

DISABILITY BENEFIT SPECIALIST (DBS) PROGRAM SERVICES

- SCOPE OF SERVICES -

Aug 2008

The following details the (mandatory) **Core Services** that must be provided by a DBS at any Aging and Disability Resource Center (ADRC). Additional services, *which may be provided by a DBS at the discretion of the ADCR*, are also included in this document. (Note: These ADRC-specific (discretionary) services are intended to accommodate regional variations in the implementation of the ADRC model, and the local expertise and experience of ADRC staff).

In this document, it's important to note that some information & assistance services can be provided by I&A specialists at the ADRCs. Information & assistance that is program-specific & benefit-specific is provided by the DBS, often in collaboration with the ADRC I&A specialist.

Access to Health Care Coverage – Core Services

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
Medicaid Eligibility – Card Services <ul style="list-style-type: none"> • SSI-Related • Cat. Needy • Med. Needy • 503 • DAC • Widow/Widower • 1619(b) • W-2 Related • Badgercare • MAPP • Medicare Buy-In Programs 	<ul style="list-style-type: none"> ▪ Overview of benefit program; ▪ Benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts); ▪ Information regarding appeal procedures; ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ County Income Maintenance/Economic Support workers ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ HEC Regional Screeners (MAPP cases only)

Access to Health Care Coverage – Core Services, cont'd

<p>Medicaid Eligibility – Long Term Care</p> <ul style="list-style-type: none"> • Nursing Home • Community – Based waivers including • Spousal Impoverishment • Estate Recovery 	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Assistance with denials of eligibility due to divestment, including matters related to benefit recovery. ▪ Information regarding appeal procedures. ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. <p style="text-align: center;">The DBS Program does not provide financial counseling, advice on how to divest, or estate planning services.</p>	<ul style="list-style-type: none"> ✓ Long-Term Care Ombudsman Program (issues related to quality of care) ✓ Community Integration Specialist (developmentally disabled clients only) ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Local private attorneys ✓ State Bar’s lawyer referral service
<p>Medicaid Coverage, including SSI managed care</p>	<ul style="list-style-type: none"> ▪ Overview of benefit program. regarding covered services. ▪ Information regarding appeal procedures; and ▪ Representation, when appropriate, in cases involving denial of MA coverage for services received and/or denials of Prior Authorization for future services. 	<ul style="list-style-type: none"> ✓ Social Security Administration ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Disability Rights Wisconsin (DRW), durable medical equipment cases and SSI managed care advocacy project

Access to Health Care Coverage – Core Services, cont'd

<p>Family Care, PACE and WI Partnership</p>	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Information regarding eligibility. ▪ Information regarding appeal procedures. Assistance with filling out application and with appeal procedures associated with eligibility. ▪ Referral for representation in cases involving a dispute of level and/or type of services provided through Family Care. ▪ 	<ul style="list-style-type: none"> ✓ Family Care CMO member rights specialist, Internal Appeal/Grievance Process ✓ Family Care ADRC Options Counselor ✓ DHFS Division of Hearings and Appeals ✓ PACE/Partnership Ombudsman ✓ DRW general intake
<p>Medicare Eligibility (Parts A, B C advantage plans, and D)</p>	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Benefit eligibility counseling based on client-specific information, including eligibility for Medicare Part D benefits. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Information regarding appeal procedures; and ▪ Representation, when appropriate, in cases involving denial of Medicare eligibility. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ DRW Disability Drug Benefit Helpline ✓ Medigap Helpline
<p>Medicare Coverage</p>	<ul style="list-style-type: none"> ▪ Client-specific benefit counseling regarding Medicare coverage criteria, including prescription drug benefits and plans under Medicare Part D. ▪ Information regarding appeal procedures; and ▪ Representation, when appropriate, in cases involving denial of Medicare covered services. 	<ul style="list-style-type: none"> ✓ Medigap Helpline ✓ Office of the Commissioner of Insurance ✓ DRW Disability Drug Benefit Helpline
<p>VA Health and Medical Programs</p>	<ul style="list-style-type: none"> ▪ Clients with general questions regarding VA health and medical programs will be referred to their County Veterans Service Office. ▪ DBS services for clients unsatisfied with the assistance provided by the local VA program or who need additional assistance with understanding or appealing a determination made by the VA are the same as identified above for cases involving OASDI benefits. 	<ul style="list-style-type: none"> ✓ County Veterans Service Office ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).

Access to Health Care Coverage – Core Services, cont'd

Health Insurance Risk Sharing Program (HIRSP)	<ul style="list-style-type: none"> ▪ Information regarding eligibility and covered services. ▪ Information regarding requests for review and grievances before the HIRSP Board; and ▪ Representation, when appropriate, in cases involving denials of eligibility for HIRSP in general, eligibility for reduced premiums and deductibles and denials of covered services. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Office of the Comm. of Ins. ✓ DRW Disability Drug Benefit Helpline, as related to coordination of benefits with Medicare Part D
Consolidated Omnibus Budget Reconciliation Act (COBRA)	<ul style="list-style-type: none"> ▪ Overview of benefit program. regarding rights under COBRA. ▪ Information regarding appeal procedures. 	<ul style="list-style-type: none"> ✓ U.S. Dept. of Labor, Pension and Welfare Benefits Admin. (private plans) ✓ U.S. Public Health Service, Office of the Assistant Sec. for Health (public plans)
Private Health Insurance Coverage (including Medigap and long-term care policies)	<ul style="list-style-type: none"> ▪ DBS will assist clients with understanding coverage criteria in private insurance policies. ▪ DBS will assist client with understanding internal grievance and appeal procedures ▪ When appropriate, DBS will represent clients on internal appeals and/or grievances related to denials of coverage. 	<ul style="list-style-type: none"> ✓ Medigap Helpline ✓ Office of the Comm. of Ins. ✓ DBS Program Attorney ✓ Local private attorneys ✓ State Bar's lawyer referral service ✓ DRW Disability Drug Benefit Helpline, as related to coordination of benefits with Medicare Part D
Indigent Drug Program	<ul style="list-style-type: none"> ▪ Overview of benefit program. regarding availability of Indigent Drug Programs. ▪ The DBS may assist clients with completion and submission of Indigent Drug applications if the client is limited in his or her ability to do so independently and there are no other family members, friends or support programs to assist the client. 	<ul style="list-style-type: none"> ✓ Indigent Drug Assistance Programs (some county agencies and health care providers have designated staff to assist with applications). ✓ DRW Disability Drug Benefit Helpline
Donated Dental	<ul style="list-style-type: none"> ▪ Information regarding the Wisconsin Donated Dental Program. 	<ul style="list-style-type: none"> ✓ Wisconsin Dental Association.

Overpayments – Core Services

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
OASDI/SSI	<ul style="list-style-type: none"> ▪ Information regarding Request for Reconsideration of Overpayment and/or Request for Waiver of Recoupment ▪ Assistance with filing Request for Reconsideration of Overpayment and/or Request for Waiver of Recoupment (this includes gathering necessary documentation and investigation of relevant facts); and ▪ Representation, when appropriate, in appeals of denials of Request for Reconsideration of Overpayment and/or denials of Request for Waiver of Recoupment. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ If an overpayment is the result of earnings, DBS will consider referral to available work-incentive benefit counseling programs.
County-Administered benefits <ul style="list-style-type: none"> • State SSI and related supplements • MA • FoodShare • W2 	<ul style="list-style-type: none"> ▪ Information regarding appeals of overpayments and Fair Hearing Process. ▪ Assistance with filing Fair Hearing Request. ▪ Representation, when appropriate, at Fair Hearings. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).

Income Programs – Core Services

Issue Area or Benefit Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
Supplemental Security Income (SSI) <ul style="list-style-type: none"> • Federal • State Supplement • Grandfather Group • SSI-E Supplement • Caretaker Supp. 	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Information regarding appeal procedures. ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ National Organization of Social Security Claimant’s Representatives referral hotline.

Income Programs – Core Services, cont'd

<p>Old-Age, Survivors, and Disability Insurance (OASDI)</p> <ul style="list-style-type: none"> • SSDI • DAC • Widow/Widower 	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Information regarding appeal procedures. ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ National Organization of Social Security Claimants Representatives referral hotline.
<p>Veterans Administration Pensions</p>	<ul style="list-style-type: none"> ▪ Clients with general questions regarding VA pensions will be referred to their County Veterans Service Office. ▪ DBS services for clients who require additional assistance with understanding or appealing a determination made by the VA are the same as identified above for cases involving OASDI benefits. 	<ul style="list-style-type: none"> ✓ County Veterans Service Office ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria) ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ National Organization of Social Security Claimant’s Representatives referral hotline.
<p>Railroad Retirement Disability Annuity</p>	<ul style="list-style-type: none"> ▪ Clients with general questions regarding Railroad Retirement Disability Annuity benefits will be referred to their appropriate Railroad Retirement District Office. ▪ DBS services for clients needing assistance with understanding or appealing a determination made by the Railroad Retirement Board are the same as identified above for cases involving OASDI benefits. 	<ul style="list-style-type: none"> ✓ Railroad Retirement Board District Office ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ National Organization of Social Security Claimant’s Representatives referral hotline.

Income Programs – Core Services, cont'd

<p>W-2 related programs</p>	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ Benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Information regarding complaint, grievance and appeal procedures. ▪ Representation, when appropriate, in investigations (W-2 recipients are not entitled to fair hearings) of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ Local Economic Support worker ✓ Local W2 worker ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).
<p>Unemployment Compensation</p>	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ DBS will not advise clients regarding the merits of his or her specific UC claim. ▪ DBS will assist clients with understanding UC appeal procedures. 	<ul style="list-style-type: none"> ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ UW Law School Unemployment Compensation Clinic ✓ Marquette Law School Unemployment Compensation Clinic ✓ State Bar Lawyer Referral Service
<p>Income Insurance Programs:</p> <ul style="list-style-type: none"> • Income Continuation Insurance • Short-Term Disability Insurance • Long-Term Disability Insurance 	<ul style="list-style-type: none"> ▪ DBS will assist clients with understanding eligibility rules for Income Continuation Insurance (ICI), short-term disability insurance (STDI) and long-term disability insurance (LTDI) policies. ▪ DBS will assist client with understanding internal grievance and appeal procedures ▪ When appropriate, DBS will represent clients on internal appeals and/or grievances related to ICI, STDI and LTDI benefits ▪ When appropriate, DBS will assist clients with filing complaints with the Office of the Commissioner of Ins. 	<ul style="list-style-type: none"> ✓ State Bar Lawyer Referral Service ✓ Local private attorney ✓ Office of the Commissioner of Insurance

Housing/Utilities – Core Services

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
<p>Wisconsin Home Energy Assistance Program</p> <ul style="list-style-type: none"> • Heating Assist. • Crisis Assistance • Weatherization 	<ul style="list-style-type: none"> ▪ Overview of benefit program. with application filing and development (this includes gathering necessary documentation and investigation of relevant facts); and ▪ Information regarding appeal procedures; ▪ Representation, when appropriate, in appeals of eligibility denials. 	<ul style="list-style-type: none"> ✓ Income Maintenance/Economic Support ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).
<p>Home Repair and Accessibility Loans and Grants</p>	<ul style="list-style-type: none"> ▪ Assistance with identifying available funding sources. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts); and ▪ Information regarding appeal procedures; ▪ Representation, when appropriate, in appeals of eligibility denials. 	<ul style="list-style-type: none"> ✓ Local Rural Development Agency ✓ Community Action Program ✓ Independent Living Center ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).

Nutrition Programs – Core Services

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
FoodShare	<ul style="list-style-type: none"> ▪ Overview of benefit program. ▪ FoodShare benefit eligibility counseling based on client-specific information. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts). ▪ Information regarding appeal procedures. ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ Economic Support/Income Maintenance ✓ DBS Program Attorney ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).
Emergency Food Assistance and Commodities Programs	<ul style="list-style-type: none"> ▪ Information and referral only. 	<ul style="list-style-type: none"> ✓ County Social Service Agency ✓ Community Action Program ✓ Food Pantries ✓ Local Charities

Employment – *DBS Services Available at the ADRC’s Discretion*

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
OASDI/SSI Work Incentive Provisions	<ul style="list-style-type: none"> ▪ The DBS will provide general information about how work might affect benefit eligibility and payment levels. ▪ DBS will refer clients with work-related issues to all potential referral sources. ▪ If an individual is unable to access work incentive benefit counseling services or is unsatisfied with those services, the DBS will provide necessary benefit counseling. 	<ul style="list-style-type: none"> ✓ SSA, Work Incentives Planning and Assistance ✓ Work Incentives Benefit Specialist ✓ DVR, and other fee for service providers ✓ DRW Ticket to Work Advocacy Project
Vocational Counseling	<ul style="list-style-type: none"> ▪ Information and referral only. 	<ul style="list-style-type: none"> ✓ Local DVR Office ✓ County Job Service ✓ Fee for service providers

Housing/Utilities – DBS Services Available at the ADRC’s Discretion

Issue Area or Program	DBS Services Provided	Additional Referral and Assistance Sources for DBS Consumers
<p>Tenant Rights</p> <ul style="list-style-type: none"> • Evictions • Security Deposits • Discrimination • Accommodations 	<ul style="list-style-type: none"> ▪ DBS will provide basic information on tenant rights issues. ▪ General information regarding Small Claims Court procedures. <p style="text-align: center;">The DBS program does not provide case-specific legal advice or representation in Small Claims Court.</p>	<ul style="list-style-type: none"> ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria). ✓ Disability Rights Wisconsin (disability discrimination and accommodation issues only) ✓ Independent Living Center
<p>Subsidized Housing – Eligibility and Availability</p>	<ul style="list-style-type: none"> ▪ Assistance with identifying available housing options. ▪ Assistance with application filing and development (this includes gathering necessary documentation and investigation of relevant facts); ▪ Information regarding appeal procedures; and ▪ Representation, when appropriate, in appeals of eligibility denials and reductions or terminations of benefits. 	<ul style="list-style-type: none"> ✓ Local Housing Authority ✓ Independent Living Center ✓ WHEDA Community Development Officers ✓ Housing and Urban Development ✓ Rural Development Office ✓ Community Action Program ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).

Other Areas of Service – DBS Services Available at the ADRC’s Discretion

Issue Area or Program	DBS Services Provided	Potential Referral Sources
Advance Directives	<ul style="list-style-type: none"> ▪ DBS will provide the do-it-yourself consumer packets prepared by the Coalition of Wisconsin Aging Groups (CWAG). <p align="center">The DBS Program does not provide case-specific advice or representation on issues related to Advanced Directives</p>	<ul style="list-style-type: none"> ✓ Local hospitals ✓ CWAG / Guardian Support Center Hotline ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ DRW general intake
Bankruptcy	<ul style="list-style-type: none"> ▪ Referral only. 	<ul style="list-style-type: none"> ✓ Local private attorneys ✓ State Bar’s lawyer referral service ✓ Local Legal Services Corporation (for clients who meet financial and other eligibility criteria).
Civil Rights -Disability Rights	<ul style="list-style-type: none"> ▪ Information and referral. ▪ General information regarding filing complaints with the WI Equal Rights Division, the Dept. of Justice, and/or the Equal Employment Opportunity Commission. <p align="center">The DBS program does not provided case-specific legal advice or representation on civil rights and disability rights cases.</p>	<ul style="list-style-type: none"> ✓ Disability Rights Wisconsin ✓ Independent Living Centers ✓ Local private attorneys ✓ State Bar’s lawyer referral service
Consumer	<ul style="list-style-type: none"> ▪ Assistance with filing consumer complaints with the Dept. of Agriculture, Trade and Consumer Protection (this includes information gathering and investigation of relevant facts). ▪ General information regarding filing a claim in Small Claims Court. This does not include case-specific legal advice or representation in Small Claims Court. 	<ul style="list-style-type: none"> ✓ UW Law School, Consumer Law Clinic ✓ Local private attorneys ✓ State Bar’s lawyer referral service

Other Areas of Service – DBS Services Available at the ADRC’s Discretion

Issue Area or Program	DBS Services Provided	Potential Referral Sources
Debt Collection	<ul style="list-style-type: none"> ▪ Assistance with contacting creditors to request relief from debt. ▪ When appropriate, sending Fair Debt Collection Practice Act letters on clients’ behalf to creditors. ▪ General information regarding Small Claims court procedures. This does not include case-specific legal advice or representation in Small Claims Court. <p>The DBS Program does not provide financial counseling services.</p>	<ul style="list-style-type: none"> ✓ Local financial counseling services, such as those available through technical colleges and the UW-Extension ✓ UW Law School, Consumer Law Clinic ✓ Local private attorneys ✓ State Bar’s lawyer referral service
Domestic Violence and Adult Protective Services	<ul style="list-style-type: none"> ▪ Referral only. ▪ DBSs are not mandatory reporters under the new APS laws, regardless of MSW or RN certification or license. 	<ul style="list-style-type: none"> ✓ Local domestic violence programs and/or shelters.
Guardianship	<ul style="list-style-type: none"> ▪ Referral only. 	<ul style="list-style-type: none"> ✓ Guardians Support Center Hotline
Immigration -Citizenship	<ul style="list-style-type: none"> ▪ DBS services are limited to issues related to the citizenship and “qualified alien” criteria for public benefit programs. <p align="center">The DBS program does not provide client services on matters related to adjustment of immigration status, applications for citizenship and other matters governed by the Immigration and Naturalization Service.</p>	<ul style="list-style-type: none"> ✓ Immigration attorneys. ✓ Advocacy organizations working on immigration issues.

Other Areas of Service – *DBS Services Available at the ADRC’s Discretion*

<p>Taxes</p> <ul style="list-style-type: none"> • Homestead Credit • Earned Income Credit • Child Tax Credit • Property Tax Deferral Program 	<ul style="list-style-type: none"> ▪ The DBS will provide general information regarding the various low-income tax credits and programs. ▪ The DBS will not prepare tax forms for clients unless there are no volunteer tax services available. Availability of this service is at the county’s discretion. 	<ul style="list-style-type: none"> ✓ Local Volunteer Income Tax Assistance Programs. ✓ AARP Volunteer Tax Program ✓ Wisconsin Dept. of Revenue Regional Offices ✓ UW Extension Offices.
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Areas of Service Not Provided by the DBS Program

- Family law matters (child support, divorce, etc.)
- Criminal matters
- Personal Injury
- Workers Compensation
- Malpractice (medical, legal, etc.)
- Wills, Estate Planning and Probate
- Divestment and Financial Planning