



# *Along* **THE** *Way*

A Guide for Adults  
with Intellectual and  
Developmental Disabilities

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INSIDE FRONT COVER

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## Introduction

Welcome to *Along the Way*, a series of resource guides for persons with intellectual and developmental disabilities (I/DD) and those who support them. This series is based upon a goal of assisting people with I/DD in living and participating in their communities as independently as possible. This means supporting the person in:

- Living where and with whom they choose
- Working in real jobs of their choice and earning real wages
- Practicing the faith of their choice
- Being connected to an array of friends and family with whom they have deep personal and intimate relationships
- Growing and developing personally through opportunities for education and life-long learning
- Exploring areas of personal interest
- Experiencing physical and emotional well-being
- Having membership in community organizations
- Making choices, taking risks, and determining the course of their life
- Accepting the responsibilities of citizenship (such as paying taxes and voting)<sup>1</sup>

While there are many resources to assist in achieving this goal, it can be an overwhelming and difficult process to navigate the services and systems and to find needed answers. To help with the navigation, we have created a set of guides to provide information and resources for the person with I/DD, parents and family members, and others who may support the person.

Originally developed in 2018, the *Along the Way* guides were updated in 2021 to reflect information current at that time. The series contains three guides addressing the following life stages, along with a fourth publication that provides relevant resources and contact information.

- Parents of Infants, Toddlers, and Children with Disabilities
- Adolescents and Young Adults with Intellectual and Developmental Disabilities
- Adults with Intellectual and Developmental Disabilities

**Note:**

Throughout this guide, you will see the terms “developmental disabilities” (DD) and “intellectual/developmental disabilities” (I/DD). For our purposes, these terms are interchangeable.

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<sup>1</sup> Amy Hewitt (2014) Presidential Address, 2014—Embracing Complexity: Community Inclusion, Participation, and Citizenship. Intellectual and Developmental Disabilities: December 2014, Vol. 52, No. 6, pp. 475-495.

Relevant topics are discussed for each age group, along with resources and other tools that may be helpful. The purpose of this Adult guide is to provide a roadmap to the services and supports available for people with I/DD over age 21. We also address some of the issues that people with disabilities face as they age and resources to address those issues.

### **FYI: *Guide Format***

Each chapter covers a variety of topics and ends with a box titled *FYI* (ForYour Information) that lists supporting documents and websites. The Appendix includes a list of frequently used acronyms and the Index lists topics, terms, and agencies discussed in this guide. *Tips Along the Way* sections offer helpful suggestions.









Persons age 18 or older may be considered disabled if they have a medically determinable physical or mental impairment (including an emotional or learning problem) which:

- Results in the inability to do any substantial gainful activity (see below); and
- Can be expected to result in death; or
- Has lasted or can be expected to last for a continuous period of not less than 12 months.

 **Note:** In Nebraska, a person who is eligible for SSI also meets eligibility requirements for Medicaid. Medicaid doesn't automatically begin, however, as the person must apply and be approved for Medicaid (see Section 1.2).

**Substantial Gainful Activity (SGA):** An important part of determining if a person has a disability is the Social Security Administration's interpretation of substantial gainful activity. A person earning more than a certain monthly amount is considered to be engaging in substantial gainful activity. The amount considered for SGA depends on the nature of the disability. This amount is higher for persons who are blind. The amount typically changes every year. As a point of reference, the SGA amount for individuals who are blind is \$2,260 per month for 2022, while the amount for persons who are not blind is \$1,350 per month for 2022.

**Retirement/Survivorship/Disability:** To get the most out of Social Security, it's important to be aware of such things as who can get benefits on their Social Security record and how to obtain and use Social Security information in planning family financial security. Changes in status such as retirement, disability, or death of the person or, in some cases a spouse or parent, may result in a change in Social Security benefits.

 **Note:** Before a person, parent, or spouse retires or if death or disability occurs, it is vitally important to determine how this change in status will impact benefits. Every situation is different, so it is recommended that the Social Security Administration be contacted to determine the impact.

**Appeals:** It may be necessary to appeal a decision made by the Social Security Administration. This can include decisions regarding eligibility, changes to the person's benefit amount, or overpayments. Filing an appeal will result in a review of the person's case and the entire determination, even those parts that are in the person's favor. Information regarding the appeals process may be found on the Social Security Administration's website.

## **1.2 Medicaid**

Medicaid is a public health insurance program for certain people with limited income and resources, including those who are aged, blind, disabled, children, and others who meet eligibility requirements. Medicaid is a joint effort between the federal and state governments. There are varying income and resource guidelines for different Medicaid eligibility groups.

### **Age/Disability**

To be eligible for Medicaid, a person must be:

- 65 years of age or older;
- Low income adult aged 19-64;
- Under 65 years of age with a disability, or visually impaired according to Social Security guidelines;
- 18 years of age or younger; or
- Dependent child who meets the eligibility requirements of the Aid to Dependent Children Program.

### **Allowable Resources**

To be eligible for Medicaid, a person is allowed to possess the following resources:

- Home in which the person resides;
- One motor vehicle;
- Property used to operate a trade or business (for example, land, machinery and equipment); and
- Irrevocable burial trust.

### **Financial Resources**

At the time of this publication, current guidelines for Medicaid eligibility require that the amount of financial resources cannot exceed the following guidelines:

- \$4,000 for one-member family
- \$6,000 for two-member family
- \$25 for each additional family member

Children age 18 and younger and eligible pregnant women are not subject to a resource test.

### **Other Requirements**

To be eligible for Medicaid, the person must:

- Complete an application;
- Have US citizenship or qualifying alien status;




- Be a Nebraska resident;
- Have a Social Security Number;
- Provide information for any relative with responsibility;
- Have income and resources within established limits for certain eligibility categories;
- Show cooperation with child support;
- Have a qualifying living arrangement; and
- Accept assignment of third-party medical payments.

**Assistance to the Aged, Blind, or Disabled (AABD):** There are different Medicaid categories based on the person's needs. Most people with I/DD are eligible for Medicaid under AABD. Current eligibility requirements for this program are as follows:

- Age 65 or older;
- Blind or disabled, age 64 and younger, and determined disabled by the Social Security Administration or by the State Review Team;
- Receiving either Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) payments; and
- Meet income and resource limits:
  - Income limit = 100% of the federal poverty level
  - Resource limits = If SSI eligible: \$2,000 for one person. If not SSI eligible: \$4,000 for one person and \$6,000 for two people

Note that private health insurance expenses are an allowable income deduction with some restrictions.

 Application for Medicaid may be made at the nearest Department of Health and Human Services (DHHS) office or online through ACCESS Nebraska.

**Appeals:** There may be a time when it's necessary to file an appeal if the person doesn't agree with a decision made by DHHS. See Section 7.2 of this guide for information regarding appeals.

## TIPS ALONG THE WAY

### Applying for Benefits

The process of applying for benefits can be time consuming. Documents will need to be gathered and many forms must be completed. To help with the process:

- Call periodically and ask about the status of the application.
- Do not be afraid to ask questions.
- Keep records and copies of applications, as well as notes of phone conversations and meetings.
- Remember that there may be a need to appeal a decision if denied for a program.
- Be patient and persistent!

### 1.3 Benefits Planning Services

By now you can see that applying for and receiving benefits can be complicated. Fortunately, benefits services are available in Nebraska to assist in navigating the system. Under agreement with Nebraska VR (previously known as Vocational Rehabilitation or Voc Rehab), three agencies may assist in providing benefits planning services for persons who receive Social Security and other benefits and who are served by VR. (Information regarding VR and how to contact them is provided later in this guide.) People may have a choice of agencies to work with depending on where they live.

Agencies providing benefits planning services are:

- Easterseals Nebraska
- Goodwill Industries of Greater Nebraska
- Region V Services

Benefits planning services are provided by Benefits Counselors who have extensive training and can offer expert guidance based on the person's circumstances.

Benefits Planning Services may provide:

- Answers to questions about current benefits
- An outline of available work incentive options
- A projection of how levels of earnings and number of hours worked will affect benefits
- An opportunity to make an informed decision about the work incentive strategies that will work best for the person



Beginning at age 14, Work Incentives Planning and Assistance (WIPA) projects provide information and benefits counseling to help in understanding how work and earnings can affect benefits. The WIPA Project for the state of Nebraska is operated by Easterseals Nebraska. Contact the Ticket to Work Help Line to begin the intake process.

**Note:** Nebraska's Aging and Disability Resource Center (ADRC) assists people in understanding and/or applying for public benefits. See Chapter 7 for more information about the ADRC.

#### 1.4 ABLÉ Savings Plan (Enable)

In addition to understanding and applying for benefits programs, it may be helpful to know about a special financial planning program designed for persons with disabilities. In 2014, Congress passed the Achieving a Better Life Experience Act (ABLE) as a financial tool for people with disabilities. As a result of the federal law, Nebraska passed the Enable Savings Plan in 2015.

Enable allows Nebraskans with certain disabilities to create tax-advantaged ABLE savings accounts to pay for qualified disability-related expenses. Qualified disability-related expenses include basic living expenses and expenses that enhance a person's quality of life. This allows people to keep their public benefits and provides income tax and estate tax benefits. Assets up to and including \$100,000 in an Enable account are not counted for purposes of determining eligibility for Supplemental Security Income (SSI). There is no limit for Medicaid eligibility.

A person is eligible for Enable if they:

- Are blind or disabled before the age of 26 and entitled to Supplemental Security Income or Social Security Disability Insurance benefits; or
- Have a certification from a physician indicating that they have a marked or severe functional limitation that was diagnosed before the age of 26, which is expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months.

#### **FYI:** *Chapter 1. Benefits & Financial Planning*

##### **Social Security Benefits**

- 1) Best Eligibility Screening Tool  
[Welcome to SSA BEST | SSABEST \(benefits.gov\)](#)
- 2) Social Security Benefits  
[Supplemental Security Income Payments | SSA](#)
- 3) Social Security Office Locator  
[Social Security Office Locator, SSA Office Locator Social Security Office Locator, Social Security](#)



## **FYI: Chapter 1. Benefits & Financial Planning**

- 4) Supplemental Security Income  
[Supplemental Security Income \(SSI\) \(ssa.gov\)](#)
- 5) Understanding SSI Eligibility Requirements  
[Understanding SSI-SSI Eligibility\(ssa.gov\)](#)
- 6) Understanding Supplemental Security Income  
[Understanding Supplemental Security Income \(SSI\) -- Home Page \(ssa.gov\)](#)
- 7) Understanding Supplemental Security Income: Appeals Process  
[Understanding SSI - Appeals Process \(ssa.gov\)](#)

### **Medicaid**

- 1) ACCESSNebraska  
[ACCESSNebraska](#)
- 2) Nebraska DHHS Local Offices  
[Public Assistance Offices \(ne.gov\)](#)
- 3) Nebraska Medicaid  
[Medicaid Brochure \(ne.gov\)](#)
- 4) What do I need to know about Medicaid?  
[Eligibility for DD Services \(ne.gov\)](#)

### **Benefits & Financial Planning**

- 1) Benefits Planning Services  
[Nebraska VR I Partners](#)
- 2) Easterseals Nebraska  
[Easterseals Nebraska | Homepage](#)
- 3) Enable Savings Plan  
[Enable Savings Plans - Enable Savings](#)
- 4) Goodwill Industries of Greater Nebraska  
[Home - Goodwill Industries of Greater Nebraska \(goodwillne.org\)](#)
- 5) Nebraska Ticket to Work  
[Work and Disability Benefits | Nebraska Ticket to Work Program](#)
- 6) Region V Services  
[Region V Services : Home](#)





- Voice recognition system
- Touch-sensitive computer screens or tablets
- Switches or battery-operated devices

The Nebraska Assistive Technology Partnership (ATP) is an agency that helps people of all ages with disabilities locate and use assistive technology to help them live, learn, and work in their communities. This includes people with a disability or those who are recovering from an injury or illness and need temporary solutions. ATP also may assist with home and vehicle modification projects to make a home or vehicle more accessible for the person with a disability.

ATP provides Resource Coordination to assist in obtaining needed assistive technology and home/vehicle accessibility modifications. To receive services, an application must be completed to see what resources, programs, and funding may be available. ATP has partnerships with organizations that might help cover costs for all or part of what's needed. They help connect people with potential funding sources, financial loans, or used and donated items.

Assistive Technology Specialists help identify equipment options, features, and modifications for use at home, school, or work. ATP is experienced with building codes and specifications for ramps, showers, classrooms, workplace requirements, and modified tools. On-site assessments in homes and worksites may be available, along with training on equipment use.

ATP also helps service coordinators, employers, educators, and agency personnel learn about the benefits of assistive technology. The AT4ALL website lists equipment that is available for demonstration or loan. This helps with the evaluation process or to assist someone with finding the right assistive technology by trying it out before purchasing. Through this site, recycled and donated items are often available for free to use at home, school, and work.

## **2.2 Nebraska Commission for the Blind and Visually Impaired (NCBVI)**

This Commission is the state vocational rehabilitation agency for Nebraskans who are blind or have low vision. NCBVI strives to empower people with vision loss with the tools, training, mentorship, and resources they need to succeed in high school, college, and beyond to find and maintain employment, and participate actively in their communities. NCBVI services include, but are not limited to:

- Training in non-visual (or low vision) skills that allow full participation in life
- Assistance in securing or maintaining employment

- Fulfilling employment needs in Nebraska
- Career counseling and guidance resulting in employment
- Job-related equipment, tools, and supplies
- Educational assistance such as tuition, books, equipment, and readers
- Peer support and counseling
- Consultation services for agencies and community organizations which come into contact with blind persons

### **2.3 Nebraska Commission for the Deaf and Hard of Hearing (NCDHH)**

NCDHH promotes and advocates for Nebraskans who are deaf, deaf-blind, or hard of hearing. The Commission works to achieve equality and opportunity in social, educational, vocational, and legal settings to impact the daily lives of people who are deaf or hard of hearing. The Commission also works to enhance and monitor access to effective communication and telecommunication technology. Services offered include hearing aid banks, media center, assistive devices loan program, training and presentations, and links to resources.

### **2.4 Nebraska Department of Health and Human Services (DHHS)**

There are many programs offered through the Nebraska Department of Health and Human Services that may benefit people with I/DD. Some of those are discussed here.

#### **Division of Behavioral Health**

This Division of DHHS works with six regions throughout the state in the delivery of mental health and substance use disorder services. These services are offered on a sliding fee scale. Behavioral health service providers can be located on the Division's Network of Care website. This website is for people with mental illness, their caregivers, and service providers and lets people access information about issues such as treatments, resources and diagnoses, and wellness recovery action plans.

#### **Aged and Disabled (AD) Home and Community-Based Services Waiver**

The Aged and Disabled (AD) Waiver is a Medicaid Home and Community-Based Services (HCBS) waiver which provides services and supports to people who choose to live in the community rather than in a nursing facility. The AD Waiver provides an array of services that help people live at home or in the community.



The AD Waiver is one of several waivers in Nebraska. A person may only be on one Medicaid waiver at a time. This means, for example, that a person cannot have both AD Waiver and a Developmental Disabilities (DD) Waiver.

**Eligibility:** The AD waiver is available to aged persons and persons of all ages with disabilities who meet the following criteria:

- Eligible for Medicaid;
- Have physical and health needs that require nursing facility level of care;
- Desire to live at home rather than a nursing facility; and
- Have an individualized plan of services and supports to keep the person safe in their home.

Aged and Disabled Level of Care is based on the level of care needed to live in a nursing facility. The Level of Care assessment tool depends on the age of the participant. Nursing Facility Level of Care for adults (age 18+) looks at activities of daily living, risk factors, medical treatment, and cognition factors. The assessment categories are: social support, health status, medications and medical equipment, nutrition, instrumental activities of daily living, and housing. People who apply for the AD waiver are assessed to see if their needs are the same as those of people who live in a nursing facility.

**Service Coordination:** A Service Coordinator is required for all persons on the AD waiver. The Service Coordinator is expected to make contact monthly with or on behalf of the person and may help them access other benefits and services. The Service Coordination provider for adults (ages 18 and older) is either through an Area Agency on Aging or the League of Human Dignity.

**Services:** Because AD waiver participants have medical needs, services focus on supporting them by doing things for them that they cannot do themselves. Services under the AD waiver include:

- Service Coordination provided by specially trained staff who help match needs with services and providers, based on preferences
- In-home assistance, such as: home delivered meals, cleaning, laundry, grocery shopping, nutrition services, personal emergency response system, special equipment to make tasks easier to perform, or modifications to make the person's home accessible
- Relief time (respite) for family caregivers
- Community supports, such as adult day services and non-medical transportation
- Assisted Living services

**Application:** Application for the AD waiver may be made to the Division of Developmental Disabilities (DDD) with a paper application at any DHHS office or by calling toll-free. The paper application may be used to apply



for any or all of the HCBS waivers. Contact information is provided on the DDD website.

In addition to applying for the AD waiver, a person must also apply for and accept all benefits for which they may be eligible. One of these benefits is Medicaid, which is public health insurance. Medicaid provides a federal match to state funding, which allows the program to fund more eligible people. Application for Medicaid can be made at any age, but parental income may disqualify some people.

### **Traumatic Brain Injury (TBI) Waiver**

The Traumatic Brain Injury (TBI) Waiver is a Medicaid Home and Community-Based Services (HCBS) waiver. As with other Medicaid waivers, the TBI Waiver provides services and supports to people who choose to live in the community rather than in an institution or nursing facility. The TBI Waiver is available to people ages 18 to 64 with traumatic brain injury who meet nursing facility level of care.

**Eligibility:** Eligibility requirements for the Traumatic Brain Injury Waiver include the following:

- Live in Nebraska;
- Eligible for Medicaid;
- Ages 18 through 64;
- Have a diagnosis of traumatic brain injury\* (such as a blow to the head);
- Meet nursing facility level of care; and
- Have a need for specialized assisted living.

\*This program is not for acquired brain injury caused by strokes, tumors, and other non-traumatic causes.

Nursing facility level of care means the person requires services such as those provided to people who live in a nursing facility. Persons who apply for the TBI Waiver are assessed to see if their needs are the same as those of people who live in a nursing facility.

**Services:** This waiver provides Specialized Assisted Living services. Currently, this service is offered by one provider in the Omaha area. Services include assistance with personal care activities and activities of daily living.

**Application:** Application for the Traumatic Brain Injury Waiver may be made through ACCESSNebraska. Application may also be made with a paper application at any DHHS office, or by calling toll-free. The paper application allows the person to apply for any or all of the HCBS waivers. Contact information is provided on the DDD website.

## Developmental Disabilities Waivers

The Division of Developmental Disabilities (DDD) administers Medicaid home and community-based services (HCBS) waivers to help eligible people live, work, and access their community as independently as possible. The developmental disabilities (DD) waivers may be referred to as DD services. DD services include employment, residential, and other services designed to help the person live independently and access their community. Services may be provided by agency providers or independent providers, or by a combination of the two types.

**Eligibility:** To be eligible for DD services, a person must meet the definition of developmental disability as defined in Nebraska Revised Statute 83-1205: "Developmental disability shall mean a severe, chronic disability, including an intellectual disability, other than mental illness which:

- 1) Is attributable to a mental or physical impairment unless the impairment is solely attributable to a severe emotional disturbance or persistent mental illness;
- 2) Is manifested before the age of twenty-two years;
- 3) Is likely to continue indefinitely;
- 4) Results in substantial functional limitations in one of each of the following areas of adaptive functioning:
  - a) Conceptual skills, including language, literacy, money, time, number concepts, and self-direction;
  - b) Social skills, including interpersonal skills, social responsibility, self-esteem, gullibility, wariness, social problem solving, and the ability to follow laws and rules and to avoid being victimized; and
  - c) Practical skills, including activities of daily living, personal care, occupational skills, healthcare, mobility, and the capacity for independent living; and
- 5) Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated."

**Note:**

Anyone who is potentially eligible for services through DDD is encouraged to apply. Due to limited funding for these services, people are encouraged to apply early!

**DD Services Application:** Application for DD services may be made online at ACCESSNebraska. The online application includes consent to release information so that DDD can gather supporting documents. The DDD website has a document that walks through the online application with screenshots of every step. Or, you may request a paper application in



person at any DHHS office or by calling toll-free. The paper application can be used to apply for any or all of the Medicaid HCBS waivers. Contact information is provided on the DDD website and in the DD Services Eligibility brochure.

Once DDD receives an application, an employee will call to begin the process of gathering appropriate documents. Required documentation may include, but is not limited to:


- Current developmental disability diagnosis, with onset prior to age 22, completed by a licensed psychologist or medical doctor operating in the scope of their practice.
- Assessments for intellectual or adaptive behavioral functioning which affected the applicant's ability to carry out activities of daily living skills.
- School reports:
  - All Multidisciplinary Team (MDT) reports
  - Most recent Individualized Education Program (IEP).

DDD has 90 days to decide on eligibility, but this decision is usually made within 14 days of receiving the application and all necessary supporting documents. A Notice of Decision will be sent to the applicant, stating whether they are eligible for DD services.

In addition to applying for DD services, a person must also apply for and accept all benefits for which they may be eligible. One of these benefits is Medicaid. Medicaid provides a federal match to state funding, which allows DDD to fund more eligible people. For adults (age 19 and over), parental income is not counted. An adult Medicaid applicant is considered a "household of one" even if they live with their parents. For more information about Medicaid, see Chapter 1 of this guide.

**Determination of Ineligibility for DD Services:** Persons found to be ineligible for DD can appeal the decision. Instructions on how to appeal are sent with the written notice of decision. A person who is ineligible can reapply whenever new information becomes available.

**DD Registry:** Being determined eligible does not mean the person will immediately receive services. DD services are not an entitlement and there is limited funding available, as allocated by the Nebraska State Legislature. Funding for DD services is based upon funding priorities, as defined in Nebraska Rev. State Statute 83-1216. If funding is not available, the person is placed on the DD Registry. An adult must have Medicaid to be on the DD Registry.

 **Note:** It is possible that a person may qualify for more than one Medicaid HCBS waiver. For example, a person may qualify for both a Developmental Disability waiver and the Aged and Disabled (AD) waiver. Because there is often a wait for DD services, it may be possible for the person to utilize AD waiver services while waiting for DD services to become available.

**DD Service Coordination:** A Service Coordinator (SC) is available for all persons on the DD Registry. When a person is actively receiving DD services, they are required to have an SC. Medicaid pays for service coordination for those who are Medicaid eligible. Those who do not have Medicaid will be assessed a fee based upon Ability to Pay if they wish to receive this service.

The SC is expected to make contact monthly with or on behalf of the person. The SC may help the person access other benefits and services even before other DD services begin. A Service Coordinator will:

- Work directly with the person to develop a service plan based on their wants and needs.
- Complete referrals for DD agency providers and assist with visits and transition plans.
- Help DD independent providers enroll (if applicable).
- Help the person access services not funded by DD, such as Medicaid, SSI, and the Supplemental Nutrition Assistance Program.
- Help the person identify and access community resources.
- Hold meetings every six months, at a minimum, to help the person work toward goals.
- Complete monitoring of the plan to ensure it is being implemented and adequately addresses the person's needs.
- Follow up to ensure the person's needs are being met.
- Follow up with the person's legal representative (if applicable) and, as requested, family.
- Adjust plan and services when changes are necessary.
- Help advocate for what the person wants and needs from service providers, family, and community.
- Ensure services promote independence, productivity, and inclusion.

**Objective Assessment Process (OAP):** Once a person is determined eligible and has been offered funding, DDD staff complete an objective assessment. This assessment determines the person's needs and is used to determine the funding amount the person will receive on an annual basis. This funding is used to pay for DD services.

The objective assessment is completed with input from people who know the person best. This may include family members, teachers, and/or provider staff. Other documentation is reviewed such as program data, medical records, legal documents, and other assessments.



**Planning Meetings:** Planning meetings are held to determine the person's goals, as well as the services and supports needed to achieve the goals. These meetings are designed to utilize person-centered planning, which builds on the person's strengths and focuses on their choices and preferences. The person determines what services are desired, who will provide the services, and how the services will be provided.

### TIPS ALONG THE WAY

#### Preparation for Planning Meetings

Here are a few things for the person and those who support them to think about in preparation for planning meetings:

- What good things or achievements happened this year?
- What are the person's strengths?
- What are the person's preferences?
- What are the person's goals for the future?
- What supports does the person need to achieve these goals?
- What risks, if any, need to be addressed?
- What financial or medical issues need to be addressed?

**DD Services and Providers:** DD services help the person live the most independent life possible. Goals are identified and services arranged to teach the person the skills to be employed, live where they want, and access the community.

Once funding is available, the person chooses the DD services they want to receive and determines who will provide them. Service options include:

- Respite - a break or temporary relief for a non-paid caregiver with whom the person lives.
- Day services - services to increase the person's skills and assist in maintaining employment. This includes options ranging from prevocational services, supported employment, habilitative workshop, and habilitative community inclusion. To receive day services, a participant must apply for VR (Vocational Rehabilitation) services. VR will determine if the person is ready for employment and help them find a job.
- Residential services - services provided where the person lives, whether with family or friends, on their own, or in a provider-operated setting. Services increase independence in daily living, health maintenance, social and leisure skills, and community access.
- Assistive technology and modifications - devices or modifications to the home or vehicle to increase the person's independence and safety.



DD services may be delivered by independent providers or agency providers.

- Independent providers are people who do not work for an agency and may be someone the person already knows. An independent provider must meet requirements set by the state and cannot be parents of the person (if a minor child), spouse, or legal guardian. The person or their guardian is responsible for hiring, firing, scheduling, and training the independent provider.
- Agency providers are certified by the state and are responsible for hiring, firing, scheduling, and training staff who work with the person. There are many agency providers across the state. See *FYI* for a link to the directory of providers.

Note:

DDD has developed numerous helpful documents explaining services and processes in more detail. Many of these documents are referenced in the *FYI* section of this chapter.

### **Nebraska Lifespan Respite**

Respite care - planned or emergency - is short-term, temporary relief to unpaid family members caring for those with special needs. Even though many families take great joy in providing care for their loved ones so they can remain at home, the physical, emotional, and financial consequences for the family caregiver can be overwhelming.

People of any age with a special need may be eligible for the Nebraska Lifespan Respite program. A person may only receive respite from one source. For example, one cannot have both Lifespan Respite and respite through DDD. The person must live with an unpaid caregiver in a non-institutional setting and meet financial eligibility requirements.

Special needs include, but are not limited to:

- Developmental disabilities
- Physical disabilities
- Chronic illness
- Physical, mental, or emotional conditions
- Special health care needs
- Cognitive impairments that require on-going supervision
- Situations in which there is a high risk of abuse or neglect for the person with special needs
- Exceptional circumstances, including Crisis Respite

This program pays (within established program dollar limits) for respite services to give the primary caregiver a temporary break from the care of the eligible person. Application for respite may be made at the Nebraska Department of Health and Human Services.

## **FYI: Chapter 2. Community Living**

- 1) ACCESSNebraska  
[ACCESSNebraska](#)
- 2) Assistive Technology Partnership  
[Welcome | Assistive Technology Partnership \(nebraska.gov\)](#)
- 3) AT4ALL  
[AT4All](#)
- 4) Nebraska Commission for the Blind and Visually Impaired  
[Welcome | NCBVI \(nebraska.gov\)](#)
- 5) Nebraska Commission for the Deaf and Hard of Hearing  
[About NCDHH | Deaf and Hard of Hearing \(nebraska.gov\)](#)
- 6) Nebraska Division of Behavioral Health  
[Nebraska Network of Care for Behavioral Health - Network of Care](#)
- 7) Nebraska Lifespan Respite  
[Home | Nebraska Lifespan Respite Network](#)

### **Home & Community-Based Services (HCBS) Waivers & Services**

- 1) Aged & Disabled (AD) Waiver  
[Services on the Aged and Disabled Waiver \(ne.gov\)](#)
- 2) Aged & Disabled (AD) Waiver Services and Eligibility  
[Eligibility for AD Services \(ne.gov\)](#)
- 3) HCBS Waivers Participant and Family Page  
[Waiver Participants and Families \(ne.gov\)](#)
- 4) Participant Guide to Self-Direction  
[Participant Guide to Self-Direction \(ne.gov\)](#)
- 5) Traumatic Brain Injury Waiver  
[Services On The Traumatic Brain Injury Waiver \(ne.gov\)](#)

### **Developmental Disabilities (DD) Services**

- 1) Applying for Developmental Disabilities Services  
[How to Apply for DD Services Online](#)
- 2) Developmental Disabilities (DD) Services Eligibility  
[Eligibility for DD Services \(ne.gov\)](#)
- 3) Division of Developmental Disabilities (DDD) Directory-  
Comprehensive Directory of DD Services  
[Services on the Developmental Disabilities Waivers \(ne.gov\)](#)
- 4) Division of Developmental Disabilities (DDD) Assessment and  
Budgeting  
[DD Services Assessment and Budget \(ne.gov\)](#)



## **FYI: Chapter 2. Community Living**

- 5) Division of Developmental Disabilities (DDD) Policy Manual  
[DD Policy Manual \(ne.gov\)](#)
- 6) Developmental Disabilities (DD) Agency Providers for Home  
and Community Based Services (DHHS-DD):  
[DD Agency Provider List \(ne.gov\)](#)
- 7) HCBS Waivers Available for People with Developmental  
Disabilities  
[HCBS Waivers Available for Eligible Nebraskans](#)
- 8) Staff Directory/Office Locations Division of Developmental  
Disabilities (DDD)  
[Contact DDD Staff \(ne.gov\)](#)





**Eligibility:** To qualify, a person must have the following:

- **Impairment:** This is a diagnosed impairment, also known as disability. This could be some type of physical, mental, emotional, or learning disability.
- **Impediment to employment:** Evidence is required to show that the impairment has caused problems in past employment, current employment, or would cause some problems preparing for and getting employment in the future.
- **Benefit:** Evidence is required to show that VR services would help the person obtain or keep successful employment.
- **Need for services:** Proof that VR services are necessary for the person to reach successful employment.

**Note:**

Due to limited funds, Nebraska VR may be unable to serve everyone who is eligible. Therefore, eligible people are assigned a Priority Group based on how significantly their disability impacts their ability to work. This is called an Order of Selection. Individuals are encouraged to apply for services and may be placed on a waiting list.

There are three Priority Groups that determine the order in which people are served, as funding allows:

- Priority 1. Persons with the most significant disabilities
- Priority 2. Persons with significant disabilities
- Priority 3. All other eligible persons

It is important to note that, at the time of this publication, Priority Groups 1, 2, and 3 are closed. Individuals in Priority Group 1 are being served as they apply and are found eligible. Anyone is encouraged to apply for services. VR will serve eligible persons by Priority Group in order of their date of application if and when sufficient funds become available. Information about Priority Groups and Order of Selection are updated on the VR website.

**Application:** There are many ways to begin the VR process. Many people start the process by calling or visiting one of VR's twelve services office locations across the state. Nebraska VR has partner relationships with many state agencies, community action agencies, community rehabilitation programs, schools, and employers that may also make referrals to VR. In this case, the person is asked to fill out a short form with name, address, and basic information to be shared with VR.

People who are eligible for and receiving DD services are required to apply for and work with VR to meet their employment needs if they are also eligible for VR funding. The DD Service Coordinator may make a referral to VR on the person's behalf.

Following referral to VR, the person is contacted within 10 days to set up an orientation and initial meeting with a VR Specialist. People interested in VR services are encouraged to watch the VR orientation video online before the meeting ([VR Orientation 2021 -YouTube](#)).

At the initial meeting with a VR Specialist, orientation is completed, questions about VR services are answered, and the Specialist will ask questions to help determine if the person is ready for employment. The person's goals and objectives, history of employment, education, medical history, and other factors that may impact employment are discussed. The person may choose to apply for services if they have not already. Once the application is completed and signed, VR will collect additional records and information to make eligibility and priority determinations. This information may include:

- Medical records of other professionals who have provided services or supports related to the person's diagnoses
- Correspondence from the Social Security Administration, if receiving benefits due to disability
- Other educational and diagnostic information

**Eligibility and Priority Determinations:** A person determined eligible and in a priority group that is being served will meet with a VR Specialist to begin planning and goal development. Other eligible people will be provided information and referral to other resources and may choose to be placed on a waiting list.

**VR Services:** Work will begin to help the person set an appropriate job goal and a plan to reach that goal. Together, the person and VR Specialist will further explore work interests, work values, work preferences, working condition preferences, training, job skills, work history, and support network. A Benefits Orientation will be provided so that the person may make an informed choice about working, knowing how federal, state, and local benefits may be affected by earning income. An Individualized Plan for Employment (IPE) will be developed to include:

- Job goal
- Expected date to reach goal
- Services needed to reach goal and who will provide the services
- Additional benefits analysis services
- Identification of who will pay (person will be asked to participate in cost of services, if able)



### 3.2 Ticket to Work

Nebraska Ticket to Work is a free and voluntary program that assists people with disabilities in gaining financial independence. The program works with people between the ages of 18-64 who receive a Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) cash benefit and want to move off these programs to employment and self-sufficiency. While working with Nebraska VR, the person assigns their Ticket to Work to VR. Following the completion of VR services, the person may re-assign their ticket to an Employment Network, as noted below. Navigating disability and health care benefits can be complicated and Ticket experts are available to assist with that.

Easterseals Nebraska, Goodwill, and Community Options are currently under contract with the Social Security Administration as Employment Networks to administer the Ticket to Work program in Nebraska. The program has two areas of focus:

- **Employment Assistance/Support:** The program assists SSI and SSDI beneficiaries with obtaining and retaining employment. This may include assistance with resumes, cover letters, job searching techniques, applications, etc. Additionally, information on job and hiring fairs in the state and numerous weekly job listings are provided. Nebraska has numerous community resources available to residents. Experts help the person get in touch with resources that may be able to provide services. Experts are also able to assist with issues while on the job.
- **Benefits/Work Incentive Counseling:** Experts assist beneficiaries with understanding how their federal cash benefit (SSI or SSDI) will be affected by work and what work incentives are available to them. They also help navigate the Medicaid and Medicare programs. Many times, experts work directly with Social Security or Health and Human Services on the person's behalf to take away some of the burden and confusion, allowing the person to focus on work.

#### *FYI: Chapter 3. Employment*

- 1) Nebraska VR  
[Nebraska VR | Welcome](#)
- 2) Nebraska VR Order of Selection Fact Sheet  
[OOS Fact Sheet \(nebraska.gov\)](#)
- 3) Nebraska VR Office Locations/Contacts  
[Nebraska VR | Find a Service Office](#)
- 4) Ticket to Work  
[Find Help - Ticket to Work - Social Security \(ssa.gov\)](#)
- 5) Welcome Job Seekers-Nebraska VR  
[Nebraska VR | Job Seekers](#)





## 4.1 Postsecondary Disability Services

Students are not required to disclose their disability unless they wish to receive accommodations, be placed in accessible housing, or receive other disability-related services. If a student chooses, help is available from an office for disability services at the postsecondary institution. It is the student's responsibility to contact this office if they wish to receive assistance. Ideally, this contact should be made before enrolling to have the needed supports in place before beginning the program.

**Documentation:** To be eligible for accommodations, the student must provide the postsecondary institution's disability services office with current documentation of disability. Specific documentation required may vary by institution, but in general, evidence of disability includes:

- A diagnosis of a specific disability
- A statement of how the disability limits a major life activity
- An explanation of how the disability may affect academic performance
- Suggestions for educational accommodations appropriate for the college setting

**Services:** Once it's determined that the student qualifies as a person with a disability, a disability coordinator will work with that student to determine appropriate services, assist in arranging services or testing accommodations, and assist with problems as they arise. The disability coordinator does not provide direct educational services, such as testing or counseling, or help students manage their time or schedules. However, the coordinator may assist the student in arranging for services such as tutoring or counseling. The student with a disability is expected to be responsible for their education the same as any other college student.

The Western Iowa & Nebraska Association on Higher Education and Disability (WINAHEAD) organization is an excellent resource, providing information and contacts for support services available for students with disabilities in all of Nebraska and Western Iowa's postsecondary institutions.

## 4.2 Nebraska VR Certificate Programs

Hands-on training programs are available for adults with disabilities through Nebraska VR. Local VR offices partner with area businesses, community colleges, and local schools. Students take classes, tour businesses, and either work part-time or participate in an internship with employer partners.

The programs are business driven, short term, real life trainings that teach both technical hard skills and soft skills. Training on soft skills addresses the

basics such as being on time, being dependable, and communicating. These trainings give workers the opportunity to acquire the skills that they need to pursue in-demand jobs and careers.

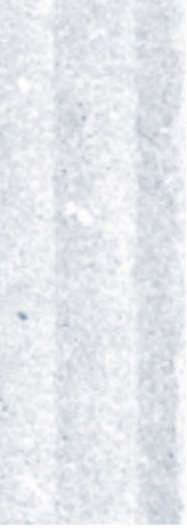
Certificate Programs begin when Nebraska VR Employment Specialists from local area offices identify trends in client employment interest areas and job goals. Next, Nebraska VR evaluates the feasibility for the local area job market. The job field should be one that can provide future opportunities to grow or have an established career path. For information about this program, contact Nebraska VR.

**FYI:** *Chapter 4. Postsecondary Education and Training*

- 1) Nebraska VR Certificate Programs  
[Nebraska VR | Certificate Programs](#)
- 2) Western Iowa & Nebraska Association on Higher Education and Disability (WINAHEAD)  
[Western Iowa and Nebraska AHEAD - AHEAD - Association on Higher Education And Disability](#)





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- Asset Development
  - Employment Programs
  - Disaster Relief

### **5.3 Energy Assistance**

The Nebraska Low Income Home Energy Assistance Program (LIHEAP) helps people with limited incomes offset the cost of heating and cooling



can be accessed with an Electronic Benefits Transfer (EBT) card. The cards are accepted by most supermarkets and grocery stores. Some “Meals on Wheels” services may accept them, and recipients over age 60 and their spouses may be able to use them to pay for congregate meals.

Application may be made online at ACCESSNebraska or by completing a paper application available on the DHHS website.

### **FYI:** *Chapter 5. Nebraska Public Assistance Programs*


- 1) ACCESSNebraska  
[ACCESSNebraska](#)
- 2) Commodity Supplemental Food Program  
[Commodity Supplemental Food Program \(ne.gov\)](#)
- 3) Community Action Agencies  
[Get Help : CAN \(canhelp.org\)](#)
- 4) DHHS Children & Families Programs  
[Economic Assistance \(ne.gov\)](#)
- 5) DHHS Financial Assistance Programs  
[Economic Assistance \(ne.gov\)](#)
- 6) Nebraska Housing Authorities  
[Housing Authorities on the Web: Nebraska | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)
- 7) Nebraska Low Income Home Energy Assistance Program (LIHEAP)  
[Energy Assistance \(LIHEAP\)](#)
- 8) Supplemental Nutrition Assistance Program (SNAP)  
[Supplemental Nutrition Assistance Program \(SNAP\) \(ne.gov\)](#)





### **6.3 Medicaid-Medicare Dual Eligibility**

Medicare-Medicaid enrollees (often called dual eligibles) are low-income seniors and people with disabilities. For those who have Medicare and full Medicaid coverage, most health care costs are likely covered. Medicare coverage may be through Original Medicare or a Medicare Advantage Plan (Part C).

 **Note:** Medicaid never pays first for services covered by Medicare. It only pays after Medicare, employer group health plans, and/or Medicare Supplement (Medigap) Insurance have paid.

### **6.4 Supplemental Security Income and Retirement**

To get the most of Social Security benefits, it's important to be aware of such things as who can get benefits on their Social Security record and how to obtain and use Social Security information in planning financial security. Changes in status such as retirement, disability, or death of family members may result in a change in benefits. It is important to check with the Social Security

## Chapter 7.

### **Legal and Advocacy**

There are many things to consider when it comes to legal issues and rights for people with disabilities. While we can't cover all of that information, we will highlight some important resources to assist.

#### **7.1 Adult Protective Services (APS)**

The Adult Protective Services Act established a program designed to meet the needs of vulnerable adults and to assure the availability of the program to all eligible persons. It places authority and responsibility for investigations and interventions in situations of abuse or neglect of vulnerable adults with Nebraska Department of Health and Human Services (DHHS) and local law enforcement agencies. APS investigates reports of vulnerable adult abuse/neglect/exploitation, including self-neglect, and intervenes when maltreatment is confirmed.

Adult protective services are to be provided with as little disruption to the person's life as possible. Whenever possible, the person is helped to live in the environment of their choice. DHHS acknowledges that as long as adults can recognize the consequences of decisions they have made about their lives, the right to make those decisions must be respected, provided they are capable of making that choice.



People filing an appeal may represent themselves or choose someone else to represent them. At the hearing, both sides will present evidence for the hearing officer to consider. All witnesses who testify may be asked questions by the other side and/or the hearing officer. When the appeal hearing is over, the hearing officer will make a recommendation to the DHHS division director, who will make the final decision.

### **7.3 Assistance with Decision Making**

There are varying legal judgments (also referred to as substituted judgment) that can be made for a person with a disability. It is important to consider the





























