



# 2024 WAIVER CHANGES Why Have These Changes Been Proposed?



Updated 1/30/24

On January 17, 2024, the state of Indiana submitted new waiver amendments for the proposed Pathways for Aging, Health and Wellness (H&W), Traumatic Brain Injury (TBI), Community Integration and Habilitation (CIH), and Family Supports Waivers (FSW). One of the biggest changes proposed in the new amendments impacts Legally Responsible Individuals (LRIs) – parents of a minor child or a spouse – who are paid personal care attendants.

Why is this change being proposed?

Periodically, the state “forecasts,” or estimates, the amount of money they will spend on various state programs, including Medicaid health coverage and Home and Community Based Services, commonly called Medicaid Waivers.

The forecast issued in April 2023 included projections on several items, including the proposed Applied Behavior Analysis (ABA) rate change, proposed waiver changes, and continued payments to LRIs providing attendant care under the Aged & Disabled Waiver, soon to be the Health & Wellness Waiver (H&W).

In December 2023, the state issued a new forecast that was nearly \$1 billion off from the April 2023 forecast. An analysis found several factors led to the shortfall, including but not limited to:

- Reduced federal Medicaid funding to the state due to Indiana’s economic growth
- Pharmacy rebates
- Delays in the ABA rate reduction
- More people than expected enrolling in the A&D Waiver
- Increased use of A&D Waiver services, including attendant care

Now, to address the near billion-dollar shortfall, the state is taking several steps, including making changes to waivers. Some of the steps they are taking include:

- Starting July 1, 2024, LRIs on the Health and Wellness, (formerly A&D Waiver), TBI, and Pathways for Aging Waivers will only be paid for providing Structured Family Caregiving services, despite the fact that the state confirmed that LRIs would be able to continue to act as PCAs in May of 2023
- Maintaining, but not increasing, the number of individuals served on the A&D Waiver, soon to be the Health and Wellness Waiver
- Following current waiver regulations more strictly
- Providing waiver coverage only after an individual is approved for Medicaid

These are significant changes that will negatively impact families caring for medically fragile children with significant disabilities. The Arc of Indiana is talking with legislators to make them aware of this issue and is continuing to work with FSSA to identify areas to help bring Medicaid costs into alignment while minimizing the impact on people with disabilities and their families.

### **Public Comments**

We encourage families to submit public comments to share how the proposed changes will impact them. Public comments can be submitted through February 16, 2024.

Email: [DDRSwaivernoticecomment@fssa.IN.gov](mailto:DDRSwaivernoticecomment@fssa.IN.gov).

Mail: FSSA Division of Disabilities and Rehabilitative Services

P.O. Box 7083, Indianapolis, IN 46027

Attn: Medicaid Waiver Amendments

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