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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department on Disability Services
Office of the Director

MEMORANDUM

To: Stakeholders

From: Laura L. Nu  rector

Re: DDS Plans for Possible Waiting List for Waiver Supports for People with Intellectual Disabilities

Date: August 26, 2013

The Department on Disability Services (DDS), Developmental Disabilities Administration (DDA) is issuing a policy and procedure that governs how DDA would operate a waiting list for supports funded through the Home and Community Based Services waiver for People with Intellectual and Developmental Disabilities (HCBS IDD waiver). DDA does not currently have a waiting list. The approved waiver effective November 20, 2012 included provisions and parameters to employ a waiting list should the District fill all approved openings or "slots," meaning that DDA has enrolled the maximum number of people who can be enrolled in the waiver program at any one time. As a result, DDS is required to develop policy, procedure and/or rules to implement a waiting list in the event that requests for waiver services would in fact exceed capacity.

We are engaged in thorough planning and evaluation so that we can ensure fair, equitable, consistent and timely provision of supports and services to eligible people through the HCBS IDD waiver. DDS developed its waiting list plan initially with input from our major advocacy stakeholders in 2011 and included that language in our now approved waiver renewal. DDS has since solicited additional input from District of Columbia residents with intellectual and developmental disabilities and their families, service providers, and advocates that has informed this Waiting List policy and procedure. We continue to seek written feedback from stakeholders on the policy and procedure. We will also hold a community forum on Thursday, September 12, 2013 at 12:30 PM at DDS, 1125 15th Street, NW, Room 1A, for discussion.

What is the HCBS IDD waiver?

The waiver is a Medicaid program that is designed to support people with disabilities to live in the community instead of in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) or nursing facility. The waiver funds supports and services for people



with intellectual disabilities based on their assessed needs, such as residential support, employment exploration, training and coaching, and a variety of health and wellness services, so that people can be a part of our shared community and live as independently as possible. Unlike regular or "State Plan" Medicaid, the HCBS IDD waiver serves a limited number of people. Currently DDA supports more than 1550 D.C. residents with intellectual disabilities to live in the community.

What is a waiting list?

A waiting list occurs when either (1) there are more people requesting support through the HCBS IDD waiver than there are "slots" or spaces available; or (2) there is not sufficient local funding. The District currently has sufficient local funds. However, our waiver has a limited number of "slots" available and there has been an increase, over the past year, of the number of people requesting support through the waiver.

If there is a waiting list, when there are openings and "slots" become available, how will DDA decide who gets supports funded through the waiver?

DDA will use a uniform tool, the DDA Level of Need (LON) assessment and screening tool, to determine the person's priority ranking, based on the person's assessed needs and the support available to them in their current living situation. The LON will be completed based on: interviews with the person, the person's authorized representative, family members, friends, school teachers, and/ or other service providers; review of the medical, dental and psychological evaluations; and review of other available history as found in educational records, other service records, social work assessments, and related medical records as may be available.

What are the priority categories?

There are four categories: priority, emergency, urgent and non-urgent.

- **Priority:** This category includes people who have no family or other natural supports to meet their need for 24 hour residential support, *Evans* class members, and youth aging out of services from the D.C. Child and Family Services Agency (CFSA), who have been in an out-of-home placement and who are not able to return home.
- **Emergency:** People would be considered to have an emergency need for HCBS IDD waiver support if the health, safety or welfare of the person or others is in imminent danger. Examples include evidence of abuse, neglect, or exploitation; the death of the person or people with whom someone is living; or the person is homeless or at imminent risk of becoming homeless.
- **Urgent:** A person is considered to have an "urgent need" for enrollment in the DDA HCBS waiver if he or she is at significant risk of having his or her basic needs go unmet.
- **Non-Urgent:** All others who are eligible for supports through the HCBS IDD waiver.

If funding is available, DDA will provide immediate services to people on the waiting list who have been identified as having a priority or emergency need when the person is homeless or at imminent risk of becoming homeless; or if there is reasonable belief that person is in imminent danger, or would be subject to abuse or neglect if the person does not receive immediate support or services.

What happens while a person is waiting?

A person will have an assigned DDA service coordinator, who will refer and assist the person to identify, apply for and, when appropriate, obtain services from other D.C. or community based agencies for which the person may be eligible. The service coordinator will review the person's priority status quarterly to determine any change in the support needs of the person, the person's family, and other relevant circumstances affecting the support needs of the person. Additionally, a person's priority status will be reviewed more frequently if the support intensity needs of the person change, or upon request by the person, or any member of his or her support team

What will D.C. do to continue to provide community based supports for people with IDD?

Over the past five years, DDA has added hundreds of "slots" to the HCBS IDD waiver and significantly increased its capacity to support D.C. residents with intellectual disabilities to live in the community. DDA is exploring whether it can add additional capacity to the waiver this year.

DDA is also interested in applying for an Individual and Supports (IFS) waiver. IFS waivers support people to live independently or with their families in the community with services and supports that are more effective at assisting people and their natural networks to be successful members of our community. IFS waivers also offer greater flexibility and more opportunities for self-direction.

Additionally, DDA, in partnership with the Developmental Disabilities Council (DD Council), is one of five states to recently be awarded the National Community of Practice: Supporting Families throughout the Lifespan grant. Through this grant, DDA and the DD Council are convening a team of family members, people with disabilities, and other government and community partners, to develop and implement an action plan that ultimately will shape policies and programs that support families.