

SOONERCARE

Long-Term Care Services



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INTRODUCTION

Long-term care can be expensive and government programs can help pay for the costs of long-term care for those who are low-income and otherwise qualify. This booklet offers some basic information about the programs that are available to help pay for the costs of long-term care for those who qualify.

Please be advised, this document is not intended to provide legal or other advice. For advice about benefits, contact an Oklahoma Department of Human Services (DHS) caseworker. Additionally, while this document is current as of the date of publication, it is important to remember that the rules can change often, so contacting a DHS caseworker is important for up-to-date information.

For more information, please see helpful resources in the back of this booklet.

DHS Aging Services
DHS Adult and Family Services

SOONERCARE Long-Term Care Services

General Information

What is long-term care?

Long-term care includes care for medical and nonmedical needs for people who have a long-lasting illness or disability. Long-term care helps people take care of their health or personal needs. Most long-term care helps people with things like dressing, bathing and other personal needs. Long-term care can be provided at home, in the community, in assisted-living centers or in a nursing home.

In Oklahoma there are two types of long-term care: home and community–based services and nursing home services. Home and community–based services allow individuals to remain in their home or community. Nursing home care provides care to people who cannot be cared for in the home or community.

What is SoonerCare?

In Oklahoma, Medicaid is called SoonerCare and helps pay for medical services for low-income individuals. The Oklahoma Department of Human Services determines eligibility for SoonerCare and the Oklahoma Health Care Authority administers the SoonerCare program.

How do I qualify for SoonerCare Long-Term Care Services?

Whether you qualify for SoonerCare long-term care services depends on several things. You must qualify both financially and medically. Your caseworker looks at your age, medical condition, marital status, medical concerns, and assets, which include income and resources. To find out if you qualify for SoonerCare long-term care services (either in a nursing home or at home), talk to a caseworker at your local DHS county office.

Does SoonerCare cover any costs of long-term care?

Yes, as long as you qualify financially and medically and you need the type of care that is given in a nursing home, which could be given in your home or in a nursing home.

Does Medicare cover the costs of long-term care?

Medicare only covers care in a nursing home for a short time and only after a hospital stay of at least three days. Medicare can pay all nursing home costs for your first 20 days in the nursing home and part of the cost for days 21-100, as long as you continue to need the care. Under certain situations, Medicare covers home health care. To find out more about what Medicare covers for long-term care, call 1-800-Medicare (1-800-633-4227).

Is it possible to have both SoonerCare and Medicare or other health insurance?

Yes. Many people have both SoonerCare and Medicare or other health insurance. Having other medical insurance will not change your chance to qualify for SoonerCare.

Is there a limit on how long I can receive SoonerCare benefits for long-term care?

No. Your financial situation will be reviewed by your caseworker once a year to determine whether you still qualify.

Can a child be eligible for SoonerCare Long-Term Services?

Yes. A child may qualify for nursing home or individual care if he or she meets certain guidelines related to financial and medical conditions. To find out if a child qualifies for SoonerCare long-term care services (either in a nursing home or at home), talk to a caseworker at your local DHS county office.

How can I pay for medical needs not covered by private insurance, Medicare or SoonerCare?

If you have medical care that is necessary but is not covered by SoonerCare or any other costs you have, you will have to use the \$2,000 that you were approved to keep or you may have someone else pay for these items for you.

CARE IN THE HOME

I need the kind of care provided in a nursing home, but I want to stay in my home. What programs can provide services in my home?

If you financially and medically qualify, the following programs are available:

ADvantage – Helps persons age 65 and older and persons with physical disabilities age 21 and over. This program helps members safely live in their homes. This program may also provide help in an assisted living home that is approved by Medicaid. To apply, call 1-800-435-4711 or go to your local DHS county office.

Medically Fragile Waiver program – Provides services for eligible adults to receive necessary care and remain at home or in the residential setting of their choice. The program serves SoonerCare eligible adults (age 19 years and older) who have a medically fragile condition and meet hospital and/or skilled nursing level of care. For more information, call the Oklahoma Health Care Authority at 1-888-287-2443.

Living Choice – Assists adults (age 19 years and older) with disabilities or long-term illnesses who reside in an institutional setting transition back into their own homes in the community. Participants live in their own homes with the necessary supports and services, which ensure their presence in the community. For more information on the Living Choice Project call the Oklahoma Health Care Authority at 1-888-287-2443.

Services vary on the program and include:

- Case management (a person helps manage your care)
- Personal care (such as help with bathing and dressing)
- Home-delivered meals
- Prescriptions
- Private duty nursing
- Dental services up to \$1,000 per person annually
- Vision services to include eye exam and glasses
- Specialized medical equipment (medical equipment to help people to live in their homes, such as wheel chairs, oxygen equipment and other medical supplies)

NURSING HOME CARE

What if I need help outside of my home?

Nursing home care is another type of long-term care. It is meant for those individuals who can no longer care for their needs in the home or in the community. There are many nursing facilities that contract with SoonerCare to provide the needed services.

What types of services are available in a nursing home?

Services can include, but are not limited to:

- Dietary services
- 24-hour-per-day nursing care
- Prescriptions
- Diagnostic services

APPLYING FOR SOONERCARE Long-Term Care Services

When should I apply for SoonerCare for long-term care services?

It depends on what type of services you need. You can apply when:

- You live at home and want *ADvantage* or Medically Fragile waiver services in your home
- You want to live in an assisted living facility approved by SoonerCare (you must first apply for the *ADvantage* program)
- You enter a nursing home
- You are receiving skilled care in a nursing home and expect to continue to need nursing home care
- You are currently in a nursing home but would like to move out and into the community

If you are not married and your resources are more than \$2,000, you are encouraged to apply when resources approach \$2,000. These amounts may change, so contact your local DHS county office caseworker for current guidelines.

How do I apply for SoonerCare?

Complete the Request for Benefits form (08MP001E) to apply for SoonerCare. You may download a copy of the form from www.okdhs.org or you may call your local DHS county office and ask for an application. Phone numbers for the DHS county offices are listed at www.okdhs.org. Complete the form and mail or take it to your local DHS county office.

Can someone fill out the SoonerCare application for me?

Yes. Your family member or someone else can fill out the Request for Benefits form (08MP001E) on your behalf.

How long does DHS have to decide on eligibility?

Your caseworker should decide if you qualify for SoonerCare within 45 days after the department receives your request.

SOONERCARE FINANCIAL ELIGIBILITY

SoonerCare Income Guidelines

To qualify for SoonerCare services, you must be considered low-income. Call your local DHS county office for information on current guidelines.

What is an asset?

Your assets include all of your income and resources. If you are married, this also includes your spouse's income and resources.

What is considered income?

Income includes money received from Social Security and veterans benefits, pensions, annuities, etc. It may also include money earned from a job or as a self-employed person. Other examples are rental property income, oil and gas royalties, and interest earned on investments. Other income may be included and will be looked at by your caseworker.

How does DHS calculate my income?

DHS totals your monthly gross earnings such as job income, Social Security, pension, and veterans benefits. If you are married, your spouse's income is not counted. For information on current income guidelines, call your local DHS county office.

Depending on your income, you may qualify for a Medicaid Income Pension Trust (MIPT). The amount of your income over the income guidelines must stay in the MIPT and this money belongs to the OHCA. The money in the MIPT can only be used for medical services not covered by SoonerCare. A MIPT can be set up at a bank or credit union.

Can some of my income go to my spouse living at home to help her or him with living expenses?

Yes, as long as your spouse's income is less than the current income guidelines. Your caseworker will look at the income of the spouse and the member to determine the amount to go to the spouse.

What is a resource?

For SoonerCare (Medicaid) purposes, a resource is real property such as a house or land, or personal property with a cash value such as checking and saving accounts, certificates of deposit, life insurance with a cash value, stocks, bonds, mutual funds and vehicles.

What resources can I own and still be eligible for SoonerCare?

- Clothing and home furnishings
- One car
- Life insurance with a face value totaling \$1,500 or less
- A prepaid burial policy which you cannot cancel
- Burial spaces for you and your immediate family
- Real estate or other assets (except cash assets) which are up for sale as long as you continue to make an honest effort to sell it

I am married. How are my resources calculated?

When you apply for SoonerCare, all of the property you and your spouse own, either individually or together, will be counted, even if you and your spouse have a pre-marriage agreement or have always kept your property separate.

Your caseworker will calculate the value of your resources. If you live in a nursing home, your spouse who lives in the home may keep a part of the couple's resources called a "protected spousal amount."

To determine your resources and protected spousal amount, contact your local DHS county office caseworker.

How does DHS handle resources I own with someone other than my spouse?

DHS considers all resources that you own, even if you own it with someone else. Your caseworker will ask you to provide paperwork verifying your ownership interests.

Can I keep my house and still be eligible for SoonerCare?

If you are married and living in a nursing home and your spouse lives in the home, or if you are single and expect to return home from the nursing home within 12 months, you can keep your house. If you are in a nursing home and single and do not return home within 12 months, or if you are married and your spouse no longer lives in the home, the house will count as a resource.

SOONERCARE LONG-TERM CARE MEDICAL ELIGIBILITY

How is medical eligibility determined for SoonerCare long-term care services?

For the *ADvantage*, Living Choice and Medically Fragile waiver programs, a nurse asks the person applying for the services questions from a Uniform Comprehensive Assessment Tool (UCAT). The questions ask about medical conditions and social activity.

For nursing home care, the nursing home completes a Preadmission Screen and Resident Review (PASRR) on each resident to determine the most appropriate care setting and services.

IF YOU ARE DETERMINED ELIGIBLE FOR SOONERCARE NURSING HOME SERVICES

What happens if I am eligible for SoonerCare Nursing Home Services?

Once you become financially eligible, you will be approved either the day you entered the nursing home or the date it was determined that you met the financial eligibility.

If there is a payment due, the nursing home collects the amount you are responsible for paying from you and then bills SoonerCare for the balance of the cost of your care.

On what date will I be eligible?

If you qualify for SoonerCare, you will qualify on the first day of the month that your request was received by DHS. If you were in a nursing home during any of the three months before your request, your caseworker can decide if you qualify for those months before your request.

If I am in a nursing home, will I have any money to spend?

Yes. You will have a monthly individual needs allowance of \$30 if you receive SSI, \$50 if you receive income from any source other than SSI, plus \$90 if you receive VA reduced pension (for a total of \$140).

Once I am eligible for SoonerCare, will my spouse living at home have to pay the nursing home or other SoonerCare provider for my care?

No.

What do I need to do during the first year I am eligible?

If you are married, you have one year to remove your name from resources that you own or jointly own, such as a second car, a boat, stock or vacation property.

What about other resources?

As long as your total resources do not exceed \$2,000, you can remain eligible.

If I receive SoonerCare, will the State of Oklahoma take my home when I die?

When SoonerCare pays for benefits for individuals 55 years or older who receive care in a nursing home or who receive care for an intellectual disability, the Oklahoma Health Care Authority (OHCA) will file a claim (lien) against the home property upon death. Once OHCA files a legal claim against the property, then the amount paid for long-term care services can be recovered upon sale of the property. The state can only recover expenses from the home if there is no surviving spouse, minor child or disabled child of any age still living in the home.

Can the state recover my entire estate?

No. The state recovers expenses from the part of your estate which remains after other legal deductions are taken. You will be given more information about the state's right to recover money when you apply for long-term care benefits.

How often will I be contacted by DHS?

Once a year, you will receive a notice from DHS telling you it is time for a review. At this time, you will have to provide proof of your income and the value of your assets. However, if questions arise before the annual review, you may be contacted for more information.

Any time your situation changes, such as if you receive money from a deceased relative, your income increases, etc., you must inform your caseworker. If you do not report a change in a timely manner, you could be disqualified from SoonerCare for a period of time.

IF YOU ARE NOT DETERMINED ELIGIBLE FOR SOONERCARE LONG-TERM CARE SERVICES

What if DHS decides I am not eligible for SoonerCare?

You will receive a notice stating the reason for the denial. If you disagree with your denial, you have the right to appeal the decision. You must make this request within 30 days of the date on the notice by calling your caseworker or going into the DHS county office where your case is assigned.

If I am denied because I have too many resources, what can I do?

You can spend some of your income on things that are helpful to you or your spouse. For instance, you can:

- Pay the costs of nursing home care
- Buy clothing and other personal items
- Pay bills that are due or past due, including utility bills, taxes and medical bills for you and your spouse
- Pay for remodeling or repairs to the home where your spouse resides
- Pre-pay for your funeral if the money you pay is nonrefundable

Should I keep records of these expenses?

Yes. Keep all credit card statements, bank statements, receipts, and contracts showing what you bought and how much you paid for the items. Your caseworker will ask to see records showing how you spent the money.

When the value of your assets gets close to \$2,000, you should reapply for SoonerCare by calling or going into your local DHS county office.

Can I create a trust and put money into the trust?

There are certain types of trusts that can be created if you are married or disabled. A trust is a legal entity with one or more trustees and a beneficiary (somebody who legally receives money or property from the trust). For further information, you should seek the advice of a lawyer familiar with trusts and the SoonerCare program.

Can I give money or property away to become eligible for SoonerCare?

With certain exceptions, you will be charged a penalty if you give away resources to qualify for SoonerCare and the resources are not returned to you. The penalty will disqualify you from SoonerCare for nursing care and some other services for a period of time for which you would otherwise have qualified. The length of time you are disqualified depends on the value of what you have given away.

To whom can I give away resources without a penalty?

You can give your resources to your spouse not to exceed the maximum resource standard; to your child under age 21; to your adult child who has been found to be blind or disabled by the Social Security Administration; or to a trust benefitting anyone who has been found to be blind or disabled by the Social Security Administration.

You can give your home to your son or daughter, aged 21 or older, who lives with and cares for you for two or more years before you enter a nursing home. You can also give your home to your brother or sister who lives in the home and has a financial interest in your home.

If I am not eligible for SoonerCare, how is the amount I pay the nursing home determined?

If you do not qualify for SoonerCare, the amount you pay for nursing home care is decided by the contract between you (or someone who is legally in charge of your money) and the nursing home.

OTHER LONG-TERM CARE PROGRAMS

What other long-term care services are available?

State Plan Personal Care provides services such as housekeeping and making meals for qualified individuals. For information on this program, contact your local DHS county office or call 1-800-435-4711.

Adult Day Services provides support, respite and education for families and other caregivers by placing members in a safe environment during the day. Contact (405) 521-2281 for information.

Respite provides a temporary break for caregivers from caregiving duties. You may be eligible for this program if you are:

- 1) A grandparent age 55 or older raising a grandchild or other child as a parent; or,
- 2) A primary caregiver who is caring for someone age 60 or older who needs assistance with at least two activities of daily living (ADL) or who is limited by and suffers from Alzheimer's disease or dementia

For more information, call the Senior Info-Line at 1-800-211-2116.

HELPFUL RESOURCES

If you have questions about SoonerCare and long-term care, you can contact the following resources:

SoonerCare Helpline

1-800-987-7767

Oklahoma Department of Human Services

(405) 521-2779 or 1-877-751-2972

www.okdhs.org

Oklahoma Health Care Authority (Medicaid agency)

(405) 522-7300

www.okhca.org

DHS ADvantage Administration

1-800-435-4711

www.okdhs.org/programsandservices/aging/adw/

Oklahoma State Department of Health / Long Term Care Services

(405) 271-6868

DHS Aging Services

(405) 521-2281

www.okdhs.org/programsandservices/aging/

State Long-Term Care Ombudsman

(405) 521-6734

www.okdhs.org/programandservices/aging/ltc/

Area Agency on Aging

Contact your local AAA or the Senior Info-Line at 1-800-211-2116

www.okdhs.org/programsandservices/aging/aaa/

Long-Term Care Information

www.longtermcare.gov

Legal Aid Services of Oklahoma Inc.

1-888-534-5243

www.legalaidok.org

Senior Law Resource Center

(405) 528-0858

www.senior-law.org



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