



PLAN|NJ WELCOMES NEW BOARD MEMBERS

F. Gary Knapp, CFA, and Kristi Phillips joined the PLAN|NJ Board of Directors after being elected at the June 2022 board meeting. Welcome, Gary and Kristi!



Gary Knapp serves on the National Leadership Council for Lambda Legal (New York, NY) and on the Performing Arts Committee of the Morris Museum (Morristown, NJ). Before retiring from PGIM in 2018, Mr. Knapp specialized in portfolio strategies and investment risk

management for insurance companies and pension funds for 33 years. He earned a B.S. in Mathematics & Physics from Haverford College and a M.Sc. in Mathematics from Brown University. He is a past Trustee of a pension plan in the UK and holds the Chartered Financial Analyst designation in the US.

Kristi Phillips is an active community member and committed social justice advocate. She currently leads business development for Attain Partners' nonprofit and K-12 practices, where she focuses on helping organizations leverage technology for social change. Before entering the world of consulting, Kristi worked at Teach For All, where she served as Director of Global Data Management, and Education Pioneers, as the Director of Strategic Operations. Her first and most inspiring job was as a Special Education teacher and Teach For America Corps Member in Phoenix, AZ. The experience solidified her commitment and passion for ensuring that all students, regardless of ability, deserve the right to an excellent education. Kristi holds a master's degree in Education from the Harvard University Graduate School of Education and an undergraduate degree in International Relations from Boston University.



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PLAN|NJ 2nd Annual Family Night Out



PHOTO BY FRANK DIGIOVANNI

PLAN|NJ hosted the **2nd annual Family Night Out** at the Somerset Patriots ballgame on August 4. Guests from several partner organizations filled the stands until

a sudden thunderstorm ended the game after just three innings. Prior to the deluge, spirits were high as PLAN|NJ family members Joseph Kearns threw out the ceremonial first

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Supportive Services for Aging Adults: A Program Comparison for Aging Adults with Intellectual and Developmental Disabilities

by Crystal West Edwards, Esq., CELA* and Ryann M. Siclari, Esq., LLM, CELA*, Porzio, Bromberg & Newman, P.C., Copyright 2022 All Rights Reserved.

The New Jersey Division of Medical Assistance and Health Services ("Medicaid") and the New Jersey Division of Developmental Disabilities ("DDD") provide support services to individuals who are aging or disabled. Each agency provides a separate and distinct suite of services with unique eligibility criteria. This article will discuss Medicaid and DDD services available to adults with I/DD and the unique challenges faced when selecting services for aging adults with I/DD.

DDD and Medicaid Eligibility

DDD provides services to adults with Intellectual and Developmental Disabilities ("I/DD") who are 21 years of age. To qualify for DDD services, an individual must be twenty-one (21) years of age or older, have a developmental disability as defined in N.J.A.C. 10:46-1.3, be eligible for Medicaid under one of numerous paths to eligibility, and enroll in one of the two Medicaid waiver programs administered by the DDD: the Supports Program or the Community Care Program ("CCP").

The paths to Medicaid eligibility include but are not limited to Supplemental Security Income, New Jersey Care, Workability, Supports Program, CCP and Managed Long-Term Services and Supports ("MLTSS"). Each of these programs provide a baseline of services, known as a Plan A package of services. The Plan A service

package includes, among other things: preventive and emergency health care, optometrist services, optical appliances, audiology and hearing aid services, home health agency services, hospice agency services, durable medical equipment, prescription drugs, nursing facility care, dental services, medical day care and Personal Care Assistant Services including the Personal Preference Program (PPP).

Supports Program

The Supports Program provides employment support, day services and individual/family support services and is typically the first level of services offered to DDD recipients who live with family members or independently in unlicensed settings. For individuals who require a nursing facility level of care but wish to remain in a community setting, there is an additional program called Supports Program + PDN. PDN stands for private duty nursing and is available to those who require skilled nursing facility level of care. This program allows a DDD recipient to use the DDD Supports Program budget while at the same time utilize a Medicaid service otherwise available under the MLTSS Program. Since federal law prohibits enrollment in both the Supports Program and MLTSS, the Supports Program + PDN is ideal for many medically needy adults with I/DD who reside in the community.

Community Care Program

CCP provides residential placement (i.e., group home placement, supportive apartments, etc.) or in-home support services for DDD recipients who have greater support needs. For an individual to receive services under the CCP, he or she must have substantial functional limitations which require care and/or treatment in an ICF/IID or alternatively, in a community program under the DDD Community Care Program. There is a significant wait list for services under this program unless an emergency exists such that the recipient is at risk of imminent peril or homelessness.

An individual who qualifies for the CCP can choose to receive services in a residential setting or remain at home with his or her family. Depending on the individual's tier classification, 24/7 coverage may be provided in the home setting; however, this does not apply if PDN is needed. In other words, if an individual requires private duty nursing, his or her service options are limited to Supports Program + PDN or an institutional setting. The CCP does not cover private duty nursing.

MLTSS covers long term custodial care in a skilled nursing facility or a home and community-based setting such as an assisted living facility or at home. Individuals who are enrolled in MLTSS at home receive the Plan A package of benefits (i.e., the benefits available under all Medicaid programs)

and an additional package of benefits which includes home-delivered meals, medication dispensing devices, personal emergency response system, and private duty nursing, among others.

In conclusion, the Supports Program and CCP often provide more robust services in the community to younger individuals with I/DD. On the other hand, the MLTSS program often provides more robust services once an individual needs nursing facility level of care in a skilled nursing or assisted living facility. Essentially, the physical

and cognitive limitations that come with aging compound the pre-existing, lifelong need for support and often dictate when to transition to the MLTSS program.

Crystal West Edwards, Esq., CELA is a Principal with Porzio, Bromberg & Newman, P.C. in Morristown, New Jersey. She is a former member of the Board of Directors for the National Academy of Elder Law Attorneys (NAELA), a Past President of the New Jersey Chapter of NAELA, a Past President and Life Member of the*

⁶See 1115 Waiver, Special Term and Condition 32(F) at 28 and Attachment D at 137.

*Certified as an Elder Law Attorney by the ABA Accredited National Elder Law Foundation.

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pitch and Chelsea Palermo sang the National Anthem. Local officials, board members, staff, partners, and ballpark celebrities gathered on the field to recognize PLAN|NJ and its services for individuals with disabilities.

Public officials in attendance included U.S. Representative Tom Malinowski, the Honorable Dennis Sullivan, Mayor

Garden State Bar Association, and a member of the Elder and Disability Law Section of the New Jersey State Bar Association.

Ryann M. Siclari, Esq., LLM, CELA* is Counsel with Porzio, Bromberg & Newman, P.C. in Morristown, New Jersey. She is the Chair of the Elder and Disability Law Section of the New Jersey State Bar Association, a member of the National Academy of Elder Law Attorneys (NAELA) and currently serves as the Legislative Committee Co-Chair of the New Jersey Chapter of NAELA.

of Somerville; Fred Wied V, Councilman for Somerville; the Honorable Jim Van Arsdale, Mayor of Green Brook Township; and Michael Kirsh, Councilman for Bridgewater Township.

"We host this event each year to celebrate the spirit of family that permeates our organization," stated Kerry Lee, PLAN|NJ Director of Operations.

Bronze

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Complete and return the enclosed donation form with your check made payable to PLAN|NJ.

Join the global giving movement on **Giving Tuesday**, November 29, 2022, with an online donation to PLAN|NJ at <https://plannj.org/donate/>. Participate in the **PLAN|NJ 2022 Annual Appeal** by returning the appeal donation form with your check made payable to PLAN|NJ by December 31. Thank you!



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Ways to Give Before Year's End

*Certified as an Elder Law Attorney by the ABA Accredited National Elder Law Foundation.

¹See N.J.A.C. 10:46-2.1

²10:49-5.2(a)

³See 1115 Waiver, Special Term and Condition 32(D)(8) at 28.

⁴See 1115 Waiver, Special Term and Condition 38(F)(1) at 37.

⁵See NJ Division of Developmental Disabilities Supports Program Policies & Procedures Manual sec. 4.1, page 23 found at <https://www.nj.gov/humanservices/ddd/documents/supports-program-policy-manual.pdf>



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November 29, 2022,
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