

EFFECTIVE  
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NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

480 NAC 6

TITLE 480 HOME AND COMMUNITY-BASED SERVICES

CHAPTER 6 TRAUMATIC BRIAN INJURY (TBI) WAIVER SERVICE REQUIREMENTS

001. SCOPE AND AUTHORITY. The regulations govern the services provided under Nebraska's Medicaid program as defined by Nebraska Revised Statutes (Neb. Rev. Stat.) §§ 68-901 et seq. (the Medical Assistance Act).

002. PARTICIPANT ACCESS AND REQUIREMENTS.

002.01 PARTICIPANT ELIGIBILITY. In addition to the criteria outlined in 480 Nebraska Administrative Code (NAC) 3-000, to be eligible for Traumatic Brain Injury (TBI) Waiver services, an individual must:

- (A) Be an adult, ages 18 - 64 years old, with a medically documented diagnosis of traumatic brain injury (TBI);
- (B) Have needs which require the type of care necessary to treat the conditions and criteria identified in the definition of a Specialized Assisted Living (SAL); and
- (C) Utilize available waiver capacity. If a statewide waiting list is required due to limited statewide capacity, the next available opening is assigned based upon this priority order:
  - (i) The participant has been residing in a nursing facility, hospital, or other institution for longer than 90 days;
  - (ii) The participant is in a crisis or high stress situation and is at risk for institutional placement;
  - (iii) The participant is a person who has had a substantiated report of abuse or neglect, and it is determined that the applicant can be appropriately supported with waiver services; and
  - (iv) Any other situation where the participant is eligible for waiver services.

002.02 PERSON-CENTERED PLAN (PCP). The person-centered plan (PCP) must be developed and managed in accordance with the provisions of 480 NAC 3-000 and additionally, will identify specialized assisted living (SAL) service components and select a qualified provider to meet the participant's assessed needs.

003. SPECIALIZED ASSISTED LIVING (SAL) PROVIDER REQUIREMENTS. In addition to all requirements applicable to an assisted living provider in 480 NAC Chapters 2-000, 4-000 and 5-000, each assisted living (AL) provider providing traumatic brain injury (TBI) services will be licensed as a specialized assisted living (SAL) provider per 175 NAC Chapter 4-000.

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003.01 SPECIALIZED ASSISTED LIVING (SAL) PROVIDER RATES. Specialized assisted living (SAL) providers are provided an increased rate relative to the rates outline in 480 NAC 4-000. This increased rate is based on participant condition and complexity of providing services.

004. SERVICE REQUIREMENTS. The service available to eligible persons under Nebraska's traumatic brain injury (TBI) Waiver is described in this section. The need for each Waiver service must be identified in one or more assessment areas and addressed in the participant's person-centered plan (PCP).

004.01 SPECIALIZED ASSISTED LIVING (SAL) SERVICE.

004.01(A) SERVICE DESCRIPTION. Specialized assisted living (SAL) is an array of support services for the Home and Community-Based Services (HCBS) Waiver population which includes assistance with or provision of personal care activities, activities of daily living (ADL), instrumental activities of daily living (IADL), and health maintenance activities.

004.01(B) SERVICE COMPONENTS. Specialized assisted living (SAL) providers must offer and make available each of the service components identified and outlined in 480 NAC 5-000.