

Applying for Home and Community Based Services (HCBS) Waiver Programs From a Hospital



A Guide for Victims of Crime and Their Advocates

Severely injured victims of crimes who want and need continuous care **at home** after discharge from a hospital or a short-term skilled nursing facility may be eligible for a health insurance program called Medicaid Waiver (Waiver). The Waiver program allows people who are low-income and clinically eligible to receive medical and non-medical services and supports in their homes and communities (e.g., personal assistance services, home health aides, chore and homemaking services, respite care, home modifications, physical therapy, wheel chair, etc.). The amount of this care will, of course, depend on the individual's needs and situation.

Applications for Medicaid Waiver can be filed *while in the hospital*. The Pennsylvania Independent Enrollment Broker (PA-IEB), known as Maximus, accepts and processes the Waiver applications. An in-person meeting is required to assess and determine if applicants have functional limitations or a chronic illness that requires services and supports in their home. Maximus can and does meet with the Waiver applicants **in hospitals, nursing homes, rehabilitation facilities**. Victims do not have to be discharged before applying nor do they need to know their discharge date in advance of applying.

It can take up to ninety (90) days to complete the Waiver enrollment process. Unfortunately, there is no process to expedite the application. Due to the length of time it takes to complete the waiver process, **applicants should contact Maximus as soon as applicants believe they need waiver services**.

For that reason, it is not reasonable to expect that the waiver services will be in place at the time the applicants are discharged to their homes.

The first step in the application process is to call the PA-IEB, Maximus, at **1-877-550-4227** and follow the steps in the guidelines linked [here](#). Victims found ineligible for the Medicaid Waiver can be referred to PHLP for advice. Additional resources on Medicaid Waiver eligibility can be found on PHLP's website at PHLP.org.

Victim advocates who believe an application for Medicaid Waiver should be expedited may email **PAIEBSupport@maximus.com** and make that request and explain the extraordinary circumstances. Any decision to expedite the application is discretionary. We strongly

encourage victim advocates to contact PHLP's VOCA Program Manager as well at aramachandran@phlp.org.

PHLP encourages applicants for Medicaid Waiver to call our Helpline at **(800) 274-3258** if they encounter difficulties, especially if Maximus refuses to visit applicants at hospitals, or other facilities or if the Medicaid Waiver is denied.



Pennsylvania Health Law Project
Helpline: 1-800-274-3258
www.phlp.org

This publication is intended to provide general legal information, not legal advice. Each person's situation is different. If you have questions about how the law applies to your particular situation, please call the Helpline at 1-800-274-3258.