

# DHS Office of Developmental Disability Services

Eligibility Overview – ADRC webinar

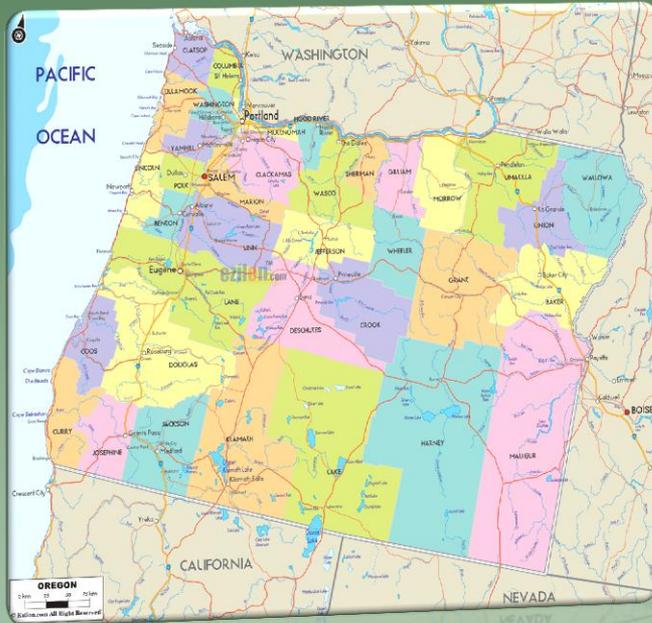
February 11, 2015

# ODDS system structure

- \* CMS Home & Community-Based Waivered or Community First Choice Plan (K Plan) for Oregonians living with Intellectual and/or Developmental Disabilities
- \* Increases community choices for inclusion
- \* Person-centered, self-directed and flexible
- \* State administered by DHS ODDS
- \* Community based, county structured delivery service through local providers
  - \* Increased networks & community advocacy
  - \* Increased stakeholder involvement

# Local Service Delivery

Community Developmental Disability Services or Brokerages:



- ❖ Case Management Services
- ❖ Access to DD funded services
- ❖ Needs Assessment & Individual Service Plan + coordination of community services in line with needs
- ❖ Information & Referrals
- ❖ Family Support Services (CDDP: children & adults; Brokerages: adults only)
- ❖ In-Home Supports/Personal Care

# Definitions

## Intellectual Disability – OAR 411-320-0020(59):

“Intellectual Disability (ID)” means significantly subaverage general intellectual functioning defined as full scale intelligence quotient's (IQ's) 70 and under as measured by a qualified professional and existing concurrently with significant impairment in adaptive behavior directly related to an intellectual disability as described in OAR 411-320-0080 that is manifested during the developmental period prior to 18 years of age.

Individuals with full scale IQ's 71-75 may be considered to have an intellectual disability if there is also significant impairment in adaptive behavior as diagnosed and measured by a licensed clinical or school psychologist as described in OAR 411-320-0080.”

# Definitions, cont.

## Developmental Disability – OAR 411-320-0020(37):

“(37) "Developmental Disability (DD)" means a neurological condition that:

- (a) Originates before an individual is 22 years of age or 18 years of age for an intellectual disability;
- (b) Originates in and directly affects the brain and has continued, or is expected to continue, indefinitely;
- (c) Constitutes significant impairment in adaptive behavior as diagnosed and measured by a qualified professional as described in OAR 411-320-0080;
- (d) Is not primarily attributed to other conditions including, but not limited to, a mental or emotional disorder, sensory impairment, motor impairment, substance abuse, personality disorder, learning disability, or Attention Deficit Hyperactivity Disorder (ADHD); and
- (e) Requires training and support similar to an individual with an intellectual disability as described in OAR 411-320-0080.”

# Intellectual Disability criteria

OAR 411-320-0080(3)

(3) INTELLECTUAL DISABILITY. A history of an intellectual disability as defined in OAR 411-320-0020 and significant impairment in adaptive behavior as described in OAR 411-320-0020 must be evident prior to the 18th birthday of an individual for the individual to be eligible for developmental disability services.

(a) Diagnosing an intellectual disability is done by measuring intellectual functioning and adaptive behavior as assessed by standardized tests administered by a licensed clinical or school psychologist with specific training and experience in test interpretation of intellectual functioning and adaptive behavior scales for individuals with intellectual disabilities.

(A) For individuals who have consistent Full Scale IQ results of 65 and less, no assessment of adaptive behavior may be needed if current documentation supports eligibility.

# Intellectual Disability criteria, cont.

(B) For individuals who have Full Scale IQ results of 66-75, verification of an intellectual disability requires an assessment of adaptive behavior.

(C) A General Ability Index result may be used in place of a Full Scale IQ score to determine eligibility in the event that a licensed clinical or school psychologist determines that the General Ability Index is a more valid measure of overall intelligence when compared to the Full Scale IQ score.

(D) A Specific Index IQ result may be used in the event Full scale IQ or General Ability Index results are not able to be provided by the clinical impression of a licensed psychologist.

# Intellectual Disability criteria, cont.

(E) If an individual is not able to participate in an intelligence test due to profound intellectual disability, a statement of profound intellectual disability must be documented by a qualified professional and an adaptive behavior assessment demonstrating a composite score of at least two standard deviations below the mean must be completed.

(b) Impairment of adaptive behavior must be directly related to an intellectual disability and cannot be primarily attributed to other conditions, including but not limited to a mental or emotional disorder, sensory impairment, motor impairment, substance abuse, personality disorder, learning disability, or ADHD.

(c) The condition and impairment must continue, or be expected to continue, indefinitely.

# Intake & Application

Intake

```
graph TD; A[Intake] --> B[Documents required for eligibility determination]; B --> C[Completed application]; C --> D[Choice advising]; D --> E[Level of care assessment]; E --> F[Functional needs assessment]; F --> G[Individual support plan]; G --> H[Service delivered];
```

The diagram is a vertical flowchart with eight steps, each in a green rounded rectangle. The steps are connected by downward-pointing arrows. The background is a light green gradient with faint, abstract line patterns.

Documents required for  
eligibility determination

Completed application

Choice advising

Level of care assessment

Functional needs  
assessment

Individual support plan

Service delivered

# Completed Application

OAR 411-320-0020(25)

"Completed Application " means an application required by the Department that:

- a) Is filled out completely, signed, and dated. An applicant who is unable to sign may sign with a mark, witnessed by another individual; and
- b) Contains documentation required to make an eligibility determination as outlined in OAR 411-320-0080.

# Timelines

- Eligibility Specialist has 90 days from Intake to collaborate with applicant to obtain information necessary to process application
- One 90-day extension may be given
- The CDDP may stop the process and send a NOPA

# Helpful records in determining eligibility

Documentation includes, but is not limited to:

- i. All school psychological or comprehensive evaluations since entry into school;
- ii. All medical assessments related to a disability, mental health condition, or physical impairment;
- iii. All psychological evaluations or comprehensive evaluations through private health insurance or other programs;
- iv. All neurological evaluations completed through any entity;
- v. All records from all residential or psychiatric facilities;
- vi. Records completed through application process for other governmental benefits; and
- vii. Administrative medical examinations and reports, as defined in OAR 410-120-0000, determined necessary and authorized by the eligibility specialist.

# Eligibility is determined

- CDDP must send a NOPA within 10 days of completed application
- Notice of Rights must be provided within 10 days

If eligible, the following applies in this order:

1. **Choice advising** prior to (or concurrent with) the Level of Care assessment
2. **Level of Care** assessment  
Must be completed prior to or same date as FNAT
3. **Functional Needs Assessment (FNAT)**
  - Must be completed after or on same date as LOC
  - No more than **45 days from the date of a completed application**
4. **Individual Support Plan (ISP)**  
No more than **90 days from the date of a completed application**

# Case Scenarios

## 1. 62 year old individual

- No HS diploma
- Work history
- Difficulty living on their own for the past few years
- Memory problems, confusion & comprehension, difficulty w/ADLs
- Decline in previous level of functioning

## 2. 48year old individual

- HS diploma – special education history
- No/Limited work history
- Difficulty living on their own for most of their adult life
- Memory problems, confusion & comprehension, difficulty w/ADLs
- Has always had lower level of functioning, needs another's support
- History of Intellectual Disability (consistent IQ scores of <70, 70-75 with an ID diagnoses, or Developmental Disability (Ex's: Down Syndrome, Cerebral Palsy, Angelman Syndrome)

# Case Scenarios

## 3. Parent calling on 3 year old individual

- General developmental delay, <1 year behind in milestones
- Early Intervention services
- No diagnoses
- Parent needing support with behavior issues
- Child has no medical coverage

## 4. Adult sibling, parent, or community partner agency calling on a 22 year old individual

- General developmental delay, 2+ years behind peers in multiple ADL's
- Special education history
- Just approved for SSI
- Needs help living independently

# DHS APD

## Office of Developmental Disabilities Diagnoses & Evaluation Coordinators:

Becky Smallwood  
Operations/Policy Analyst 3  
503-947-2393 or 503-957-9016  
[rebecca.smallwood@dhsoha.state.or.us](mailto:rebecca.smallwood@dhsoha.state.or.us)

Mike Paul  
Operations/Policy Analyst 3  
503-945-5865 or 503-449-4461  
[michael.p.paul@dhsoha.state.or.us](mailto:michael.p.paul@dhsoha.state.or.us)