Serving Consumers with Disabilities

Serving Vulnerable and Underserved Populations: Part 2 of 5

BeWell
New Mexico's Health Insurance Marketplace

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Introduction

People with disabilities are found in every age group, every community, and every walk of life. The effects of a disability can range from difficulty with basic movement, to cognitive and emotional challenges, to complex activity limitations. The Affordable Care Act (ACA) and its implementing regulations include protections for consumers with disabilities as they apply for health coverage through Marketplaces. BeWell offers health coverage options to consumers with disabilities who may have previously faced barriers based on pre-existing conditions when seeking health coverage.

Main Topics

- Key definitions
- Application assistance
- Other coverage options
- Accommodations
- Best practices

Key Definitions (1 of 4)

- “Disability” is defined under federal regulations as "a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or, being regarded as having such an impairment.”
- Protections Under the ACA
  - Section 1557 of the ACA prohibits discrimination based on disability, race, color, national origin (including Limited English Proficiency, or “LEP”), sex (including pregnancy, sexual orientation, gender identity, and sex characteristics), and age and is consistent with established federal civil rights laws.

Key Definitions (2 of 4)

- People with mobility or physical disabilities
  - Consumers who have physical and/or mobility disabilities are substantially limited in performing one or more major life activities, including but not limited to: caring for oneself, performing manual tasks, seeing, hearing, walking, standing, lifting, speaking, breathing, working, and/or the operation of a major bodily function (including bladder, bowel, circulatory, immune system, and neurological).

Key Definitions (3 of 4)

- People with cognitive/developmental disabilities:
  - Consumers with cognitive/developmental disabilities have trouble remembering, learning new things, concentrating, or making decisions that affect their everyday lives.
  - Cognitive/developmental disabilities range from mild to severe.
    - With mild disabilities, consumers may notice changes in cognitive functions, but they may be able to do their everyday activities.
    - Severe levels of disability can cause consumers to lose their ability to talk or write, live independently, or understand the meaning or importance of something.
  - Cognitive/developmental disabilities can occur at any age.

Key Definitions (4 of 4)

- People with emotional/mental disabilities
  - Emotional/mental disabilities are characterized by significant limitations in intellectual functioning and adaptive behavior, which covers many everyday social and practical skills.

Application Assistance (1 of 3)

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- Conducting a needs assessment is an important step when serving consumers with disabilities to help them identify appropriate coverage. To provide effective assistance, assisters should discuss:
  - Priorities and needs;
    - Assisters should help identify and understand coverage priorities and needs.
  - Coverage options; and
    - Assisters should review coverage options highlighting how each option addresses the consumer's needs.
  - Other programs.
    - Assisters should refer the consumer to other coverage programs for which they may qualify.

Application Assistance (2 of 3)

When consumers apply for coverage through BeWell, the application asks if anyone on the application has a physical or mental health condition that limits their ability to work, attend school, or take care of their daily needs. These questions help determine whether a consumer might be eligible for less expensive or even free coverage through a Medicaid program based on their disability.

Application Assistance (3 of 3)

- Disability-Related Income
  - Consumers who indicate they would like help paying for coverage will be asked about their income.
  - **Note**: When projecting annual income, disability-related income is often misreported. Consumers should be sure to include any Social Security Disability Insurance (SSDI) payments they receive when they are estimating their income. They should not include Supplemental Security Income (SSI) payments, veterans' disability payments, or workers' compensation when calculating their income.
    - For more information, visit the Social Security website, or call the Customer Engagement Center (CEC).
- Medicaid and Medicare Eligibility
  - There will be more information about these two programs later in the lesson.

Other Coverage Options (1 of 5)

- Assisters should be prepared to offer at least basic information on coverage options outside of BeWell that may be available to consumers with disabilities, including:
  - Medicaid
  - SSI/SSDI
  - Medicare
  - Ryan White HIV/AIDS Program
  - Pharmaceutical Assistance Programs

Other Coverage Options (2 of 5)

- Medicaid
  - Medicaid provides coverage for many consumers with disabilities. In New Mexico, consumers with disabilities who receive SSI payments automatically qualify for Medicaid coverage. If a consumer is not automatically eligible for Medicaid, they will have to meet other criteria for the Medicaid program, which could include income, assets, and disability. Refer consumers to the New Mexico Health Care Authority (HCA) for more information.
  - **Reminder**: BeWell assesses a consumer for Medicaid eligibility and will send the consumer’s application to HCA for a final determination of Medicaid eligibility. Consumers also have the option to apply directly with the HCA.

Other Coverage Options (4 of 5)

- SSI and SSDI Programs
  - Both SSI and SSDI are administered by the Social Security Administration (SSA). Consumers who have disabilities and meet financial criteria may qualify for benefits under both programs.
  - SSI pays benefits to some consumers, including consumers with disabilities, based on financial need and whether they meet eligibility requirements. Consumers who receive SSI automatically qualify for Medicaid coverage.
  - SSDI pays benefits to consumers and certain family members if they (or certain family members) worked long enough to qualify for Social Security and paid Social Security taxes. SSDI beneficiaries are automatically eligible for Medicare after 24 months.

Other Coverage Options (3 of 5)

- Medicare
    - Many consumers with disabilities are also Medicare beneficiaries. Individuals who receive SSDI are automatically enrolled in Medicare Parts A and Part B after they receive SSDI benefits for 24 months and are also eligible to enroll in a Medicare Part D prescription drug plan. Additionally, Medicare beneficiaries who have limited resources and income may be eligible for the Extra Help program to help pay for the costs related to a Medicare Part D prescription drug plan (e.g., monthly premiums, annual deductibles, prescription co-payments).
    - Consumers should review their current health coverage and needs during the Medicare Open Enrollment Period (OEP) to determine if they want to make a change to how they receive their Medicare.
    - Consumers should go to the Medicare website to look at available Medicare options.

Other Coverage Options (5 of 5)

- Ryan White HIV/AIDS Program
  - The Ryan White HIV/AIDS Program provides HIV-related services for consumers who do not have sufficient health coverage or financial resources. The program fills gaps in coverage not met by other health coverage.
- Pharmaceutical Assistance Programs
  - Some pharmaceutical companies offer additional pharmaceutical assistance programs (also called "prescription drug assistance programs" or "patient assistance programs"). These programs provide free or low-cost medications to consumers who cannot afford to buy their medicine. BeWell does not endorse any particular pharmaceutical assistance program.

Accommodations: Overview

- If a consumer is affected by a disability, assisters who are helping them should consider the following accommodations, modifications, and auxiliary aids and services.
  - Provide equal and effective access to the services, programs, or activities of a public entity, including buildings, websites, and auxiliary aids/services (at no cost).
  - Make reasonable modifications in policies, practices, or procedures when necessary.
  - Do not utilize criteria or methods of administration that discriminate.
  - Do not impose eligibility criteria that screen out individuals.
  - Provide services in most integrating setting appropriate.
  - Do not deny services based on a consumer's association with a person with a disability.

Accommodations: Visual Disabilities

- Consumers who have visual disabilities:
  - Consumers may have varying degrees of limitations to their vision. To ensure you are providing appropriate services to consumers with visual limitations, consider providing the following resources:
    - Printed materials in braille or printed in large, clear text using 16 or 18-point font.
    - Voice or large-print output computer with word processing software or enlarging software or magnification devices.
    - Qualified readers.
    - Videos with audio description.
    - Screen reading software.
    - Other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

Accommodations: Hearing Disabilities

- Consumers who have hearing disabilities:
  - Consumers may have varying degrees of hearing limitations. To ensure you are providing appropriate services to consumers with hearing limitations, consider providing the following auxiliary aids and services:
    - Sign language interpreters or video teleconference capabilities (VTC) to access sign language interpreters.
    - Teletypewriter (TTY) phone lines.
    - Speech that is clear and understandable for consumers who use a hearing aid.
    - Loop systems and duo devices for consumers who are deaf or hard of hearing disabilities.
    - Paper and pencils to communicate with consumers who are unable to use other communication methods (e.g., oral speech, lip reading, sign language).

Accommodations: Mobility/Physical Disabilities

- Consumers who have mobility or physical disabilities:
    - To ensure that assisters provide adequate assistance to consumers with mobility or physical limitations, they should consider:
        - Removing physical barriers to accessing facilities and installing appropriate signage.
        - Providing wheelchair-accessible locations, which includes addressing accessibility of entrances/exits, seating areas within the office space, restrooms, and parking.
        - Providing access to assistance via modified computer, assistive technology, or telecommunication services, such as alternative keyboards, speech recognition software, and speakerphones.

Accommodations: Cognitive/ Developmental Disabilities

- Consumers who have cognitive or developmental disabilities:
  - For consumers with reading disabilities:
    - Provide pictures, symbols, or diagrams instead of written information.
    - Read written information out loud or provide information via audiotape or through voice output on the computer.
    - Use a line guide to identify or highlight one line of text at a time.
  - For consumers with writing disabilities:
    - Provide templates or forms to prompt requested information.
    - Allow verbal or typed responses instead of written responses.
    - Use voice input on the computer and provide enough space on forms requiring written responses.

Accommodations: Cognitive/Developmental Disabilities (Continued)

- For consumers with memory disabilities:
    - Use a voice-activated recorder to record verbal instructions.
    - Provide written information.
    - Provide checklists.
- For consumers with social skill disabilities:
    - Obtain sensitivity training to learn how to interact appropriately with consumers with cognitive or developmental disabilities.
    - Use role-playing scenarios or training videos to learn how to assist consumers with cognitive or developmental disabilities.
    - Family members or friends may act as a consumer's interpreter, but only if this is the consumer's preference after you have explained that other auxiliary aids and services can be provided at no cost.

Accommodations: Facilities

- Consumers who have mobility or physical limitations – Facility Accessibility:
  - When meeting with consumers with mobility or physical disabilities, assisters should consider the following accessibility accommodations:
    - Parking and drop-off areas
      - Parking should be close to an accessible entrance, with an access aisle to provide space for mobility. The facility should have an accessible drop-off area with the same features as described for accessible parking, and drop-off areas should have an accessible, level route to the building entrance without steps or steeply sloped sidewalks.
    - Building entrance
      - The entrance should be clear of any hazardous obstructions. An accessible door should accommodate a variety of mobility devices (e.g., crutches, canes, walkers, and wheelchairs).

Accommodations: Facilities (Continued)

- Consumers who have mobility or physical disabilities– Facility Accessibility (continued):
  - When meeting with consumers with mobility or physical limitations, consider the following accessibility accommodations:
    - Office set-up
      - The meeting space should have an accessible floor plan that allows consumers who use mobility devices (e.g., wheelchairs, walkers, and crutches) to maneuver through the space.
    - Technologies
      - The meeting space should accommodate consumers who use modified computers or telecommunication services (e.g., alternative keyboards, speech recognition software, or speakerphone options).

Best Practices: General

- Assisters should focus on the applicant.
  - To the greatest extent possible, consumers seeking health coverage should be the primary source of information and decision-making about their health coverage, even if they are accompanied by caregivers, authorized representatives, guardians, or family members.
  - Assisters should speak directly to the consumer, focus the discussion on them, and make sure they participate in the conversation to the greatest extent possible.

Best Practices: General (Continued)

- Assisters
  - Should not make assumptions
  - Should not assume a consumer with a disability needs your help; if in doubt, ask the consumer.
  - Should be considerate, patient, and take your time.
  - Should be respectful of consumers and their specific needs.
    - Consumers with disabilities are generally independent and capable.
  - Should not refer to consumers without disabilities as "normal.“
    - It implies that consumers with disabilities are not normal. The term "people without disabilities" is descriptive but not negative.

Best Practices: Language

- When working with people with disabilities, assisters should:
  - Be mindful of their language. When writing or speaking about consumers with disabilities, assisters should avoid labels such as "the blind." Such labels do not reflect the individuality, equality, or dignity of consumers with disabilities.
  - Avoid words such as "disabled" or "handicapped." Instead, they should use phrases like "a consumer with a disability." The language assisters use should emphasize people, not disabilities.

- Instead of:
  - Blind consumers
  - Wheelchair-bound
  - Mental retardation

- Use:
  - Consumers who are blind
  - Consumers who use wheelchairs
  - Consumers with cognitive disabilities

Best Practices: Hearing Disabilities

- For consumers with hearing disabilities, assisters should:
  - Find out how consumers prefer to communicate (e.g., speech/lip reading, writing, sign language). They should give primary consideration to the auxiliary aid or service requested by the individual unless doing so would pose a fundamental alteration or an undue administrative or financial burden. An alternative auxiliary aid or service must provide communication to the individual that is as effective as communication provided to others.
  - Allow family members or friends to serve as interpreters if consumers prefer this after the assister has explained a qualified interpreter can be provided at no cost.

Best Practices: Hearing Disabilities (Continued)

- For consumers with hearing disabilities, assisters should (continued):
  - Speak at their normal volume unless consumers asks the assister to speak louder (but they should not shout).
  - Look directly at consumers while speaking, even if an interpreter is present. Assisters should not turn their back or walk around while talking.
  - Make sure their meeting place is well lit so that consumers can easily see them.
  - Speak clearly in a normal tone, keeping their hands away from their face.
  - Use short and simple sentences.
  - Use pen and paper or lip reading only when appropriate.

Best Practices: Mobility and Physical Disabilities

- For consumers with mobility and physical disabilities, assisters should:
  - Offer to shake hands
    - Consumers with limited hand use or who wear an artificial limb can usually shake hands. Shaking hands with the left hand is acceptable.
  - Offer assistance
    - Assisters should wait until their offer is accepted before providing help. If help is accepted, they should listen to or ask for instructions on how to assist.
  - Use formalities
    - When addressing people with disabilities, assisters should treat adults as adults and use first names of consumers only when extending the same familiarity to all others.

Best Practices: Mobility and Physical Disabilities (Continued)

- For consumers with service/working animals (e.g., those that generally wear a harness), assisters should not try to pet, play with, or engage with them.
- If assisters have questions or are unsure of what to do, they should not be afraid to ask a consumer with a disability how you can best assist them.
- Assisters should follow the cues and preferences of the consumer they are assisting.

Best Practices: Cognitive/ Developmental Disabilities

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- For consumers with cognitive/developmental disabilities, assisters should:
  - Avoid asking consumers if they have cognitive/developmental disabilities or saying they do.
  - Frequently check with consumers to make sure they understand the information being shared with them.
  - Be patient. The role of the assister is to help consumers make the right health coverage choices for themselves and their families. Assisters may be their only resource for knowledgeable, unbiased information.
  - Not assume that slurred speech is a sign of substance abuse or cognitive or developmental disability; it may be a result of medication, treatment, or another kind of health issue.
  - Consider collecting resources from other organizations that specialize in helping consumers with cognitive/developmental impairments or intellectual disabilities.
  - Not assume that people with intellectual disabilities have Medicaid or that they do not have a job.

Best Practices: Cognitive/ Developmental Disabilities (Continued)

- For consumers who have cognitive/developmental disabilities, assisters should:
  - Speak clearly and directly.
  - Make eye contact.
  - Keep sentences short.
  - Avoid asking "yes" and "no" questions.
  - Rephrase or repeat questions and ask follow-up questions, if needed.
  - Ask consumers to rephrase what you said if the assister is unsure the consumer understood.
  - Add more time to the scheduled appointment, if needed.
  - Some consumers with cognitive/development disabilities may be unable to communicate through spoken language. Assisters should work with them to identify their preferred method of communication and communicate with them in the way they choose.

Key Points

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- Consumers may have different disabilities and degrees of those disabilities. They might need to be provided auxiliary aids and services or other accommodations.
- Each consumer with a disability is unique. Assisters should learn and implement best practices and communication techniques when serving individuals with disabilities.

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