

SECTION 440: IN-HOME AIDE SERVICES: LEVEL I-HOME MANAGEMENT POLICIES

REVISED: 04/13/12

I. PHILOSOPHY

In-Home Aide Services are intended to assist consumers with attaining and maintaining self-sufficiency and improving quality of life. These services are aimed at preventing the deterioration of consumers' functional capacity, preventing abuse, neglect and/or exploitation and avoiding premature institutional care by assisting them in maintaining themselves in their own homes as long as possible. It is the intent of In-Home Aide Services to assist, but not replace, family members in carrying out their responsibilities for those individuals needing care or support.

II. LEGAL BASE

House Bill 1008, Chapter 457 of the 1989 Session Laws, mandated that the Department of Human Resources (DHR) Advisory Committee on Home and Community Care develop, to the extent possible, common service definitions, standards, eligibility criteria and reporting procedures for services targeted to older adults, that are administered by multiple divisions within the department.

III. DEFINITION

In-Home Aide Services: Level I-Home Management are those paraprofessional services that assist the consumer with essential home management tasks necessary to enable him/her to remain and function effectively, at home as long as possible.

These services are intended to provide support to consumers who require assistance with **basic home management tasks**, such as housekeeping, cooking and laundering. Consumers to be served include those who are self-directing, medically stable and have at least one instrumental activity of daily living (IADL) impairment. No personal care tasks may be performed at this level.

If the consumer receives an Aid & Attendance payment from the Veterans Administration, he/she will **not** be eligible for In-Home Aide Services: Level I- Home Management from the Division of Services for the Blind. The A&A payment should be used to meet the consumer's basic needs and if he/she needs more hours than this payment would purchase, it would be indicative of a higher level need. **DSB can only provide Level I tasks.**

Definitions of Frequently Used Terms:

The following terminology is used in the definition of the service and elsewhere in this policy.

Available person - someone who lives with or near the consumer, who has the time, is able and willing to perform the needed service(s).

Caregiver - the person who voluntarily provides the most care or assumes the most responsibility for another person.

Family - the basic family unit consisting of one or more adults and children, if any, related by blood, marriage, or adoption and residing in the same household. Common-law marriage is not legally recognized in North Carolina.

- Where related adults, other than spouses, or unrelated adults reside together, each is considered a separate family.
- Children living with non-legally responsible relatives, emancipated minors and children living under the care of unrelated persons are also considered to be one-person families.

Home Management - such tasks as basic housekeeping and meal preparation

Instrumental Activities of Daily Living (IADL) - includes meal preparation, medication intake, cleaning, money management, phone use, laundering, reading and writing.

Medically Stable - physical/mental adaptation to previously recognized health problems with effective maintenance by diet, medication and/or routine physical exercise.

Own Home - the service recipient is living in a residence he/she maintains for himself/herself or is maintained for him/her. "Own home" does not include any group care setting.

Responsible Person - someone who is dependable and capable of performing the needed service(s) for the consumer.

Appendix F contains a listing of consumer indicators, tasks and required competencies for Level I - Home Management.

IV. TARGET POPULATION

A. **Legally blind** individuals who are unable to carry out tasks essential to the instrumental activities of daily living and who have no responsible person available to perform these tasks in order for the legally blind persons to remain in his/her own home. Refer to Section 250 of this Manual for definition of legal blindness.

V. GOALS

Level I - Home Management will be offered to achieve one of the following Social Services Block Grant goals:

- A. Personal self-sufficiency, including reduction or prevention of dependency,
- B. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care or other forms of less intensive care,
- C. Preventing or remedying abuse, neglect, or exploitation of persons unable to protect their own interests, or preserving, rehabilitating, or reuniting families.

VI. CONSUMER ELIGIBILITY

Eligibility criteria are based on a combination of (a) vision status, (b) need for the service as identified under the target population for the service and (c) income. Since income is a condition of eligibility for Level I-Home Management, consumers receiving this service will have a twelve month eligibility period, thus requiring an annual review for eligibility re-determination. **However, a re-determination of eligibility must be made before the end of the twelve-month period if the Social Worker for the Blind learns of changes in the consumer's legally blind status, service need and/or income.**

A. Eligibility Based on Vision

To be eligible for Level I - Home Management on the basis of vision, an applicant must be legally blind (see definition in Section 250).

When there are uncertainties or questions regarding the consumer's vision eligibility for Level I - Home Management, the Social Worker for the Blind will send a copy of the eye report to the Chief of Independent Living Services in the State Office to the attention of the State Consulting Ophthalmologist for a decision regarding the consumer's eligibility based on vision.

B. Eligibility Based on the Need for the Service

In addition to eligibility based on legal blindness, an applicant for Level I-Home Management must be in need of the service for **all** the following reasons:

1. He/she is unable to carry out one or more tasks essential to the instrumental activities of daily living (IADL's), such as meal preparation, cleaning or laundering.
2. He/she needs help with these tasks in order to remain in his/her own home.
3. A responsible person is not available to perform these tasks.

C. Eligibility on the Basis of Income

In addition to eligibility based on legal blindness and need as outlined in VI.A. and VI.B., an applicant for Level I - Home Management must have a family income of less than 150 percent of the State's Established Income. Refer to appendix D for Established Income Levels by family size.

Family is defined as the basic unit consisting of one or more adults and minor children, if any, related by blood, marriage or adoption. Children age 18 or over who are listed on the family's income tax return must also be considered as dependents when determining family size.

Where related adults (other than spouses) or unrelated adults reside together, each is considered a separate family. The family is the legally constituted definition based on legal financial responsibility. An example of a one-person

family is the elderly consumer residing with his/her adult daughter and the daughter's family.

The Social Worker for the Blind must obtain verification of all income of each consumer applying for In-Home Level I-Home Management at the initial application and at each annual review. The SWB must specifically ask if the consumer has Social Security, SSI, VA, Retirement, rental income, interest/dividends and any other income by source. This should be listed in the income block of the DSB-7001 and then the date and method of verification for all income should be listed in the narrative. If the consumer owns rental property (land or buildings), expenses of owning the property such as property tax, insurance and reasonable upkeep if the property is a building, then after these expenses have been verified, the expenses may be deducted from the income received from the property. The net rental income is added to the gross income from other sources to determine the consumer's gross income. If the consumer's gross income exceeds the income scale in Appendix D, then he/she is not eligible for In-Home Level I. Medical expenses or other living expenses or other living expenses of the consumer cannot be deducted from the gross income before determining financial eligibility.

If the consumer has investments of any kind that produce income or dividends, this income **must** be counted when computing the gross monthly income even if the consumer does not receive a payment for this interest/dividend but allows it to be added to the principal of the investment. Verification of these earnings must be obtained and documented in the case record. The monthly earnings should be computed by dividing the amount earned by the number of months in the investment period.

1. Sources of Income to be Used for Verification of Family Monthly Gross Income for In-Home Level I.

Basic methods for verification of each type on income considered in computing family monthly gross income are outlined below.

Sources other than those specified below that supply comparable verification may also be used. **Copies of all items used to determine eligibility should be kept in the case record or when this is impossible, careful documentation of the item seen must be made in the record (check #, date, name of financial institution with statement date, etc.).**

a. **Cash Wages or Salary:** See a check, pay voucher, check stub or statement from an employer. These gross monthly earnings should then be computed by multiplying 4.3 times the weekly earnings or 2.16 times the bi-monthly earnings.

b. **Net Income from Non-farm:** Examine records of gross receipts and expenses. Rent receipts from lodgers or tenants would also be used with deductions given for the expense of having someone lodge with the consumer or having someone rent the land (such as property tax and insurance). If the

consumer filed federal income tax in the previous year, the total taxable income line on the 1040 Form could be used as the net income. Many deductions would have already been taken from this total taxable income and the interviewer **must not** deduct the items again. The total taxable income for the previous year would then be divided by twelve months to obtain the average monthly net non-farm income.

c. **Net Income from Farm:** Examine records of gross receipts and expenses. If the consumer filed federal income tax in the previous year, the total taxable income on the 1040 Form could be used as the net income. Many deductions would have already been taken from this total taxable income and the interviewer **must not** deduct the items again. The total taxable income for the previous year would then be divided by twelve months to obtain the average monthly net farm income.

d. **Social Security:** See a check, an awards letter or send an inquiry to the Social Security Administration. Use the monthly gross benefit (before Medicare deductions) as the amount of Social Security income per month.

e. **Dividends or Interest:** See statement from savings institutions, banks, brokerage firms, etc. All interest/dividend income from various sources should be added together and then divided by the number of months over which it was received (usually a one year period of time). **This income will be added to the gross family income used to determine eligibility even if the consumer has this income added to the principle or it is used to reinvest in the purchase of more stocks.**

f. **Pensions and Annuities:** See check or award letter from institution paying the benefit. This income would be added to monthly gross family income and used to determine eligibility.

g. **Unemployment Compensation:** See the check and/or inquire of the local Employment Security Commission. If benefits are paid by a private company or union, a written statement should be obtained. This income would be added to the monthly gross family income and used to determine eligibility.

h. **Worker's Compensation:** See a check or award letter from the insurance company making this payment. The cost of this insurance must have been paid by the employer and not by the recipient. This income would be added to the monthly gross family income and used to determine eligibility.

i. **Alimony:** See a copy of the court order and verify that the order is being followed by court or bank records. If payments are received by the consumer irregularly, the payments should

be averaged and this average amount would be used to determine the family monthly gross income.

j. Child Support: See a copy of a voluntary agreement or court order or, in the absence of a court order, receipts that substantiate the support payment. If the payments are received irregularly, the payments should be averaged

k. and this average amount would be used to determine the family monthly gross income.

l. **Veterans' Benefits:** See a check or award letter from the Veterans' Administration. Both the pension benefit and the Aid & Attendance benefit (if the consumer is eligible for this) are counted when computing the family monthly gross income.

Anyone receiving VA Aid & Attendance is not eligible for In-Home Level I as the purpose of Aid & Attendance is to meet the assistance needs of a veteran/survivor of a veteran to enable he/she to remain in his/her own home. If the consumer needs more hours of care than what can be purchased with the Aid & Attendance payment, then he/she would need a higher level of care than our In-Home Level I services could provide.

m. Money Received from the Sale of Property, such as Stocks, Bonds, a House or a Car, etc.: The net proceeds from the sale of any of these items would be divided by 12 months to determine the average monthly income and then added to the consumer's monthly income. However, **if** the consumer was engaged in the business of selling such property, the net proceeds would be counted as income from self-employment.

n. Lump Sum Inheritances or Insurance Payments: The total proceeds would be divided by 12 months to determine the average monthly income from the source and then added to the consumer's monthly income.

D. Eligibility Based on U.S. Citizenship, State and County Residency

The Personal Responsibility Work Opportunity Reconciliation Act of 1996 (Federal PL 104-193) states that a nonqualified alien is not eligible for Federal, State or Local Public Benefits. Thus public funds cannot be expended on someone who is not a U.S. citizen and not a resident of the state and county. **Since In-Home Level I is a service funded by federal, state and county funds, In-Home Level I cannot be provided to a person who does not meet the citizenship and residency requirements.**

1. U.S. citizenship **must** be verified if there is any reason to suspect that the applicant may not be a U.S. citizen. Presentation of an I-551 Permanent Resident Card (referred to as the "green card" even though it

is not green) or an I-94 card with a temporary I-551 stamp can be used to verify U.S. citizenship.

2. If the applicant for In-Home Level I services has met the U.S. citizenship requirement, then NC residency is defined as:

- a. a person living in NC voluntarily with the intent to make it his/her home and not for temporary purposes
- b. or a child living in NC on other than a temporary basis.

3. Once the applicant has met the above two criteria for citizenship and residency, the SWB should determine if the applicant's address is in his/her county of responsibility. If the applicant is eligible based on all other requirements, then the authorization for the service should be coded to the specific county of residence as matching funds are contributed by counties for the In-Home Level I services.