

Navigating the Developmental Disability Waivers: A Guide for Individuals, Families and Support Partners



In One Page

Department of Behavioral Health and Developmental Services
Division of Developmental Services

October 2017 Sixth Edition

What is a Waiver?

When you receive and accept a waiver you are choosing to have people support you in your home and in your community instead of in a nursing home or other institution.

Can anyone have a Waiver?

No. Not everyone is eligible for one of the Developmental Disability Waivers. To find out if you are eligible for one of these Waivers, the first step is to contact your local Community Services Board (CSB) or Behavioral Health Authority (BHA). When you call, you will ask what steps to take to start the process for determining eligibility for the DD Waiver.

To Be Eligible for One of the Developmental Disability Waivers You Must Meet:



Diagnostic Eligibility:

This means having a disability that affects your ability to live and work independently. The CSB/BHA will request a copy of any tests and/or professional evaluations you have had that list diagnoses and identify support needs. It is a good idea to have this information prior to going to meet with the CSB/BHA to determine eligibility for the DD Waiver waitlist.



Functional Eligibility

This means needing the same support as someone who is living in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID). This is determined by an assessment called the VIDES* completed by a support coordinator at the CSB/BHA. There are different versions of this assessment for different age groups.

VIDES—Virginia Individual Developmental Disabilities Eligibility Survey



Medicaid Financial Eligibility

This means assuring you do not make too much money to receive Medicaid. This will be determined by the Department of Social Services (DSS).



And you must be willing to accept services within 30 days

This means knowing what services you would like and being open to receiving them as soon as all of the paperwork is in place.

* Important *

- * Not everyone who requests a DD waiver will be found eligible.
- * Everyone found eligible is added to a waitlist.
- * A committee that decides who receives the waiver picks the person who has the greatest need for the DD Waiver services.
- * Some people wait for many years before they receive one of the Developmental Disability (DD) Waivers.



Everyone who meets eligibility (diagnostic, functional and financial) will be added to the DD Waiver Statewide Waiting List.

Everyone on the Waiting List will receive a Priority Status.

Statewide Waiver Wait List



**Priority
One Status**

**Priority
Two Status**

**Priority
Three Status**

- The Priority Status is based on how much and how quickly someone is in need of help.
- Waiver slots are only assigned to people who have a Priority One Status.
- Only the people who have a Priority One Status will have their information shared with members of the committee who choose the people to receive a Waiver Slot.
 - This process is to make sure the people who are in the most need are able to access waivers first.
- If something changes in your life and your need for a Waiver slot becomes more urgent, let your Support Coordinator know as soon as possible.
- Once you are assigned a slot, you will be offered one of the Developmental Disability (DD) Waivers.
- If you accept that Waiver slot, your Support Coordinator will describe all of the services available to you under that Waiver and your Support Coordinator will start linking you with those services. Within 30 days, you should be receiving supports from at least one of the Waiver services.

Virginia Has Three Waivers for People with Developmental Disabilities

Building Independence Waiver

This waiver is for adults 18 years and older who are able to live independently.

People with this waiver usually own, lease, or control their own living arrangements and supports are complemented by non-waiver-funded rent subsidies.

They don't need supports all the time.

Family and Individual Supports Waiver

This waiver is available to both children and adults.

People with this waiver may live with their family, friends, or in their own homes.

Some people may need supports with some medical and/or behavioral needs.

Community Living Waiver

This waiver is available to both children and adults.

People with this waiver usually require supports in their homes all the time.

Some people may need to live in these homes with staff to receive supports with complex medical and/or behavioral needs.

Once you have been offered one of the three DD Waivers:

- You will talk with your Support Coordinator about the services available to you and decide whether you are going to accept the waiver.
- If you decide to accept the Waiver, you will meet with your Support Coordinator and review each of the waiver services to determine what support services you need.
- Once you have decided which services are best for you, you and your support coordinator will develop a plan for how to connect you to those services.
- Your financial eligibility will be determined by the Department of Social Services.
- You will be scheduled for an assessment called the Supports Intensity Scale® (SIS®).



In One Page: Overview of Services

Building Independence Waiver

Family and Individual Supports Waiver

Community Living Waiver

Each person who receives a waiver slot will be offered one of these three waivers depending on what kind of supports are needed **and** what waivers the CSB has available to give out.

Each waiver is a little bit different.

Regardless of your waiver, everyone has access to:

<p><u>Employment & Day Services</u></p> <ul style="list-style-type: none"> Community Engagement Community Coaching Group Day Services Group Supported Employment Individual Supported Employment <p><u>Crisis Supports</u></p> <ul style="list-style-type: none"> Community-Based Crisis Supports Crisis Support Services Center-based Crisis 	<p><u>Residential Options</u></p> <ul style="list-style-type: none"> Shared Living <p><u>Additional Services</u></p> <ul style="list-style-type: none"> Assistive Technology Benefits Planning Services+ Non-Medical Transport+ Environmental Modifications Electronic Home-Based Services Personal Emergency Response System (PERS) Community Guide+ Transition Services
---	--

+Anticipated start date after 7/1/2018

More information about available supports can be found in the DD Waivers Services and Support Options Packet

Behavioral Health Authority (BHA)

The local agency, established by a city or county or some combination of counties and/or cities that plans, provides, and evaluates behavioral health and developmental services in the area it serves. This is another term for a Community Services Board. In this guide, we will use the term “CSB” to mean both CSBs and BHAs.

Centers for Medicare and Medicaid Services (CMS)

The unit of the Federal Department of Health and Human Services that administers the Medicare and Medicaid programs.

Community Services Board (CSB)

The local agency, established by a city or county or some combination of counties and/or cities that plans, provides, and evaluates behavioral health and developmental services in the area it serves.

Department of Medical Assistance Services (DMAS)

The state agency responsible for Medicaid- funded services in Virginia.

Department of Behavioral Health and Developmental Services (DBHDS)

The state agency that conducts many of the day-to-day functions of DD Waiver operations and oversight.

Department of Social Services (DSS)

The state agency that determines eligibility for Medicaid benefits and “patient pay” amounts (i.e., what an individual owes toward the cost of his/her own DD Waiver services).

Department for Aging and Rehabilitative Services (DARS)

The state agency responsible for assisting people with disabilities to assume a place in the workforce.

Developmental Disability *Virginia Code § 37.2-100* (DD)

Developmental Disability means a severe, chronic disability of an individual that (i) is attributable to a mental or physical impairment, or a combination of mental and physical impairments, other than a sole diagnosis of mental illness; (ii) is manifested before the individual reaches 22 years of age; (iii) is likely to continue indefinitely; (iv) results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and (v) reflects the individual's need for a combination and sequence of special interdisciplinary or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated. An individual from birth to age nine, inclusive, who has a substantial developmental delay or specific congenital or acquired condition may be considered to have a developmental disability without meeting three or more of the criteria described in clauses (i) through (v) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

Division of Developmental Services (DDS)

The division of the Department of Behavioral Health and Developmental Services that is responsible for the day-to-day responsibilities for the DD Waiver services, including authorization of services, data management, technical assistance and training of providers.

Early and Periodic Screening, Diagnosis and Treatment (EPSDT)

Medicaid's comprehensive and preventive child health program for individuals under the age of 21. The goal of EPSDT is to identify and treat health problems as early as possible. EPSDT provides examination and treatment services at no cost to the enrollee.

Enrollment

The process by which an eligible individual is formally assigned an available DD Waiver slot. This is accomplished by the Support Coordinator submitting certain information to the *Division of Developmental Services (DDS)*. Once the information is reviewed and approved by a DDS representative, the individual is considered to be enrolled.

Family member/relative

For purposes of this guide, this usually refers to the person in your family with a developmental disability.

Family Resource Consultant (FRC)

Division of Developmental Services staff responsible for helping families learn about the opportunities that community service providers can offer to their family members and linking individuals and families with Family and Peer Mentors.

Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID)

A segregated, Medicaid-funded setting in which nearly all of an individual's habilitation, medical, nutritional, and therapeutic needs are met in one place. This is one of the institutional placements that is "waived" when an individual chooses the DD Waiver.

Individual

For the purposes of this guide, this usually refers to the person with a developmental disability.

Patient Pay

A cash amount, determined by the local Department of Social Services, that some individuals owe each month toward the cost of their own DD Waiver services. Patient Pay is usually the amount in excess of the standard monthly personal allowance, which is based upon the maximum amount of the Supplement Security Income (SSI) payment. People who work are afforded a higher allowance. It is not the same as a co-pay for medications in that it is based on the individual's monthly income and the full amount is paid only once per month.

Person-Centered Plan

The document that addresses needs and desires in all life areas of individuals who receive DD Waiver services. It includes providers' Plans for Supports, as indicated by the individual's health care and support needs, and is based on person-centered thinking and practices.

Person-Centered Planning

A planning process that focuses on the needs and preferences of the individual (not the system or service availability) and empowers and supports individuals in defining the direction for their own lives. Person-centered planning promotes self-determination, community inclusion and typical lives. It builds on the individual's strengths, personality, and interests. It helps him or her to become an integral part of the neighborhood and community by promoting participation in the life of the community and building relationships with people with whom he or she wants to spend time. It assists the individual in making personal choices and achieving dreams and a desirable lifestyle. It most often begins with a team of people who care about the individual and are willing to invest time and effort to ensure that he or she experiences a richer, more satisfying life.

Provider

An agency or individual that has the necessary credentials to deliver services to individuals under the DD Waiver, including an agreement with the Department of Medical Assistance Services (DMAS), and for some services, a DBHDS license.

Slot

An opening or vacancy of DD Waiver services for an individual.

Social Security Disability Income (SSDI)

A cash benefit awarded through Social Security that may come to a person with a disability whose Social Security tax-paying parent has died.

Supplemental Security Income (SSI)

Another Social Security cash benefit determined by the Social Security Administration that may come to a person due to age or disability due to his/her financial situation.

Support Coordinator (SC)

An employee or contractor of a Community Services Board or Behavioral Health Authority who will give you information about services, help you obtain them and make any needed changes over time. This person is sometimes called a case manager.

Supports Intensity Scale® (SIS®)

An assessment instrument that assesses the level of supports that an individual needs, as well as what is important to and for him/her. The SIS® reflects a positive way of thinking about an assessment, focusing on the support needs for the individual to be successful, not on his or her deficits. The SIS® is completed by the team, including the person, his or her family and significant others, the Support Coordinator, and other providers, at least every three years for adults (every 2 years for children under 16).

Virginia Individual Developmental Disability Eligibility Survey (VIDES)

The tool used in the DD Waiver to determine if an individual meets the level of care required in an ICF-IID, thereby meeting one of the criteria for eligibility for the DD Waiver. It is completed by the Support Coordinator every year a person is receiving services through the DD Waiver. There are three versions: Adult, Child, and Infant.

Waiver Slot Assignment Committee (WSAC)

An impartial body of trained volunteers established for each locality/region with responsibility for recommending individuals eligible for a waiver slot according to their urgency of need. All WSACs are composed of community members who are not employees of a CSB or a private provider of either support coordination/case management or waiver services. WSAC members are knowledgeable and have experience in the DD service system.