

Plain Language Summary

Public Sources of Funding

There are several public sources of funding available for those in the United States living with developmental/intellectual disabilities. An individual may qualify and receive benefits from several at the same time depending upon their circumstances. Some of these models may not fund housing directly but can help the individual maximize their independence. They are:

- Home and Community Based Services Waivers (HCBS)
 - Offered through Medicaid.
 - Applicable for funding services an individual who already qualifies for services through the Developmental Disabilities HCBS Waiver (DD Waiver).
 - Can not be used to pay for housing directly.
 - Can be used to compensate live-in home care providers.
- Medicaid for Employed Adults with Disabilities (MEAD and MOAD)
 - Allows employed adults with disabilities to stay financially eligible for Medicaid programs such as the HCBS Waivers.
- Supplemental Security Income (SSI)
 - Payments offered through the Social Security Administration (SSA) for people with little or no income.
 - SSI can be used for room and board, living expenses, etc.
- Social Security Disability Insurance (SSDI)
 - Payments offered to people who have a disability that stops or limits their ability to work.
 - Generally available only to people who have a work history that was interrupted by a disability.
 - Children of people receiving SSDI may be able to receive a portion of the benefit.
- Housing Choice Voucher Program (Section 8)
 - Provides rental assistance to people with little or no income.
 - Only available for those renting housing owned by private landlords.
- Public Housing

- Provides rental assistance to people with little or no income.
- Housing is owned and operated by a government organization.
- Other funding sources available to offset costs of living
 - Assistance with utility bills
 - The New Hampshire Department of Energy has several assistance programs available to help people with energy and utility bills. These include the following:
 - Electric Assistance Program (EAP).
 - The EAP provides eligible customers with a discount on their monthly electric bills.
 - Discounts range from 5% to 86%, depending on the customer's gross household income and household size.
 - Gas Assistance Program (GAP).
 - The Gas Assistance Program can help income eligible residential heating customers with their natural gas winter heating bills.
 - Fuel Assistance Program (FAP).
 - The Fuel Assistance Program provides benefits to qualified New Hampshire households to assist with heating costs.
 - The Fuel Assistance Program can also help households during a heating emergency by
 - Securing an emergency delivery of fuel,
 - Delaying a shut-off notice, or
 - Referring clients to another source of assistance.
- Special Needs Trusts
 - Families can set up a special needs trust for their family members.
 - These trusts come in several different varieties.
 - Families should consult with a lawyer who specializes in special needs trusts to see what the best option for them is.

Housing Choices

There are several housing choices available for those in the United States living with developmental/intellectual disabilities. Included under each choice is a description of the choice, as well as things to consider, and potential funding. The housing choices available are:

- Live Independently with Supports
 - Description: The individual lives by themselves, or with a significant other, or with a roommate.
 - Things to consider:
 - Planning for when something unexpected happens.
 - A bus route might cancel a route at the last minute, a care provider may get sick, the individual themselves may get sick, the power might go out, etc.
 - Potential funding:
 - The DD Waiver
 - SSI
 - Housing Choice Voucher
 - Public Housing subsidy
- Live With a Family Member
 - Description: The individual lives with their parents, siblings, or other family members.
 - Things to consider:
 - Planning for when something unexpected happens.
 - Will a family member or someone else be available to provide care if a care provider is unexpectedly absent?
 - Who will drive the individual to their job/program if the normal transportation is not available?
 - What is the long-term plan for when the family member is no longer able to provide care?
 - Potential funding:
 - DD Waiver
 - SSI
- Enhanced Family Care

- Description: The individual lives with a care provider who is not family member.
 - The care provider can be viewed as a roommate, “foster parent”, companion, staff, etc.
- Things to consider:
 - While there are no rules around family visits to the provider’s home, there are restrictions around how often an individual may stay outside the provider home.
 - These times are known as “out of bed days”.
 - New Hampshire has a restriction of 30 out of bed days per year, but there may be flexibility depending upon the circumstances.
- Potential funding:
 - DD Waiver (“residential service”)
 - If the individual has a physical, mental, or emotional disability, the Home Care Provider may qualify for additional payments known as “Difficulty of Care” payments.
- Supportive Living
 - Description: The individual lives in a residential complex that has support staff who live in separate units. There’s often a common area for individuals to gather for socialization, food preparation, etc.
 - Things to consider:
 - What supports the individual may need to become a member of the supportive housing community (if they so desire)
 - Potential funding:
 - In New Hampshire, Section 811 is currently constrained to people with severe mental illness.
 - SSI
 - Housing Choice Vouchers (Section 8)
 - Some projects also use low-income housing tax credits and other affordable housing funding streams to subsidize development and capital costs.
- Community Living Facilities

- Description: The individual lives in a structured residential setting that may have on-premises staff available anywhere from 20 hours per week to 24/7.
 - These settings can further be broken into two classes:
 - Facility with up to 3 individuals receiving services.
 - Facility with 4 or more individuals receiving services.
- Things to consider:
 - Congregate settings may be an appropriate choice for some individuals, especially in a smaller setting with no more than 3 people.
 - The decision to live in a community living facility must be a choice of the individual.
 - The conditions must provide appropriate support for the individual to thrive.
 - A community residence with a larger number of people may have more staff engaged in support functions such as cleaning and cooking, although residents may participate.
 - A residence with fewer people will be more likely to have the residents performing a share of the chores.
 - A community residence with a larger number of people may be more likely to have people sharing a room and may be more governed by schedule and routine than one with fewer people.
 - Care is also unlikely to be individualized.
 - The schedules in either arrangement may be built around the staff shifts.
 - Travel outside of the setting is often limited by the availability of a van and the number of staff available.
 - When travel does happen, it is often as a group.
 - Traveling as a group limits an individual's independence and is also not an optimal means for inclusion in the community.
- Potential funding:
 - DD Waiver

The following aspects should be considered when choosing the type of housing which works best for everyone:

- Sustainability, Resiliency, and Compatibility
- Support Needs
- Structural Needs
- Additional Rooms
- External Features
- Location in Building
- Location in Community

New Hampshire Laws (RSAs)

New Hampshire laws are called Revised Statutes Annotated (RSAs). The following NH RSAs apply to adults with ID/DD:

- RSA 126-A: Department of Health and Human Services.
 - Provides an integrated, administrative structure for the design and delivery of a comprehensive and coordinated system of health and human services which is family-centered and community-based for the citizens of New Hampshire.
- RSA 151: Residential Care and Health Facility Licensing.
 - Provides for the development, establishment, and enforcement of basic standards for the care and treatment of persons in hospitals and other facilities in which medical, nursing, or other remedial care are rendered, and for the construction, maintenance, and operation of such facilities, which, in the light of existing knowledge, will ensure safe and adequate treatment of such persons in such facilities.
- RSA 161-F: Elderly and Adult Services.
 - Provides support for congregate services to serve those who might otherwise be placed unnecessarily in institutional care.
- RSA 167:4: Special Needs Trusts.
 - A special needs trust to or for the benefit of the disabled beneficiary shall be disregarded for income eligibility.
- RSA 171-A: Services for the Developmentally Disabled.

- Enables the department of health and human services to establish, maintain, implement, and coordinate a comprehensive service delivery system for developmentally disabled persons.
- RSA 204-C: Housing Finance Authority.
 - Establishes the New Hampshire Housing Finance Authority (NHHFA).
- RSA 674:71, RSA 674:72, and RSA 674:73. Accessory Dwelling Units.
 - [Explanation](#).

New Hampshire Administrative Rules

When the New Hampshire Legislature creates or modifies a Revised Statutes Annotated (RSA), it allows administrative agencies to enforce and implement them in the way they see fit. These specifics are called Administrative Rules. The following NH Administrative Rules apply to ID/DD:

- Chapter He-M 500: Developmental Services. Contains the following relevant parts:
 - He-M 503: Eligibility.
 - Establishes standards and procedures for
 - The determination eligibility,
 - The development of service agreements, and
 - The provision and monitoring of services for persons with developmental disabilities.
 - He-M 505: Area Agencies.
 - Defines the procedures and criteria for
 - The establishment, designation, and redesignation of area agencies, and
 - To define their role and responsibilities.
 - He-M 507: Community Participation Services.
 - Establishes standards for certified community participation services for persons with developmental disabilities or acquired brain disorders.
 - He-M 513: Respite Services.
 - Establishes standards for respite services as part of a system of community-based services and supports responsive to the

changing needs of individuals with developmental disabilities or acquired brain disorders and their families.

- He-M 517: HCBS Waivers.
 - Defines the requirements and procedures for Medicaid-covered home and community-based care waiver services for persons with developmental disabilities and acquired brain disorders.
- He-M 518: Employment Services.
 - Establishes the requirements for employment services for persons with developmental disabilities and acquired brain disorders served within the state community developmental services system.
- He-M 519: Family Support.
 - Establishes a framework for the provision of supports and services to care-giving families with an individual member who has a developmental disability or acquired brain disorder.
- He-M 521: Living with a Family Member.
 - Provides minimum standards for residential services or combined community participation and residential services for individuals with developmental disabilities or acquired brain disorders who reside in their families' homes.
- He-M 525: PDMS
 - Establishes minimum standards for participant directed and managed services for individuals who have a developmental disability or acquired brain disorder.
- Chapter He-M 1000: Housing. Contains the following relevant parts:
 - He-M 1001: Community Residences.
 - Defines the standards and procedures for the certification of community residences funded by the state of New Hampshire for persons with a developmental disability or acquired brain disorder
- Chapter He-P 800: Residential Care and Health Facility Rules. Contains the following relevant parts:
 - He-P 813: Adult Family Care.

- Establishes the minimum standards and procedures for the certification of an adult family care residence.
- He-P 814: Community Residences.
 - Sets the licensing requirements for all community residences (CR) at the residential care and supported residential care level.

***We recognize that the term Special is outdated. It is used here in its official capacity.**