



## **Community-Based Services DD Eligibility**

Eligibility for developmental disability services is governed by Nebraska Revised Statutes §§ 83-1205, 1209 and 12-1216, and Title 404 NAC, Chapter 3 of the Nebraska Administrative Code. Developmental disability is defined in the Developmental Disability Services Act as:

- (1) Intellectual disability; or
- (2) A severe, chronic disability other than intellectual disability or mental illness which:
  - (a) Is attributable to a mental or physical impairment other than a mental or physical impairment caused solely by mental illness;
  - (b) Is manifested before the age of twenty-two years;
  - (c) Is likely to continue indefinitely; and
  - (d) Results in:
    - (i) In the case of a person under three years of age, at least one developmental delay; or
    - (ii) In the case of a person three years of age or older, a substantial limitation in three or more of the following areas of major life activity, as appropriate for the person's age:
      - (A) Self-care;
      - (B) Receptive and expressive language development and use;
      - (C) Learning;
      - (D) Mobility;
      - (E) Self-direction;
      - (F) Capacity for independent living; and
      - (G) Economic self-sufficiency.

The state statute has been revised to be consistent with federal regulatory requirements and with the nationally recognized definition adopted by the American Association on Intellectual and Developmental Disabilities in its most recent manual (2010).

Since the inception of community-based services in Nebraska, eligibility for developmental disability services has been determined by service coordinators in local offices across the state.

The change to centralized determination of eligibility helps ensure statewide consistency of eligibility decisions, and is consistent with CMS expectations for conflict free case management. In order to achieve this, the Division reorganized several functions in Community-Based Services, and serves as the first waiver service to address the expectation. As a result:

- The Division's 15 disability services specialists (DSS) report to the Waiver Manager in central office. While still located in local offices throughout the state, they are assured consistent training and oversight.
- Reassignment of eligibility determinations from service coordinators to disability services specialists allows the service coordinators to dedicate more time to supporting individuals on their caseloads, and avoids the potential for conflicts between service coordinators and the individuals and families they may be assigned to support.
- An internal staff psychologist with specialized training in developmental disability assessments and services may complete a secondary review of an application where eligibility is unclear and a professional opinion is necessary.
- Working with new technologies allows a centralized process for processing and records retention for eligibility determinations. Individuals and their families can access the eligibility process through a variety of ways:
  - AccessNebraska online application at <http://accessnebraska.ne.gov/> ;
  - Contact a local DHHS office;
  - Contact our central office through our state-wide toll free number (877) 667-6266;
  - Visit our eligibility website at <http://www.dhhs.ne.gov/dip/ded/DDEligibility.htm> ;
  - Visit the Nebraska Department of Education website at <http://ndetransition.site.esu9.org/linksresources/> where access to the DD eligibility process is included along with the transition materials;
  - Discuss eligibility during the transition process with a local ESU transition coordinator; or
  - Contact a local ARC office.

Upon receiving an eligibility referral, the Division sends an eligibility packet that describes the eligibility requirements and processes. The packet includes an application, a notice of rights and obligations, a release of information form (necessary to allow the Division access to documentation necessary to review eligibility), a United States citizenship attestation form, and a checklist for gathering documentation/records. The Division has received feedback from advocacy organizations and community representatives that this application packet and the new process are much simpler for individuals and their families and that they appreciate the new transparency in the eligibility process.

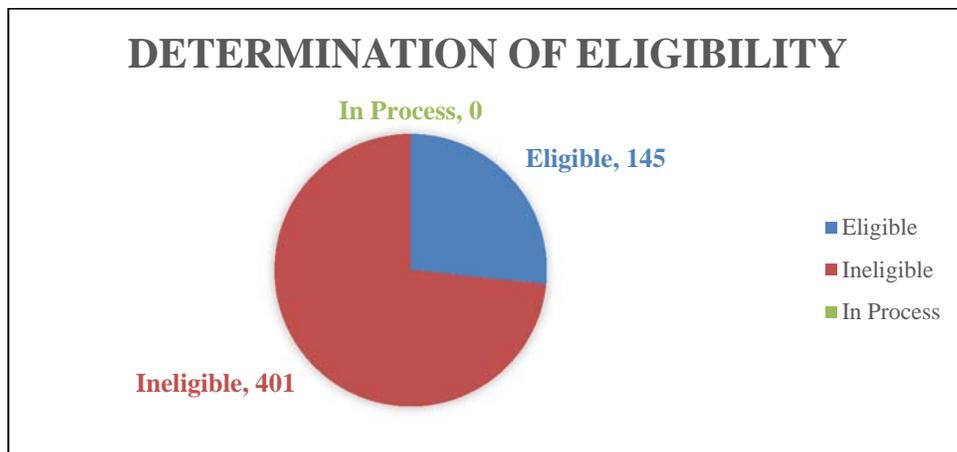
The Division has spent significant time and resources partnering with educational and advocacy entities to promote early eligibility determinations and to clarify misconceptions about the eligibility requirements and processes. We are excited about providing better access to information

and the application process to individuals with developmental disabilities and their families. We will continue to assess issues related to eligibility process and will make adjustments to processes as necessary.

Between the dates of January 1, 2013 and December 31, 2013, 1,748 referrals were made on behalf of 1,661 individuals (please note that 85 individuals received more than one referral over the duration of this time period). Of the 1,748 application packets sent between the dates of January 1, 2013 and December 31, 2013, 1,188 were not returned (68.0% of total application packets sent).

DD Service Referrals/Applications Received 1/1/2013 to 12/31/2013							
Age Range Of Applicants	Number of Individuals Referred	Total Applications Sent	Total Applications Not Returned	Total Applications Received	Determinations		
					Eligible	Ineligible	In Process
<b>Total</b>	<b>1,661</b>	<b>1,748</b>	<b>1,202</b>	<b>546</b>	<b>145</b>	<b>401</b>	<b>0</b>
0 to 5	107	109	79	30	3	27	0
6 to 10	200	212	166	46	12	34	0
11 to 15	224	238	164	74	30	44	0
16 to 20	389	412	242	170	53	117	0
21 to 25	286	303	182	121	35	86	0
26 to 30	108	113	87	26	4	22	0
31 to 35	87	89	70	19	2	17	0
36 to 45	113	119	94	25	3	22	0
46 to 55	81	85	65	20	2	18	0
56 +	66	68	53	15	1	14	0

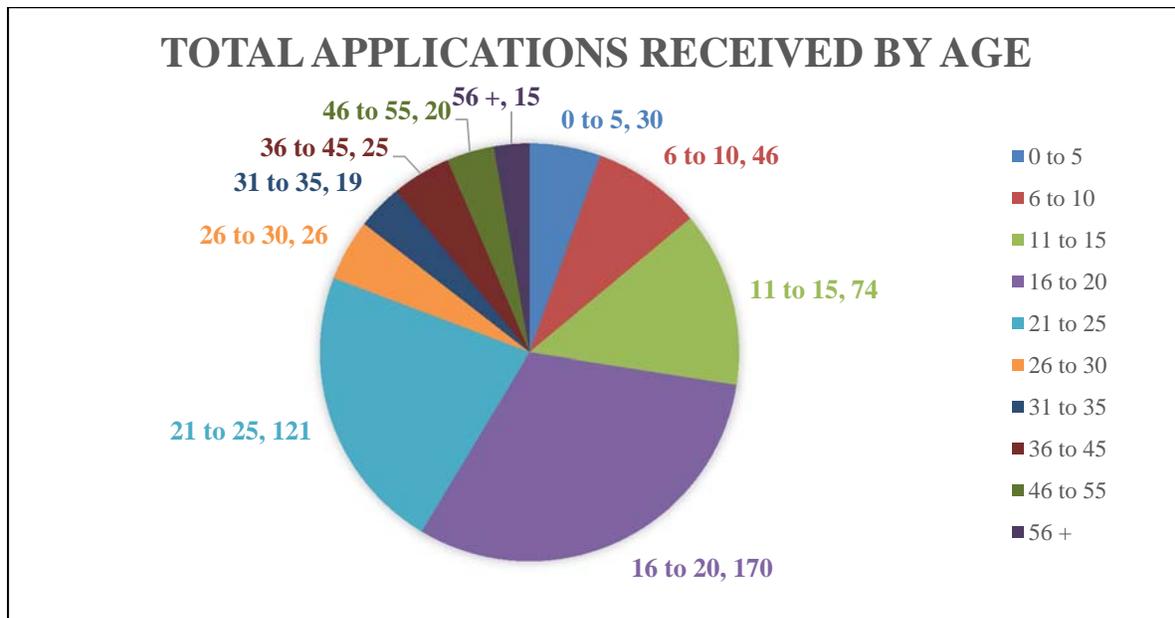
Of the 546 total applications received, 401 were determined to be ineligible for services (22.9% of total application packets sent), 145 were determined eligible for services (8.3% of total application packets sent).



Reason for ineligibility determinations varies.

<b>DD Service Referrals/Applications Received 1/1/2013 to 12/31/2013</b>	
<b>Reason For Ineligibility Determination</b>	<b>Count</b>
<b>TOTAL</b>	<b>401</b>
APP & DOCS RCD - NO EVIDENCE OF ID/DD OR ADAPTIVE SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITY	262
APP & DOCS RCD - NO EVIDENCE OF ID/DD	47
APPLICATION RECEIVED & ONLY ONE OR MORE REQUIRED FORMS	32
APP & DOCS RCD - NO EVIDENCE OF ADAPTIVE SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITY	20
SECONDARY REVIEW - APP, DOCS DO NOT DEMONSTRATE ID/DD &/OR ADAPTIVE SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITY	15
SECONDARY REVIEW WITH SIB-R - NOT SUBSTANTIAL ADAPTIVE SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITY	9
OTHER	7
APP, DOCS, SIBR - NO EVIDENCE OF ADAPTIVE SUBSTANTIAL LIMITATIONS OF MAJOR LIFE ACTIVITY	6
SECONDARY REVIEW - NO DIAGNOSIS OF ID/DD	2
REFUSAL OR FAILURE TO COOPERATE IN SIBR	1

The average age of the applicants from the 560 total applications received is 21, with a median age of 19.



In the past three fiscal years, total requests for application packets have declined each fiscal year over year with 2,088 application requests in fiscal year 2011-12, 2,026 application requests in fiscal year 2012-13, and 1,161 application requests in fiscal year to date 2013-14(2013-14 fiscal year data is through 5/31/2014.) Applications received for DD services have however remained consistent over this time period with 597 applications received in fiscal year 2011-12, 615 applications received in fiscal year 2012-13, and 596 applications received in fiscal year to date 2013-14.

<b>DD Service Referrals/Applications Received - Three Year Trend</b>							
<b>Fiscal Year/Quarter Referral Received</b>	<b>Number of Individuals Referred</b>	<b>Total Applications Sent</b>	<b>Total Applications Not Returned</b>	<b>Total Applications Received</b>	<b>Determinations</b>		
					<b>Eligible</b>	<b>Ineligible</b>	<b>In Process</b>
Q1	510	516	391	125	55	70	0
Q2	498	497	362	135	50	85	0
Q3	599	602	429	173	59	114	0
Q4	473	473	350	123	46	77	0
<b>FY 2011-12</b>	<b>2,080</b>	<b>2,088</b>	<b>1,532</b>	<b>556</b>	<b>210</b>	<b>346</b>	<b>0</b>
Q1	492	498	348	150	68	82	0
Q2	498	499	365	134	46	88	0
Q3	588	588	431	157	50	107	0
Q4	439	441	289	152	36	116	0
<b>FY 2012-13</b>	<b>2,017</b>	<b>2,026</b>	<b>1,433</b>	<b>593</b>	<b>200</b>	<b>393</b>	<b>0</b>
Q1	454	457	318	139	33	106	0
Q2	261	262	164	98	26	72	0
Q3	238	263	89	174	37	61	76
Q4*	172	179	1	178	9	5	164
<b>FY 2013-14**</b>	<b>1,125</b>	<b>1,161</b>	<b>572</b>	<b>589</b>	<b>105</b>	<b>244</b>	<b>240</b>

\*\*FY 2012-13 Information for referrals received from 7/1/2013 to 5/31/2014