



ELDER LAW PRACTICE
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The Long-Term Care Community CHOICES Act of 2008

Background, Medicaid and TennCare

Under a waiver in 1994, the Federal Government allowed the state of Tennessee to use its Medicaid funding for a statewide, health care reform program called TennCare. Tennessee operated its Medicaid program through the TennCare waiver, except for the provision of long-term care services. This means that Medicaid made payment to the nursing homes for Medicaid recipients.

What's changed?

The Long Term Care Community Choices Act of 2008 began in Middle Tennessee in March 2010 and restructured the Medicaid Long-Term Care service delivery system. Long-term care services have been integrated within Tennessee's existing TennCare managed care organizations (MCOs). What was known as Medicaid Nursing Home Benefits in the past is known as TennCare CHOICES in Long-Term Care or "CHOICES" for short.

What were some of the main changes?

The main components of CHOICES are intended to provide improved access and coordination of care along with expanded home and community based choices and service options.

Who can qualify to enroll in CHOICES?

To be in CHOICES, a person must:

- Need the level of care provided in a nursing home, and possess an approved [Pre-Admission Evaluation \(PAE\)](#)
- AND financially qualify for Medicaid/TennCare long-term care

What else do I need to know?

There are two groups of people in CHOICES:

- Group 1 is for people of all ages who receive nursing home care
- Group 2 is for certain people who receive home care instead of nursing home care, it's ONLY for:
 - Adults 65 years of age and older;
 - OR adults 21 years of age and older who have physical disabilities

What about home care?

To enroll in CHOICES and receive home care services:

- The assigned TennCare health plan (or MCO) must be able to safely meet the patient's needs at home
- AND, the cost of home care cannot be more than the cost of nursing home care. This does not mean a person will automatically receive services up to the cost of nursing home care; the amount of care will be based on needs.