

## **Eligibility Requirements for the Innovations Waiver**

The Innovations Waiver is a home and community-based Medicaid program. It provides services and supports to individuals with intellectual and/or developmental disabilities who are at risk being placed in an institution. These services and supports promote choice, control, and community integration as an alternative to institutionalization.

### **What are the Eligibility Requirements?**

**Criteria #1** – The individual must **require active treatment** in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID). The following are characteristics commonly associated with the need for active treatment:

- Inability to take care of most personal needs
- Inability to understand simple commands
- Inability to communicate basic needs and wants
- Inability to be employed at a productive wage level without systematic long-term supervision or support
- Inability to learn new skills without aggressive and consistent training
- Inability to apply skills learned without aggressive and consistent training
- Inability to demonstrate behavior appropriate to the time, situation or place without direct supervision
- Demonstration of severe maladaptive behavior(s) that place the person or others in jeopardy to health and safety
- Inability or extreme difficulty in making decisions requiring informed consent
- Presence of other skill deficits or specialized training needs that necessitates the availability of trained personnel to teach the individual to learn functional skills

“Active treatment” does not include services to maintain generally independent individuals who are able to function with little supervision or who are able to function without a continuous active treatment program.

**Criteria #2** – The individual must have a diagnosis of an intellectual and/or developmental disability or a condition that results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with intellectual disabilities. Autism Spectrum

Disorder and Cerebral Palsy are examples of conditions that might negatively impact adaptive behavior or functioning, regardless of the individual’s IQ or cognitive ability.

**Criteria #3** – The condition must have manifested before the individual turned age 22.

**Criteria #4** – The condition will likely to continue indefinitely.

**Criteria #5** – The condition must result in substantial functional limitations in three or more of the following six major life activities: self-care, receptive and expressive language, learning, mobility, self-direction, and capacity for independent living.

### **How Do I Obtain Innovations Waiver Services?**

Unfortunately, there are not enough Waiver “slots” to meet the needs of everyone who is eligible. Each of the state’s seven Managed Care Organizations (MCOs) keeps a wait list of people who have requested services. Time on the wait list can be ten years long or longer. Typically, the MCOs award slots on a first come-first served basis, so the sooner you get on the list the sooner you may be able to receive services.

There is no entitlement to services under the Waiver program before a slot becomes available. However, once a person is placed on the wait list, the MCO should refer that individual to other resources that may be available while he is waiting for a slot.

Individuals apply for the Waiver by contacting the MCO that provides behavioral health services for Medicaid-eligible individuals in their county. You can find out which MCO serves your county at [www.ncdhhs.gov/providers/lme-mco-directory](http://www.ncdhhs.gov/providers/lme-mco-directory). You should contact the MCO and request that you (or your child or ward) receive services under the Waiver. The MCO will add your name to its wait list, and you should ask that they confirm the date of placement on the wait list in writing.

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Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Contact us for assistance or to request this information in an alternate format.

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