



LEAD CENTER

Complying with HCBS Final Rule “Control of Personal Resources”: Strategies and Tools

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TODAY'S SPEAKERS

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The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD) is a collaborative of disability, workforce and economic empowerment organizations led by **National Disability Institute** with funding from the **U.S. Department of Labor's Office of Disability Employment Policy**, Grant No. #OD-23863-12-75-4-11.

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LEAD CENTER MISSION

- ▶ To advance sustainable individual and systems level change that results in improved, competitive integrated employment and economic self-sufficiency outcomes for individuals across the spectrum of disability.

www.leadcenter.org



OBJECTIVES

Participants will learn about:

- ▶ The CMS HCBS Final Rule as related to “control of personal resources”;
- ▶ The role of Service Providers, parents, supports, and self-advocates;
- ▶ How to identify just in time moments to teach an individual about their money; and
- ▶ Opportunities to improve collaboration with non-disability partners and integrate financial capability strategies into a range of HCBS services.



HCBS Final Rule:

QUICK REFRESHER OF THE INTENT & KEY HIGHLIGHTS RELEVANT TO TODAY'S FOCUS ON EMPLOYMENT



INTENT OF THE FINAL RULE

- ▶ To ensure that individuals receiving long-term care services and supports through home and community based service (HCBS) programs under the 1915(c), 1915(i) and 1915(k) Medicaid authorities have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate
- ▶ To enhance the quality of HCBS and provide protections to participants



HOME AND COMMUNITY-BASED SETTING REQUIREMENTS

- ▶ The home and community-based setting requirements establish an outcome oriented definition that focuses on the nature and quality of individuals' experiences
- ▶ The requirements maximize opportunities for individuals to have access to the benefits of community living and the opportunity to receive services in the most integrated setting



HOME AND COMMUNITY-BASED SETTING REQUIREMENTS

The Home and Community-Based setting:

- ▶ Is integrated in and supports access to the greater community
- ▶ **Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources**
- ▶ Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid home and community-based services



HOME AND COMMUNITY-BASED SETTING REQUIREMENTS

- ▶ Person-centered service plans document the options based on the individual's needs, preferences; and for residential settings, the individual's resources
- ▶ **Optimizes individual initiative, autonomy, and independence in making life choices**
- ▶ Facilitates individual choice regarding services and supports, and who provides them



CMS PROVIDED EXPLORATORY QUESTIONS TO ASSIST STATES IN ASSESSMENT OF NON-RESIDENTIAL HOME AND COMMUNITY-BASED SERVICE (HCBS) SETTINGS

- ▶ In settings where money management is part of the service, does the setting facilitate the opportunity for individuals to have a checking or savings account or other means to have access to and control his/her funds. For example, is it clear that the individual is not required to sign over his/her paychecks to the provider?

WHY IS FINANCIAL EDUCATION NEEDED?



FINANCIAL CAPABILITY OF AMERICANS – REGARDLESS OF DISABILITY

- ▶ 42% of Americans report having more debt than they would like;
- ▶ 60% do not have a rainy day fund
- ▶ 78% of low income workers report having an average of 7.5 credit cards and 22%, 15-22 credit cards.
- ▶ 50% credit scores below 600



ADDITIONAL CHALLENGES FACED BY PERSONS WITH DISABILITIES

- ▶ People with disabilities live in poverty at a rate twice that of their non-disabled peers. (29.2% compared to 13.6%)
- ▶ Three in five (58%) people with disabilities said they are either struggling to get by and going further into debt each month or living paycheck-to-paycheck versus only 34% of people without disabilities.
- ▶ Many people with disabilities have never managed a budget, opened a savings or checking account, applied for an assistive technology loan or understood how to build assets.



THE ROLE OF SERVICE PROVIDERS, PARENTS, SUPPORTS, AND SELF- ADVOCATES



BELIEF IS CRITICAL

- ▶ It is essential that you believe that every individual has the potential to be a financially stable adult.
- ▶ Few people become part of the financial mainstream without someone believing they can do it.
- ▶ You might be the first person in a long time that believes this individual can be in control of their personal finances/resources.
- ▶ Your encouragement is very powerful and creates a relationship that allows for tough conversations.



START THE CONVERSATION

- ▶ Start the conversation. Don't assume that another touch point is discussing financial literacy, budgeting or thinking about a financial future with the individual.
- ▶ Fear is a bad decision maker. It is important to encourage individuals to get the right information about their benefits before making limiting decisions.
- ▶ Don't let your own insecurity about your finances deter you from making connections for those you serve.



HELP INDIVIDUALS THINK BEYOND EMPLOYMENT

- ▶ Employment is often THE GOAL discussed with individuals with disabilities.
- ▶ Employment is a great goal. But it's not the *ONLY* goal.



SUPPORT INDIVIDUALS TO IDENTIFY AND ATTAIN THEIR “AMERICAN DREAM”

- ▶ Utilize individuals’ dream/goals as a key motivator to long-term employment and financial success.
- ▶ Have individuals determine what is needed to achieve their dream.
- ▶ Identify what prevents the individual from achieving their dream and what they need to overcome these barriers.
- ▶ Set action steps they will take, over what time period, and who will help.
- ▶ Have individuals determine how they will remain motivated to complete their plan.



MAKE CONNECTIONS FOR INDIVIDUALS ON PUBLIC BENEFITS

- ▶ Individuals with disabilities who receive HCBS services and/or Social Security benefits may have income and asset limits they must abide by.
- ▶ Support the individual and their family in understanding the rules and making an informed choice about working and earning and saving money.



BENEFITS PLANNING

- ▶ Work Incentive Planning Assistance (WIPA) for individuals receiving Social Security Disability benefits is an SSA-funded initiative to assist individuals on SSDI/SSI make an informed decision about working.
- ▶ Community Work Incentive Coordinators (CWICs) are trained experts who will help the individual understand their federal and state benefits and how to use work incentives that may be available.
- ▶ To locate the WIPA project or PABSS project nearest you, please visit:
<http://choosework.net/resource/jsp/searchByState.jsp>



PROTECTED SAVINGS OPPORTUNITIES

- ▶ Several protected savings opportunities are available for individuals with disabilities on public benefits who make the choice to work but face barriers to saving.
 - ▶ ABLE Accounts
 - ▶ Special Needs Trusts
 - ▶ Pooled Trusts
 - ▶ Family Self-Sufficiency programs
 - ▶ Individual Development Accounts



JUST IN TIME MOMENTS



TAKE ADVANTAGE OF “JUST IN TIME” MOMENTS

- ▶ The best time to reach an individual and teach them about their money is at a point in time when it's needed... such as during a job search or the provision of another human service.



INTAKE

Intake forms could include one or more of the following questions to identify the need for financial stability supports and services:

- ▶ What are your total monthly expenses?
- ▶ Do you want information or support to better understand and/or manage your money?
- ▶ Do you have a bank account?
 - ▶ If unbanked – for how long?
- ▶ Do you know your credit score?
- ▶ Do you have credit issues you'd like to fix?
- ▶ How much do you owe?
- ▶ Do you want information or support to manage your debt?
- ▶ What are your financial goals?



EMPLOYMENT PLANNING

- ▶ Discuss Budgets/Money when making employment plans.
 - ▶ What type of wage is needed to cover monthly expenses and to meet their dream goal?
 - ▶ Is it reasonable the person can earn that wage?
 - ▶ If no, what are the strategies? Augment with public benefits? Decrease expenses? Create a plan.
 - ▶ What type of wage would cover monthly expenses and have money left over to meet financial goals (save, pay down debt, go out to dinner, etc.)?
 - ▶ What will the first paycheck pay for?



JOB OFFER - EMPLOYER BENEFITS

- ▶ **Health Insurance.** What is the coverage and at what cost?
- ▶ **Paid Time Off.** How much time is provided (vacation/sick/holiday)?
- ▶ **Pension plan.** How much does the company contribute?
- ▶ **Life insurance.** Does the employees contribution come directly out of their paycheck?
- ▶ **Direct deposit.** Are paychecks direct deposit?
- ▶ **Pay yourself first.** Is there a provision for direct deposit into savings?
- ▶ **Disability coverage.** Does the company offer short-term and long-term disability coverage?
- ▶ **Education benefits.** Are there educational and training benefits?
- ▶ **Other.** What other fringe benefits are offered?



PAYDAY

- ▶ Bank Accounts
- ▶ Direct Deposit
- ▶ Payroll card accounts
- ▶ Reporting work to SSA
 - ▶ Work Incentives
- ▶ Payroll Taxes



TAX TIME

- ▶ Importance of Filing
- ▶ Affordable Filing Options
 - ▶ VITA - <https://www.irs.gov/Individuals/Free-Tax-Return-Preparation-for-You-by-Volunteers>
 - ▶ My Free Taxes - www.myfreetaxes.com
- ▶ Deciding what to do with a tax return



ANYTIME THE INDIVIDUAL IS SETTING GOALS

- ▶ What does financial security look like for the individual?
- ▶ What does financial independence look like?
- ▶ When does the person engage in risky and/or impulsive financial behavior?
- ▶ What does status mean and how does it play out in financial behavior?
- ▶ What financial goals does the person have?
- ▶ How can the individual's financial goals be addressed in their service plan?



INTEGRATED SERVICE DELIVERY



A NEW APPROACH - INTEGRATED SERVICE DELIVERY

- ▶ Integrated service delivery is the bundling of services to include two or more core areas to help an individual improve their financial health.



FIVE CORE AREAS



WHY IS INTEGRATION IMPORTANT?

For Customers:

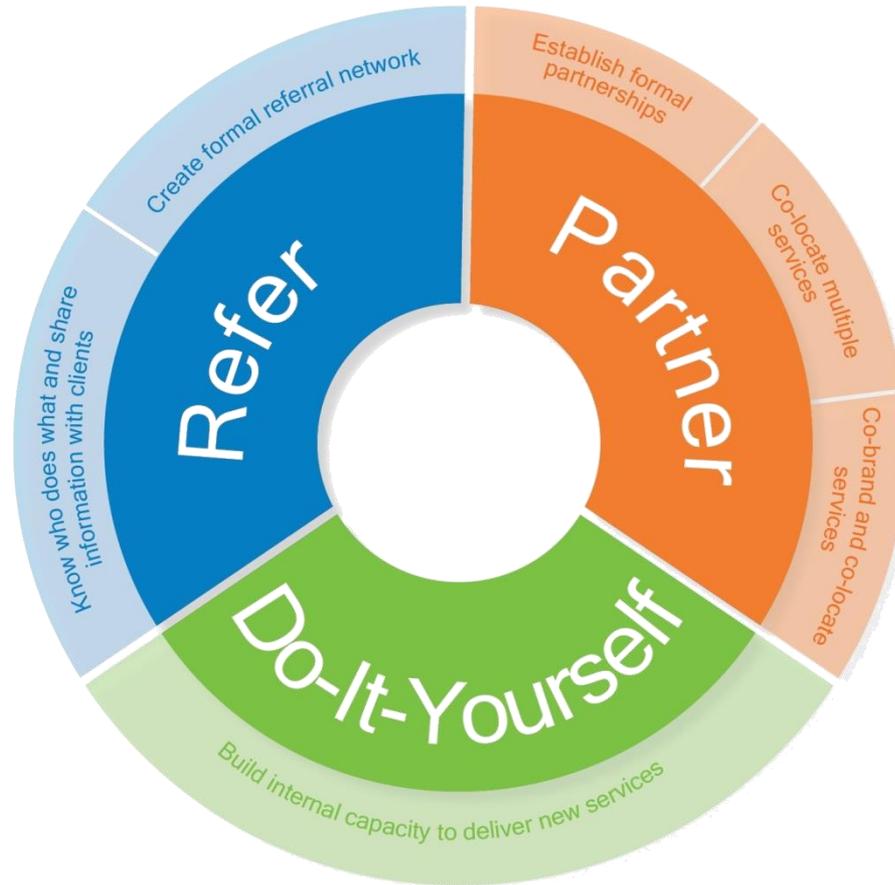
- ▶ Increases likelihood of success because a job is not the only goal
- ▶ Increases long-term planning
- ▶ Improves economic stability

For Staff:

- ▶ Improves employment outcomes
- ▶ Reduces turnover costs
- ▶ Supports staff in program outcomes



IMPLEMENTATION MODEL



*This image was provided by CFED.



DO IT YOURSELF TOOLS

- ▶ FDIC Money Smart Train the Trainer – free training to equip you with everything you need to teach financial education classes -
<https://www.fdic.gov/consumers/consumer/moneysmart/rainthetrainer.html>
- ▶ FDIC Money Smart - free curriculum that is not copyrighted and can be modified to meet the needs of individuals at multiple levels -
<https://www.fdic.gov/consumers/consumer/moneysmart/mscbi/mscbi.html>
 - ▶ Available in multiple formats and in nine languages and Braille.



DO IT YOURSELF TOOLS

- ▶ National Disability Institute – FREE e-learning courses
 - ▶ My American Dream - <http://ndi.elogiclearning.com/>
 - ▶ Zero-Balance Budget - <http://ndi.elogiclearning.com/>
- ▶ Hands On Banking - www.handsonbanking.com
- ▶ Your Money Your Goals (CFPB) - <http://www.consumerfinance.gov/your-money-your-goals/>
- ▶ National Disability Institute – Train the trainer
 - ▶ 2-day intensive training - <http://ndi-inc.org/asset-development/train-the-trainer>



PARTNER

- ▶ Bank On Programs - are dedicated to getting people banked and can be a great partner to support individuals in making good decisions about how they will receive their first paycheck and how they will manage their new money.
- ▶ Financial educators – many groups (banks, credit unions, Cooperative Extensions programs, and others) offer financial education. Partnering to provide this service may address capacity issues or other barriers to doing it yourself.



REFER

- ▶ Individuals may have more financial service needs than you would expect:
 - ▶ Credit issues due to family members who have used their name/SSN
 - ▶ Debt to friends, family, pawn shops, payday lenders, etc.
 - ▶ School loans
- ▶ Identify trusted partners to refer individuals to get support with more challenging issues.
 - ▶ The National Foundation for Credit Counseling is a non-profit provider of credit and debt services, <https://www.nfcc.org/>



PREPARING TO INTEGRATE

- ▶ **Resource Mapping:** Identify all resources in your community that provide programs/services in building financial capability.
- ▶ **Consult with Leadership:** They likely have partners in the community already and will want to be a part of approaching new partners in this arena.
- ▶ **Develop Plan of Approach:** Decide with leadership which partners to approach, the level of partnership sought, potential resource exchange and anticipated outcomes.
- ▶ **Formalize Partnerships:** Collaborate and coordinate with new partners to integrate financial education and asset-building strategies that benefit both partners.



FINAL THOUGHTS

- ▶ Start with goal setting - individuals may not understand the financial system but they do understand what they want.
- ▶ Structure conversations around what the person wants in the future.
- ▶ Partner, partner, partner.
- ▶ Don't underestimate your power to create change through encouragement.
- ▶ Reach out to us at the LEAD Center for support.



QUESTIONS



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 - ▶ YouTube: <https://www.youtube.com/user/LEADCtr>

- ▶ Join NDI's REI Network...
 - ▶ Free webinars and tools: <http://bit.ly/REI-Network>

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RESOURCES TO BETTER UNDERSTAND THE HCBS FINAL RULE

- ▶ CMS Tools and guidance on the Final Rule - <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>
- ▶ LEAD Center webinar archive - *Redefining Home & Community Based Services: CMS Guidance on Non-Residential Services and its Implications for Employment* - <http://www.leadcenter.org/webinars/redefining-home-community-based-services-cms-guidance-non-residential-services-and-its-implications-employment>



THANK YOU

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