



ARChoices Fact Sheet

Introduction

ARChoices is an Arkansas Medicaid home- and community-based waiver program that includes home- and community-based services both for adults aged 21–64 with a physical disability and for seniors aged 65 or older who require an intermediate level of care. The program is designed for persons who, due to physical, cognitive, or medical reasons, require a level of assistance that would have to be provided in a nursing facility if it were not for the services of this program. The major goal of this program is to provide services that assist eligible persons to either remain in their homes or live with family to prevent or delay institutionalization.

These services can offer help for doing everyday activities that one may no longer be able to do for themselves, such as bathing, dressing, getting around one's home, preparing meals, or doing household chores.

Eligibility

To qualify for the ARChoices Program, a person must either (1) be age 21 through 64, be determined to have a physical disability through the Social Security Administration or the Department of Human Services (DHS) Medical Review Team (MRT), and require an intermediate level of care in a nursing facility; or (2) be 65 years of age or older and require an intermediate level of care in a nursing facility. Persons determined to meet the skilled level of care, as determined by the Office of Long Term Care, are not eligible for the ARChoices Program.

An individual must meet established financial criteria. Currently, an individual's income cannot exceed three times the Social Security Income payment standard, and resources cannot exceed \$2,000. You must also meet nursing home admission criteria at an intermediate level and have a need for at least one of the available services.

To be determined an individual with a functional need, an individual must meet at least one of the following three criteria as determined by a licensed medical professional:

1. you are unable to perform either of the following:
 - a. at least one of the three activities of daily living (ADLs) of:
 - i. transferring or locomotion
 - ii. eating without extensive assistance from, or total dependence upon, another person
 - iii. toileting without extensive assistance from, or total dependence upon, another person
 - b. at least two of the three ADLs of:
 - i. transferring or locomotion
 - ii. eating without limited assistance from another person
 - iii. toileting without limited assistance from another person
2. your functional assessment results in a score of three or more on Cognitive Performance Scale
3. your functional assessments result in a Change in Health, End-Stage Disease and Signs and Symptoms (CHESS) score of three or more

Services

- **attendant care:** when someone helps you do things like get out of bed, take a bath, get dressed, fix and eat meals, or use the bathroom
- **home-delivered meals:** nutritious meals that can be delivered fresh each day or frozen for weekends
- **Personal Emergency Response Systems (PERS):** call buttons you can use to get help in emergencies
- **adult day services:** a place that provides supervised care and activities during the day
- **adult day health services:** a place that provides skilled nursing, supervised care, and activities during the day
- **facility-based respite care:** short stays in a facility so your caregiver can go on vacation



- **in-home respite care:** when someone stays with you in your home for a short time so your caregiver can get some rest
- **environmental modifications:** changes to your home that will help you get around more easily and safely, like grab bars or a wheelchair ramp

Denied or Decreased Benefits

If you disagree with the denial or any revision to your plan of care, including removal of, or decrease in, services, you may request a hearing. A request for an appeal must be received by the DHS Appeals and Hearings section no later than 30 days from the date listed on the Notice of Action, and it must be with the plan of care that contains a revision that you wish to appeal. Official requests for a hearing must be made in writing and addressed to:

Arkansas Department of Health and Human Services
Appeals and Hearings Section
P.O. Box 1437, Slot N401
Little Rock, AR 72203

You may also complete an Appeal for a Hearing Form. This form is located at your local DHS county office.

Assistance While Pending Appeal

If you are currently receiving ARChoices benefits and request a hearing no later than 10 days from the date on the Notice of Action, your assistance will continue at its present level pending a decision on your appeal. If assistance is continued at its present level until a decision is reached, you may be required to repay the additional benefits if the hearing decision is not in your favor.

Hearing Rights

If you request a hearing, you have the right to appear in person and to be represented by a lawyer or another person you select.

Prior to the hearing, you and your representative have the right to review your record and any other evidence that will be presented at the hearing. You have the right to present evidence on your own behalf, bring witnesses, and question any person who is presented as a witness against you.

Applying for ARChoices

Applicants for participation in the program (or their representatives) must make application for services at the DHS office in the county of their residence. Medicaid eligibility is determined by the DHS County Office, and the DAAS Long-Term Services and Supports (LTSS) Program Eligibility Specialist and is based on non-functional and functional criteria. Income and resources comprise the non-functional criteria. The individual must be an individual with a functional need.

Call your local DHS county office of the Choices in Living Resource Center at 1-866-801-3435 to explore your choices.

This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit arlegalservices.org. For information specific to Legal Aid of Arkansas, Inc., visit arlegalaid.org. Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).

The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

**Content provided by:
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