

Elder Law Guys: There's government help for those who want to age at home — if you can get it

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Long-term care changes are coming in the wake of COVID-19. As we mentioned in last month's column, one change is an anticipated trend toward staying home to receive care and avoiding long-term care facilities due to statistics indicating the vast majority (70%) of coronavirus deaths in Pennsylvania have occurred in long-term care facilities.

In all fairness, these statistics must be reviewed carefully, since some nursing homes had significant mortality rates while others had none. The public's perception of the safety of nursing homes may be skewed. Add to that the inability for family members to visit patients in their last days of isolation before death, and you have a bitter taste to wash away, regardless of the necessary public safety precautions.

There will always be a need for facility or campus living for seniors. For some, it is a retirement lifestyle choice, frequently with the promise of aging throughout a continuum of care in the same location. For others, it is a crisis response to failing health, lack of planning or inadequate finances.

Of all the levels of care, let's focus on nursing homes (skilled care) because they are the most expensive, handle the most medically fragile patients, and are significantly funded by government welfare programs like Medicaid.

Medicaid is paying for almost 65% of all nursing home patients in this country (remember, the monthly cost is almost \$11,000). Couple this expense with lax state enforcement of nursing home regulations and inadequate staffing levels, and one may now be in an unhealthy environment for care.

Strangely, there is another Medicaid-funded long term care program available and it allows participants to stay in their homes and receive care. It's called the Aging Waiver Program in Pennsylvania (formerly the PDA Waiver Program).

It's barely noticed or accessed by the public relatively speaking. Why is this? Most people prefer to stay in their homes. Why doesn't Medicaid pay for over half the nursing care provided in people's homes like it does for nursing homes? There are many reasons.

First, think of the aging waiver program as "nursing home light" in that this program is not meant to provide around-the-clock nursing care.

Those who need that type of intensive skilled care are probably going to have to use a nursing home. However, many families over the years have commented that they could help keep a family member at home by providing some support if there were just some help a few hours each day.

This scenario works well with the aging waiver program. A care plan is developed and a certain number of hours of care are provided weekly to the person at home while others chip in with care.

Why do so few people avail themselves of this option?

Here are the top three reasons:

1. People don't know about it until it's too late and a medical event has occurred that lands them in a nursing home. And once in the nursing home, it's difficult to transition back out to the community. People need to start planning earlier at the onset of medical issues to get into the program.
2. It takes months to get accepted into the program. Pennsylvania has used this type of program for decades in one form or another, yet — because there is still so much bureaucratic red tape — many people who could have otherwise gotten into the program still end up in a nursing home. By the time they can get through the system, they have deteriorated beyond the “family can help out” scenario.
3. There are plenty of inaccurate preconceived notions about accessing a Medicaid long-term care program. Rumors abound involving the idea that as soon as someone accesses the program, they have to sign over their home to the state, or that you have to spend down all of your money to qualify. While there certainly are financial considerations to the aging waiver program — similar to nursing home Medicaid benefits — there are myriad planning options and solutions if you talk with advisers who have experience in this area.

The desire is there to stay at home, but until the government takes action, nothing will change.

Maybe the extraordinary events of the past few months will finally be the catalyst we need to move forward to aging at home. If you feel that this is an issue for you and your loved ones, contact your state and federal representatives to have them help effect changes.

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