DAUPHIN COUNTY MH/ID PROGRAM
POLICY AND PROCEDURE

<table>
<thead>
<tr>
<th>Department:</th>
<th>MH</th>
<th>Policy No.</th>
<th>08-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID</td>
<td></td>
<td>Effective Date</td>
<td>03-05-08</td>
</tr>
<tr>
<td>EI</td>
<td></td>
<td>Revision Date</td>
<td>10-4-2013</td>
</tr>
<tr>
<td>Admin</td>
<td></td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>Crisis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Title: Eligibility for Intellectual Disabilities Services and Supports

Policy: The Dauphin County Mental Health/Intellectual Disabilities (MH/ID) Program will assure that eligibility determinations for Intellectual Disability Services are conducted in compliance with Office of Developmental Programs (ODP) policies and directives. The Dauphin County Mental Health/Intellectual Disabilities Program delegates this Administrative Entity responsibility to the CMU’s Service Access Coordination Unit.

Definitions:

CMU – CMU is the contracted agency that is delegated by the Dauphin County MH/ID Program to provide intake, eligibility determination and registration for intellectual disability services.

Service Access Coordinator – Intellectual Disability Department Intake staff at CMU.

Psychologist Reviewer – A licensed psychologist who reviews IQ testing and reports to determine an individual’s eligibility for Intellectual Disability services.

Clinical judgment – Clinical judgment is defined as reviewing the person’s test scores, social and medical history, overall functional abilities, and any related factors to make an eligibility determination.

Intellectual Disability (ID) – Intellectual disability is the term now used to identify a person formerly referenced as having the condition of mental retardation. Eligibility requirements for ID services in Pennsylvania are established by policy from the PA Department of Public Welfare, Office of Developmental Programs through Mental Retardation Bulletin # 4210-02-05, issued May 31, 2002, titled, “Clarifying Eligibility for Mental Retardation Services and Supports.”
POLICY AND PROCEDURES
ID Eligibility
Page 2 of 6

According to Bulletin # 4210-02-45, a person with an intellectual disability meets ALL of the following essential features:

1. Significantly sub-average general intellectual functioning;
2. Significant limitations in adaptive functioning in at least two of the following skills areas:
   a. Communication
   b. Self-care
   c. Home living
   d. Social/interpersonal skills
   e. Use of community resources
   f. Self-direction
   g. Functional academic skills
   h. Work
   i. Leisure
   j. Health
   k. Safety, and;

3. The onset occurred before the individual’s 22nd birthday.

Significantly sub-average general intellectual functioning – Significant sub-average general functioning is determined by a standardized, individually administrated, intelligence test. The overall full scale intelligence quotient (IQ) score of the test and of the verbal/performance scale IQ scores are at least two standard deviations below the mean taking into consideration the standard of error of measurement for the test.

Discussion:

Schools and other service systems determine a person’s intellectual disability for their particular system. The procedure described in this policy will determine an individual’s eligibility for the ID system using the requirements established by the Pennsylvania Office of Developmental Programs.

Eligibility for ID services does not automatically qualify an individual for either the Consolidated or Person/Family Directed Supports Waivers. Determining eligibility for either the Consolidated or Person/Family Directed Supports (PFDS) Waivers requires additional administrative verification that level of care and financial eligibility criteria are met. The eligibility criteria for enrollment into the Consolidated or PFDS waiver are also established by the PA Office of Developmental Programs.

Procedure:

I. Determining Eligibility for Intellectual Disability Services

1) Requesting a Decision about ID Eligibility: Individuals who wish to register with the Dauphin County Intellectual Disabilities Program will be offered an intake conducted by Service Access Coordination staff at CMU. The intake can occur at
CMU's office or at a location designated by the individual or their caregiver. At this intake appointment, the Service Access Coordinator will gather all available eligibility information and secure consent for release of information in order to request records to assist in determining eligibility for intellectual disability services.

2) **Time Frame for Decision Making:** Eligibility determinations will be made within forty-five (45) calendar days of the initial request. The determination will be based on all available information provided to the CMU's Service Access Coordinator during that time. The 45 calendar days is initiated upon the individual's face-to-face intake meeting with the Service Access Coordinator from CMU.

3) **Documentation Needed for Decision Making:** Eligibility for Intellectual Disabilities Services is confirmed when written documentation is secured in which the three criterion are met: 1) the person's IQ is two or more standard deviations below the norm as evidenced by the results of a standardized test using the full scale IQ scores; and 2) the person has deficits in at least two areas of adaptive functioning; and 3) there is evidence that the first two criteria were evident prior to the person's 22nd birthday. All available records will be reviewed to determine if the criteria as outlined in Mental Retardation Bulletin 4210-02-05 “Clarifying Eligibility for Mental Retardation Services and Supports” have been met to establish eligibility for ID services in Pennsylvania. Information used to document eligibility may include:
- Review of all available testing conducted by the following professionals: certified school psychologist, licensed psychologist, psychiatrist, or physician
- School records
- Medical records from a medical professional
- Psychiatric records from a psychiatrist
- Family Observations

4) **Accessing Intellectual Disability Services:** If the individual is determined to be eligible for services, the individual can request services from the ID service system. The eligibility determination will be recorded in the Home and Community Services Information System (HCSIS) on the “Program Eligibility” screen. The individual will then be enrolled in SC Services Only and offered a choice of Supports Coordination Organization.

5) **Eligibility Status:** The individual will remain eligible for intellectual disability services until such time that subsequent testing indicates otherwise. Routine eligibility reviews will not occur unless the following is evident:
- Previous eligibility was based on an unspecified diagnosis or a developmental delay (315.9) as a toddler/preschooler. Review will occur around the child’s 8th birthday with the purpose of reconfirming the child’s ID eligibility.
- The individual has a condition which limits communication and communication technology is now available to get a better view of the person’s abilities. (i.e. autism, communication delays).
- The team agrees that the person’s performance should be reevaluated and there are documented sound clinical reasons for doing so.

II. **When Eligibility Can Not Be Determined**

1) If the Service Access Coordinator is not able to determine eligibility after reviewing the available documentation, a clinical review of the individual’s record will be completed by a licensed psychologist. The psychologist reviewer will provide written documentation supporting his or her eligibility decision. The results of this review will result in either a Yes or No decision about the person’s eligibility for ID services.

2) The Dauphin County MH/ID Program contracts with at least two agencies that provide IQ testing, clinical judgment, and eligibility reviews. This assures that the professional conducting the eligibility review and the professional conducting testing will not be from the same agency.

3) When documentation confirms that all criteria are met and the individual is eligible for ID services, the reviewer’s decision will be YES for ID eligibility.

4) When the documentation confirms that the individual does not meet the criteria, the reviewer’s decision will be NO for ID eligibility.

5) When the documentation provided is not sufficient information to establish eligibility, the reviewer’s decision will be NO for ID eligibility, and the Reviewer will indicate what additional information is necessary to make a determination.

6) If testing is recommended, the individual will be referred for additional testing by a licensed professional. If the individual’s insurance does not cover a psychological evaluation or if the individual does not have insurance, the Service Access Coordinator will assist the individual in applying for Medical Assistance, which may cover the cost of a diagnostic evaluation to diagnose Intellectual Disability. If the individual does not qualify for Medical Assistance and has no other insurance, ID base funds will be used to cover this cost. The 45-day time period is suspended during the time that MA enrollment is being completed.

III. **Using Clinical Judgment for Eligibility Determinations**

1) Clinical judgment is used when the IQ score cannot clearly determine an individual’s eligibility. The factors considered in making an eligibility determination based on clinical judgment shall be decided and documented by a licensed psychologist, a certified school psychologist, a physician or a psychiatrist. In cases where individuals display disparate skills or achieve an IQ score close to 70, clinical judgment will be exercised to determine eligibility for intellectual disability services. Based on the individually administered standardized test used, the reviewer will utilize the documented +/- error for the test administered. NOTE: Adaptive skills must be sub-average for a determination of ID eligibility based on clinical judgment.

2) The reviewer will consider the following when providing a record review to determine ID eligibility:
• Did the testing examiner state their belief that testing was a valid reflection of the individual’s ability at the time of the test?
• Was testing conducted at a time during which the person was reasonably stable?
• Was testing adversely impacted by a factor such as: the individual’s socio-economic background; native language or communication, motor and/or sensory challenges?
• When making judgments about adaptive functioning, was the individual scored based on functioning in an environment that provided access and opportunities to perform age appropriate tasks?
• Is there medical documentation that the individual has a degenerative condition that will affect cognition?
• Did social/developmental history document onset of the intellectual disability prior to the individual’s 22nd birthday?

IV. **Reviewer Documentation:**

The reviewer will document the reasons for their decision using a form provided by the Service Access Coordinator. A copy of this form will be provided to the individual. In determining if the individual DOES or DOES NOT meet eligibility criteria, the reviewer will document the following:

1) Testing scores considered
2) Any concerns about the testing environment or frequency of testing
3) Documentation that other disabilities or conditions impacted cognitive scores
4) Lack of documentation to determine IQ, adaptive functioning or evidence of occurrence prior to the individual’s 22nd birthday

V. **Appealing an Eligibility Decision**

1) When an individual is determined NOT ELIGIBLE by the Service Access Coordinator or as a result of a written clinical review, the individual will be notified in writing and will be provided with a list of appeal options.
2) Copies of appeal procedures will accompany every eligibility determination report. The individual will be informed that additional records may be submitted at any time and would result in further review for eligibility determination.
3) Appeal options are:

   Option 1 – The individual can request a meeting with the reviewer to discuss the reasons for the eligibility decision.

   Option 2 - The individual can request that the records be reviewed by the Intellectual Disabilities Director at CMU. This request will be processed by the Service Access Coordinator.
POLICY AND PROCEDURES
ID Eligibility
Page 6 of 6

Option 3 - The individual can request a county conference, which is held with the Dauphin County MH/ID Administrator.

Option 4 - If the individual or surrogate is not satisfied with the decision, the individual or surrogate has further appeal rights through the Court of Common Pleas. For more information regarding the appeal process to the Court of Common Pleas, please see 2 Pa.C.S. §§ 751-754 (relating to Local Agency Law).

References:
The MH/ID Act of 1966, Section 102 of the Act
Mental Retardation Bulletin # 4210-02-05
Administrative Entity Operating Agreement