode of their choosing (not including a hospital, nursing home, assisted living or licensed care facility).
- Are unable to live safely at home without care.

IHSS: How do you get IHSS?

1. Submit IHSS application → contact the county social services office
2. Needs Assessment → home visit from a county social worker
3. Medical certification form ("SOC 873") → completed by your doctor
4. Notice of Action: hours determination → up to 195 service hours per month (283 hours if severely impaired)
5. Hire a care provider
6. Annual re-assessment

IHSS: How are IHSS hours determined?

The social worker will evaluate the following services and activities:

1. Housework;
2. Laundry;
3. Shopping and errands;
4. Meal preparation and cleanup;
5. Mobility inside the home;
6. Bathing and grooming;
7. Dressing;
8. Bowel, bladder, and menstrual care;
9. Repositioning;
10. Eating;
11. Respiration;
12. Memory;
13. Orientation; and
14. Judgment.

IHSS: How are IHSS hours determined?

The social worker will use the following “functional impairment” ranking system:

- Rank 1: Independent
- Rank 2: Verbal assistance needed
- Rank 3: Some human assistance needed
- Rank 4: Substantial human assistance needed
- Rank 5: Cannot perform task



IHSS: What is Protective Supervision?

Protective supervision is an IHSS service for people who need to be observed 24 hours per day to protect them from injuries, hazards, or accidents due to a mental impairment or illness.

IHSS: How do you get Protective Supervision hours?

Individuals eligible for protective supervision must have:

1. A “mental impairment” or “mental illness” that causes functional limitations in memory, orientation, and/or judgment, and
2. The impairments must cause the recipient to experience confusion and an inability to self-direct their behaviors so as to keep themselves safe and free from harm or injury, and
3. The recipient needs to be observed twenty-four-hours-a-day in order for the recipient to safely remain at home.

Common Issues & Case Studies

Case Study #3

Miss Maggi

- Miss Maggi is a non-self-directing senior with dementia who has a propensity for wandering away from home. She is already on Medi-Cal with IHSS and her family has requested Protective Supervision hours for her. They are concerned without Protective Supervision she may wander outside and get lost or harm herself. Unfortunately, the county has denied PS hours.
- Discussion Questions:
 - What can you do to help Miss Maggi get Protective Supervision hours?
 - What can you do to help Miss Maggi deal with the Protective Supervision denial?

Case Study #4

Bat & Minnie

- Batsheva is in her early 70s and has a recent dementia diagnosis. She has diabetes and also has a hard time controlling her blood pressure. She needs assistance and/or supervision with ADLs. She is at risk for falls, needs assistance bathing, and needs help with transportation to/from medical appointments. She can't self-administer her medications or monitor her insulin levels or blood pressure.
- Bat receives \$1,150/mo in Social Security retirement benefits. She often cannot afford her diabetes and blood pressure medications.
- Bat's sister Minnie is 61 years old and was earning a comfortable living, but has recently had to quit her job to care for Batsheva full time. Minnie is now struggling financially and does not know how much longer she can care for Bat.
- Discussion Questions:
 - What benefit programs could help Bat and Minnie?

How to Claim Continuing Medical Education (CME) Credit?

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- Use your phone camera to scan the QR code and tap the notification to open the link associated with the CME portal.
- Enter your first name, last name, profession, and claim **1 CE credit** for the webinar.



Thank You

For more information please contact:

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