Division Guideline #72

Date: April 2, 2018

Title: Children’s Division/Division of Developmental Disabilities Waiver Eligibility guideline

Application: Regional Offices

This guideline describes the obligations of the Division of Developmental Disabilities (DD) staff when communicating with staff members of the Children’s Division (CD) regarding waiver eligibility of individuals served by both Divisions.

When responding to inquiries from CD regarding “waiver eligibility” for individuals under their care, it is crucial that both DD and CD staff understand and are in agreement about what is being determined. In general, the expectation is that the Regional Office consider and report on only these two questions:

1. Is the diagnosis consistent with waiver eligibility, and
2. Are there at least three areas of substantial functional limitation?

This analysis simply ensures that neither the diagnosis nor number of functional limitations would result in waiver ineligibility.

All parties must clearly understand that waiver participation and services, if any, will be dependent upon the circumstances and documentation at the time of the actual service request. A finding of waiver eligibility does not guarantee approval for any specific service or entrance into a specific waiver. The requirements for waiver participation and service documentation are not lessened by an Interdivisional Agreement on how the state match obligation is met.

Additional Information Related to the Inter Divisional Agreement (IDA) Process
The spreadsheet generated by CD and forwarded to DD includes tabs for several statuses. “Active” refers to those currently funded through the IDA. “Closed” refers to those children who were previously funded through the IDA. “In Process” refers to those approved by CD and have gone through the UR Process to receive approval by DD for entry into the IDA process. “Waiting” refers to those children who have been identified as potentially appropriate for the IDA process, but who have not yet been selected to be approved by the CD and DD for participation in the IDA process.

“Child Specific Contract” refers to a process by which the CD is able to access the provider network contracted with DD for waiver services. The use of a Child Specific Contract is not contingent upon Regional Office Approval. CD then pays one of these providers for services to a child under CD guardianship using general revenue funds appropriated to the CD. Services provided through a Child Specific Contract do not appear on a DD Individual Support Plan (ISP) or budget as being DD waiver funded. In contrast, services funded partially through an IDA would appear on the ISP and budget as they remain waiver-funded services.

For direction on the conditions in which a child might be supported through an IDA, please refer to Guideline 27.

*This guideline will be reviewed and updated annually, if needed.*