

## Nebraska Rev. Statute 83-1216

### [Nebraska Revised State Statute 83-1216](#)

addresses priority funding for persons who have been determined eligible with developmental disabilities.

The priorities for receiving funding for DD services, via Medicaid home and community-based services (HCBS) waivers are:

- 1) The first funding priority is to respond to the needs of **persons in immediate crisis** due to caregiver death, homelessness, or a threat to the life and safety of the person;
- 2) The second funding priority is to respond to the needs of **persons that have resided in an institutional setting** for a period of at least twelve consecutive months and are requesting community-based services;
- 3) The third funding priority is to respond to the needs of **persons who are wards of the department or persons placed under the supervision of the Office of Probation Administration** by the Nebraska court system who are transitioning upon age nineteen with no other alternatives as determined by the department to support residential services necessary to pursue economic self-sufficiency;
- 4) The fourth funding priority is to respond to the needs of **persons transitioning from the education system upon attaining twenty-one years of age** to maintain skills and receive the day services necessary to pursue economic self-sufficiency; and
- 5) The fifth funding priority is to respond to the needs of **all other persons by date of application**.

## Important Initials to Know

### DD

Developmental Disabilities

### DDD

Division of Developmental Disabilities

### HCBS

Home and Community-Based Services

### SC

Service Coordinator

### VR

Vocational Rehabilitation

### DHHS

#### Division of Developmental Disabilities

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## DD Services

## Funding to Transition from Educational Services

# NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES

*"Helping People Live Better Lives"*

## What does Nebraska Rev. State Statute 83-1216 mean for a graduate?

Prior to May 24, 2017, persons received services in accordance with the Developmental Disabilities Services Act. When they: (1) were determined to be eligible for specialized services, (2) graduated from high school on or after September 6, 1993, and (3) reached the age of 21 years.

After May 24, 2017, there is no longer this “entitlement” to receive DD services. This means that a 21 year old graduate will not automatically receive funding when there is someone with a higher priority need.

A 21-year-old is offered funding under the fourth funding priority for persons transitioning from the educational system. This priority is to maintain skills and receive day services necessary to pursue economic self-sufficiency. Funding is for day services.

Based on historical data, the state has reserved a sufficient number of waiver slots (200 per year) to continue serving all new graduates under the fourth funding priority category.

## Other Benefits and Services

All applicants eligible for DD funding must apply for and accept any federal Medicaid benefits for which they may be eligible and benefits from other funding sources within the Department and other agencies, to the maximum extent possible.

This includes the Department of Education, specifically Vocational Rehabilitation Services.

## DD Funding Offers for Day Services to Graduates

The process to receive funding continues to be the same for eligible persons.

DD Service Coordinators (SCs) will explain DD service options at Individual Educational Program (IEP) meetings during the person’s last year in the educational program.



90 days before an eligible person turns 21, SC will receive their name to begin process.



DD staff will contact eligible person and offer waiver slot. This waiver slot will provide funding for DD day services after graduation.



The person must accept a day waiver slot in order to become a participant of DD services under the fourth priority.



DHHS will complete an ICAP assessment to determine the funding amount the participant will receive to meet their needs.



Participant will choose which provider(s) to use for DD services.



SC will complete referral for any agency providers and help any independent providers with enrollment.



SC will hold intake Individual Supports Planning (ISP) meeting to identify DD services and supports and assign responsibility.



SC will complete service authorization(s) assigning funding to provider(s).

## The DD “Wait List”

Once an applicant is found eligible for DD services, they are placed on the DD wait list to await funding under the fifth priority (date of application/need).

The list of eligible persons turning 21 years old is generated based on the wait list. The fourth funding priority is based on state statute.

A participant receiving day services may remain on the wait list for residential services. A person who declines a waiver spot when offered under the fourth priority will need to wait until their date of application for a new offer under fifth priority.

## DD Service Coordinators

A service coordinator (SC) is available for all persons on the wait list for DD funding. This SC can help with the access of other benefits and services even before DD services begin.

The SC can attend Individual Educational Program (IEP) meetings to form relationships and start learning interests and goals. The school will need permission to invite the SC. They will work with the school system and NebraskaVR to help with a smooth transition to adult services.

**For questions about the wait list, or to request a SC be assigned:**

**Call toll free**

877-667-6266

**Email**

DHHS.DDRegistry@nebraska.gov