

**Georgia Department of Human Resources Division of Aging Services
Requirements for Non-Medicaid Home and Community Based Services**

Section 100 Administrative Guidelines and Requirements

§116 Division of Aging Services Fee-for-Service System

June 2004

§116.1 Background

DAS Procedural Issuance 103, transmitted November 22, 1994, established the fee-for-service system to be used specifically to leverage state Community Based Services (CBS) funding to generate additional resources through client fees. The system originally used a fee scale with a baseline of 125 percent of the Federal Poverty Guidelines. Due to changes in Federal Reporting Requirements in subsequent years, and the desire to simplify information gathering at all levels of the network, the Division has revised the fee scale, setting the baseline at 100 percent of the poverty line. This chapter supercedes in full and incorporates in part Procedural Issuance 103 and provides amendments to the original system.

§116.2 Legislative Intent

The Georgia General Assembly appropriates state funds to the Department/ Division to be used to support or expand core supportive home and community based services. The services include, but are not limited to: Congregate Meals, Home Delivered Meals, Homemaker/Chore services, Personal Care services, Homemaker services, Respite Care and Adult Day services, and Transportation services.

§116.3 Match Requirements

No local matching funds are required for the state CBS appropriation. The Federal Older Americans Act, which now allows for cost sharing for certain services, requires a 10% local match for Title III funds.

§116.4 Use of Funds ¹

Funds generated through the fee-for-service system when implemented for the state appropriation may be used to:

- (a) serve eligible persons currently on waiting lists;
- (b) expand current service availability to unserved or underserved areas;
- (c) reduce unmet need by increasing units of service provided to underserved areas;
- (d) initiate services for which there is a demonstrated and documented need, but for which resources have been unavailable.

¹ For the OAA cost share option, all cost share payments collected are to be used to expand the service for which those payments were given.

§116.5 Allowable Expenditures

Area Agencies and provider organizations may use CBS funds in accordance with federal cost principles, referencing Office of Management and Budget Circular A-87, "Cost Principles for State and Local Governments." A reasonable portion of the funds may be used for area agency administrative expenses.

§116.6 Eligibility

revised 6/2004

Eligible households² will consist of one or more related or unrelated adults, at least one of whom is 60 years old or older and who is/are in need of the supportive service. Minor children also may reside in an eligible household.

§116.7 Verification of Household Income

revised
6/2004

The income of all adult members of a household is considered in determining the amount of the fee to be assessed. The Division's policy is that only the applicant's *statement or declaration* of income, or that of his/her authorized representative, is requested and documented in the individual client record. Staff may request additional information/documentation, as indicated on a case by case basis, to make a more accurate determination of cost share level, except that no additional verification of income may be requested of a person who will cost share for an Older Americans Act service. Agencies will use the DAS Income Worksheet as an interview guide and to document all sources of income received on a regular basis to be considered in assessing the amount of fees to be assessed. Since intake and screening and other staff may also be involved in assisting applicants/recipients in applying for other publicly funded services which do require documentation of income, such as the Low-Income Heating and Energy Assistance Program (LIHEAP), Appendix 116- provides generally accepted sources of income documentation.

§116.8 Sources of Income

Regularly available resources used in determining income are:

- (a) Monthly gross income -- the amount of income received by a person from employment or self-employment, before any deductions, from sources identified by the U.S. Bureau of the Census in its computations of income. The U.S.B.S. limits this category to *money income*.
- (b) Military Allotment -- the portion of a service person's gross monthly income which is allotted to a parent/caregiver and child(ren) living in the same household.

² A household, according to the United States Bureau of the Census, consists of all the persons who occupy a housing unit.

- (c) Income from Farm Self-Employment – gross receipts less operating expenses from a person operating a farm, as an owner, renter, or sharecropper. *Gross income* means the value of all products sold; government loans/subsidies; money received from rental of farm equipment to others; incidental income from the sale of wood, sand, gravel, turpentine, and similar materials. Operating expenses means the cost of feed, fertilizer, and seed and other farming supplies; cash wages paid to employees; depreciation charges; cash rents; interest on farm taxes (but not on state/federal income taxes) and similar costs. The value of fuel, food, or other farm products used for family living is not part of net income.
- (d) Social Security Benefits—the amount of Social Security pensions and survivors' benefits, and permanent disability insurance payments prior to any deductions for medical insurance, and railroad retirement insurance checks from the U.S. Government.
- (e) Supplemental Security Income Benefits – the amount of Supplemental Security Income (SSI) direct money payment to an individual.
- (f) Dividends, Interest (on savings or bonds), Income from Estates or Trusts, Net Rental Income or Royalties - include dividends from stockholding, mutual funds; interest of savings or bonds; regular, periodic receipts from estates or trust funds; net income from rental of a house or other real property to others; receipts from boarders or lodgers.
- (g) Public Assistance Payments - include Temporary Assistance to Needy Families (TANF, formerly AFDC), SSI, and local general assistance payments.
- (h) Pensions and Annuities -- include pensions or retirements benefits paid by a former employer to a retired person or his/her survivors, either directly or through an insurance company, and regular periodic receipts from annuities or insurance policies.
- (i) Unemployment Compensation -- compensation received from government unemployment insurance agencies or private companies during periods of unemployment; any strike benefits received from union funds.

- (j) Workers' Compensation – compensation received periodically from private or public insurance companies for work related injuries. The cost of this insurance must have been paid by the employer and not the recipient of the benefits.
- (k) Alimony -- money paid by a spouse pending or subsequent to a legal separation or divorce.
- (l) Child Support -- maintenance allowances (money payments) paid by an absent parent. (This does not include the value of in-kind support.)
- (m) Veterans' Pension -- money paid periodically by the Veterans' Administration to disabled members of the armed forces or to veterans for education and training; "refunds" paid to former service personnel as insurance premiums.
- (n) Other – any other regular source of income, including financial support paid to a person directly by a family member or from any other source.

§116.9 Exclusions from Household Income

The following types of income, assets and resources are excluded from total gross household income:

- Money received from the sale of property, such as stocks, bonds, a house or car, unless the person's business and source of regular income is the sale of such property. (Proceeds of such sales would be considered income from self-employment.
- Withdrawal of bank deposits
- Money borrowed from others, for which payment is expected
- Tax refunds
- Gifts of cash or the value of gifts of goods or services
- Lump sum inheritances or insurance payments
- Capital gains
- The value of Food Stamp benefits
- The value of USDA donated commodities
- The value of supplemental food assistance for children, or school lunch programs

- Any payment received for residential location or property acquisition by a government
- Proceeds from loans/grants obtained under conditions which prevent their use for current living costs
- Any grant or loan to any undergraduate student for educational purposes, including Basic Education Opportunity Grants, National Student Defense Loans, etc.
- The value of home produce used for household consumption
- Child Foster Care or nursing home vendor payments to a provider made on behalf of a child or adult
- Earnings from the Older Americans Act Title V Senior Community Services Employment Program
- The value of Federal Low Income Energy Assistance Program benefits

§116.10 Adjustments to Gross Income

**revised
6/2004**

Using the DAS Income Worksheet,³ staff responsible for calculating the amount of any fee to be assessed also shall deduct from the total gross household income the following expenses when such expenses are identified by the household:

- (a) Out-of-pocket medical or health-related expenses of the eligible adult(s), including co-payments, deductible amounts for medical care and durable medical equipment and/or
- (b) Out-of-pocket medication for medications for the eligible adult(s), both prescribed and over-the-counter drugs, if the over-the-counter medications are recommended by a medical practitioner as a part of a treatment or maintenance regimen. Staff shall exercise judgment in determining which non-prescribed medication expenses are appropriate to exclude.
- (c) Out-of-pocket expenses paid for the cost share requirement of the Community Care Services Program.

³ See Appendix 116-A for the revised Income Worksheet Form.

§116.11 Internal Controls

Area agencies/providers shall assure that adequate policies and procedures are implemented to protect both direct services staff and clients in the handling of cash and checks used to make payments for services.

**§116.12 Termination of Services
for Non-Payment of
Assessed Fees**

- (a) Area agencies/providers shall assure that adequate policies and procedures are implemented to address termination of services for non-payment of assessed fees. Intake and screening procedures should address provision to service applicants of adequate information regarding the potential for cost share.
- (b) Staff shall document that applicants are informed of the potential for fees to be assessed and the policies for handling default on payments.
- (c) Staff shall document in the client record attempts to resolve the non-payment issue, and/or to locate other service resources, prior to termination.

revised 6/2004

- (d) Upon consultation with the Area Agency, a provider may reduce or waive a cost share, when, in staff's judgment, the person's inability to pay the agreed amount is as a result of financial exploitation or lack of access to or insufficiency of resources for other legitimate reasons. AAAs/providers shall assure that all suspected situations of financial exploitation are reported to DHR Adult Protective Services for investigation.
- (e) The Area Agency will establish a protocol for reviewing with providers/case managers each circumstance of non-payment and potential termination to determine whether termination will place the consumer at substantial risk of harm to health and well-being and whether the consumer understands the consequences of his/her actions. The AAA will assure appropriate referral to APS when the capacity for decision-making of a consumer is in question.
- (f) Exception. If an Area Agency elects to implement a cost share for an eligible OAA-funded service, persons requesting/receiving those services may not be denied services based on their income nor terminated from those services due to a failure to make a cost share payment. Also see §116.13.

**§116.13 Cost Share Options
for Older Americans Act
Services**

amended
6/2004

- (a) Authority. The Older Americans Act, as amended in 2000 allows states the option to implement cost sharing for services provided under the Act. (Title III, §315, "Consumer Contributions.")
- (b) State Unit Policy. Using the precedent set by the implementation of the fee-for-service system and the Federal statute, the Division of Aging Services will allow Area Agencies to determine whether they will implement cost sharing for Older Americans Act services, within the limitations prescribed by the Act, as follows:
 - (1) Prior to making a decision to implement a cost share for OAA services, Area Agencies must solicit the views of older individuals, providers and other stakeholders in the planning and service area, through the area plan public hearing process, or through other means of obtaining public input.
 - (2) Area agencies shall develop implementation plans for cost share which ensure that low income older persons will not be adversely affected, with particular attention to low income minority individuals. The AAAs will describe their implementation approach in updates to approved area plans.
- (c) Limitations on cost sharing. Area Agencies may not impose a cost share for the following OAA services or persons:
 - (1) Information and assistance, outreach, benefits counseling, or case management services;
 - (2) Ombudsman, elder abuse prevention, legal assistance, or other consumer protection services;
 - (3) Congregate and home delivered meals; and/or
 - (4) Any service provided to low income older persons whose income is at or below the Federal poverty line.
- (d) Fee Scale. Agencies will use the same fee scale provided by the Division for CBS services for OAA cost shared services.

Effective Date:	<u>Upon Issuance.</u> The revised Fee Scale and amended policies are available for use upon receipt of this transmittal. AAAs shall assure that providers subject to the requirements receive copies of this chapter in a timely manner and shall allow providers a reasonable period of time to make adjustments to comply.
Policy Review:	Annually, at the time of issuance of Federal Poverty Guidelines, or at any time at which a change in law or regulation requires revisions.

Appendix 112-A
Income Worksheet

Division of Aging Services HCBS Income Worksheet

Completed for _____

Part A: Household Information

Number in Household _____

List the name of each household member:

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Part B: Income Information

Sources of Total Monthly Income

Applicant/Recipient's Statement of Amount

- | | |
|---|----------|
| 1. Wages or salary (earned income) | \$ _____ |
| 2. Net wages from self-employment (farm/non-farm) | _____ |
| 3. Social Security pensions, survivor benefits, disability payments | _____ |
| 4. Public Assistance (TANF, SSI, General Assistance) | _____ |
| 5. Dividends, interest, royalties | _____ |
| 6. Private pensions, annuities, other retirement benefits | _____ |
| 7. Unemployment compensation | _____ |
| 8. Workers compensation | _____ |
| 9. Alimony | _____ |
| 10. Child support | _____ |
| 11. Veteran's pension | _____ |
| 12. Military allotment | _____ |

Total Monthly Household Income \$ _____

(Minus) Cost of Out-of-Pocket Health care, Rx, OTC meds, CCSP cost share - _____

(Equals) Adjusted Monthly Household Income = \$ _____

Part C Calculations

1. Adjusted monthly household income \$ _____

multiplied x 12 =

Total Annual household income \$ _____

2. Determining the Fee

Unit Cost for _____ = \$ _____ per _____
(enter name of service #1)

Unit Cost for _____ = \$ _____ per _____
(enter name of service #2)

Unit Cost for _____ = \$ _____ per _____
(enter name of service #3)

3. Per cent of cost share : _____ % from fee scale

4. Amount of cost share : Service 1 \$ _____ Service 2 \$ _____ Service 3 \$ _____

Completed by _____

Date _____

Appendix 116-B
Sources of Income Documentation

Table 116-B- 1

From time to time, staff may assist applicants/consumers with applying for other programs for which documentation of income is required. Following are commonly accepted sources of documentation.

Income Source	Documentation Source
Earned Income	<ul style="list-style-type: none">- Pay stubs or receipts- Income tax returns, or quarterly return for self – employment- Wage tax receipts- Employer’s wage records or statements- Personal income ledger or tablet
Income from Benefits, Pensions or Support Payments	<ul style="list-style-type: none">- Check stubs- Award letters (current benefit year)- Social Security records- Workers’ Compensation records- Union Records- Unemployment Insurance claims records- Veterans Administration records- Income tax records- Contributor’s cancelled check- Child Support Recovery records
Interest from Dividends, Interests, Royalties, Estates or Trusts	<ul style="list-style-type: none">- Bank books- Stock and bond certificates- Property records- Bank or Savings and Loan statements- Credit union records
Income from Roomers, Lodgers or Rental Property	<ul style="list-style-type: none">- Lease Agreements- Signed statements from tenants.

Appendix 116-C
Interview Guide

Interview Guide for Obtaining Initial Financial Information

We need information on applicants' income and household size--

- to comply with NAPIS Reporting Requirements , and when appropriate,
- to determine the amount of cost share for services provided through state CBS funds or other state funds, such as Alzheimer's funding or Social Services Block Grant funding; or an OAA service which the AAA has elected to cost-share.

NAPIS reporting now requires that we record for the individually registered services whether an applicant/recipient has income at/below the federal poverty level. This is an indicator of appropriate targeting of services. Cost share calculations entail obtaining somewhat more detailed information on both income and household size.

Intake and Screening workers may elect to ask applicants whether their income by household size falls above or below the levels set in the poverty guidelines. If limiting the question to that estimate, the staff should inform the applicants that, depending upon the availability of services, some may be asked for more detailed income information to determine the amount of a cost share, if any would apply. The HCBS Income Worksheet and Fee Scale would then be used to capture more detailed information on income, make adjustments to income for out-of-pocket expenses, and to determine the amount of cost share based on the net income calculated.

Income ranges by household size and the revised fee scale are found in the following tables. The tables are formatted in large type for greater legibility and can be used to assist applicants in identifying an income range without divulging specific income information.

*For each additional person in a household of more than three persons, add **\$3,180** to the total annual income of the household. To determine the monthly income, divide the total annual income by 12.*

Household Size = 1		
Annual Income Range	Monthly Income Range [1]	Poverty Status
\$0 - \$9,310	\$0 - \$776	At/Below Poverty
\$9,311 - \$11,638	\$777 - \$970	Above Poverty
\$11,639 - \$13,977	\$971 - \$1,165	
\$13,978 - \$16,293	\$1,165 - \$1,358	
\$16,294- \$18,620	\$1,358 - \$1,552	
\$18,621 – \$20,948	\$1,553 - \$1,746	
\$20,949 - \$23,275	\$1,747 - \$1,940	
\$23,276 - \$27,930	\$1,941 - \$1,994	
\$27,931 - \$30,258	\$1,995 - \$2,522	
\$30,259 - \$32,585	\$2,523 - \$2,715	
\$32.586- \$34,913	\$2,715 - \$2,909	
\$34,914 - \$37,240	\$2,910 - \$3,103	
\$37,241+	\$3,104+	
[1] Rounded to the nearest dollar at ± 50¢		

Household Size = 2		
Annual Income Range	Monthly Income Range [1]	Poverty Status
\$0 - \$12,490	\$0 - \$1,041	At/Below Poverty
\$12,491 - \$15,613	\$1,042 - \$1,301	Above Poverty
\$15,614 - \$18,735	\$1,302 - \$1,561	
\$18,736 - \$21,858	\$1,562 - \$1,822	
\$21,859 - \$24,980	\$1,823 - \$2,082	
\$24,981 - \$28,103	\$2,083 - \$2,342	
\$28,104 - \$31,225	\$2,343 - \$2,602	
\$31,226 - \$37,470	\$2,603 - \$3,123	
\$37,471 - \$40,593	\$3,124 - \$3,383	
\$40,594 - \$43,715	\$3,384 - \$3,643	
\$43,716 - \$46,838	\$3,644 - \$3,903	
\$46,839 - \$49,960	\$3,904 - \$4,163	
\$49,961 +	\$4,164 +	
[1] Rounded to the nearest dollar at ± 50¢		

Household Size = 3+		
Annual Income Range	Monthly Income Range [1]	Poverty Status
\$0- \$15,670	\$0 - \$1,313	At/Below Poverty
\$15,671-\$19,588	\$1,314 - \$1,632	Above Poverty
\$19,589 - \$23,505	\$1,633 - \$1,959	
\$23,506 - \$27,423	\$1,960 - \$2,285	
\$27,424 - \$31,340	\$2,286 - \$2,612	
\$31,341 - \$35,258	\$2,612 - \$2,938	
\$35,259 - \$39,175	\$2,939 - \$3,265	
\$39,176 - \$47,010	\$3,266 - \$3,918	
\$47,011 - \$50,928	\$3,919- \$4,244	
\$50,929 - \$54,845	\$4,245 -\$4,570	
\$54,846 - \$58,763	\$4,571 - \$4,897	
\$58,764 - \$62,680	\$4,898 - \$5,223	
\$62,681+	\$5,224	
[1] Rounded to the nearest dollar at ± 50¢		

Appendix 116-D
DAS Income and Fee Scale
Revised 6/2004

DAS Sliding Scale for Cost Share – Non-Medicaid Services

Income Range (% of Poverty)	Household = 1	Household = 2	Household = 3+	Cost Share (as % of unit price)	Poverty Status
0 – 100%	\$0- 9,310	\$0 - 12,490	\$0- 15,670	0% ^a	At/Below Poverty
101 - 125%	\$9,311 -11,638	\$12,491 - 15,613	\$15,671- 19,588	2.5% ^b =.025	Above Poverty
126-150%	\$11,639- 13,977	\$15,614 - 18,735	\$19,589 - 23,505	5% =.05	
151-175%	\$13,978 - 16,293	\$18,736 - 21,858	\$23,506 - 27,423	10% =.1	
176 –200%	\$16,294 - 18,620	\$21,859 - 24,980	\$27,424 - 31,340	20% =.2	
201-225%	\$18,621 - 20,948	\$24,981 - 28,103	\$31,341 - 35,258	30% =.3	
226- 250%	\$20,949 - 23,275	\$28,104 - 31,225	\$35,259 - 39,175	40% =.4	
251 –300%	\$23,276 - 27,930	\$31,226 - 37,470	\$39,176 - 47,010	50% =.5	
301 –325%	\$27,931 - 30,258	\$37,471 - 40,593	\$47,011 - 50,928	60% =.6	
326 – 350%	\$30,259 - 32,585	\$40,594 - 43,715	\$50,929 - 54,845	70% =.7	
351 – 375%	\$32, 586 - 34,913	\$43,716 - 46,838	\$54,846 - 58,763	80% =.8	
376- 400%	\$34,914 - 37,240	\$46,839 - 49,960	\$58,764 - 62,680	90% =.9	
over 400%	\$37,241+	\$49,961 +	\$62,681+	100% =1.0	

^a Voluntary contributions may be accepted.

^b AAAs/providers will grandfather current clients at this income level who would not pay a cost share under the previous fee scale arrangement.