



Sponsored by The Arc MD and MD Developmental Disabilities Council

Webinar:
Everything You Wanted to Know about DDA, but Were Afraid to Ask

ATTENDEE QUESTIONS & ANSWERS

For more information, go to [DDA's website](#)

DDA Overview Questions (Funded Services, Regional Office, Advocacy):

1) Q: How do I contact the DDA office in my region? How do I know which regional office serves my county?

Contact information for each regional office can be found on the DDA website at this [link](#). There is a link to each regional office that provides a list of the counties for that region.

2) Q: How can DDA and the school systems better partner to outreach to families living with special needs. Many families in our county are not directed by school system to pursue DDA or other community resources.

Schools are required to begin transition planning for students at age 14. With new service options* available it is important to start early, educate yourself on new models and options, visit programs, and let your IEP team know about the new options. Schools are required to invite DORS to the IEP meeting beginning at age 18 and any other relevant entity. Ask your local Coordination of Community Service agency to attend the IEP meeting to ensure there are links between the school and the DDA system. The State Interagency Transition Committee is comprised of the state departments of Education, Vocational Rehabilitation, DDA, Juvenile Justice and Human Resources. DDA is working closely with this Committee to improve outreach to families by school systems.

*Note: New options include customized employment, career exploration, supported employment, competitive employment in integrated settings, and on-the-job co-worker mentoring.

3) Q: Regarding residential services, Patricia Sastoque discussed Group Homes and Alternative Living Units. Could you elaborate on the categories of "personal supports", "shared living" and "live-in care rent"? Thank you.

The Current services are: Shared Living is an arrangement in which an individual, couple or a family share life's experiences with a person with developmental disabilities. Shared Living emphasizes the long term sharing of lives, forming of caring households, and close personal relationships between a person with developmental disabilities and support person(s).

Personal Supports are hands-on assistance (actually performing a task for the person) or cuing to prompt the participant to perform a task. Personal supports are provided on an episodic or on a continuing basis. Personal supports provide regular personal assistance, support, supervision, and training to assist the individual to participate fully in their home and community life. These supports

can be provided in the person's own home, family home, in the community, and at an individual competitive, integrated work site.

Live-in Care rent includes rent for an unrelated personal caregiver who is residing in the same household with an individual who, but for the assistance of such caregiver would require admission to an intermediate care facility.

4) Q: If you currently receive DDA services it is possible that the services could be eliminated in the future based on legislative changes?

The legislature can do two things: act on the Governor's proposed budget and review proposed regulations by state agencies. To date, the legislature has increased funding in most services. There have been cuts to Low Intensity Support Services (LISS) and service coordination in the past. Families can be involved to let legislators know the importance of funding.

The real changes in services will come from DDA's proposal to change services in the state's Home and Community Based Waiver – also called Community Pathways. These will be administrative changes approved by the federal government; not by the legislature. Families and advocates can provide public input and contact legislators as part of the public process to speak out about – and influence – changes that would impact people with developmental disabilities.

The past two years have seen unprecedented growth in the DDA Budget since 1998 – full funding for Transitioning Youth, full funding for the Direct Support Professionals Wage Initiative, funding for crisis/emergencies and funds for about 125 people in the top category of the DDA Waiting List (Crisis Resolution). We are hopeful the current Administration and General Assembly will continue to support people with developmental disabilities.

5) Q: Is funding for group homes going away?

The federal government funds about half of the cost of all community services offered by DDA. A new federal government rule called the Community Settings Rule requires states to ensure services are truly integrated in the community, including competitive, integrated employment. States have until 2019 to make changes necessary to ensure ALL services and settings are in compliance with these new federal requirements. Maryland is seeking to offer and expand living options in addition to group homes that have greater community engagement and integration. DDA will provide technical assistance to help agencies change their programs and convert them into new models that meet the Community Settings Rule. Yes, it is possible group homes (more than 4 people living together) will go away, but replaced with smaller and more integrated living models. Question 3 above provides information on some new models.

6) Q: How does DDA monitor what each program provides to make sure they are providing meaningful days--that the program is doing its best to find supported employment for the adults in their programs?

One of the core functions and primary duties of the Coordinator of Community Services (CCS) is to monitor the delivery of services. The CCS should visit the person at least four times a year at the site at which services are provided (day program and residential program). DDA provides a series of questions that must be answered by the CCS. Questions include: Is the environment safe? Is it clean? Is it appropriate for the person? Has it been individualized to the person? The CCS examines medical records to determine if health care services are appropriate and provided; reviews program data to determine if the person's goals being implemented. The CCS reviews financial status of individuals to ensure the person retains their waiver eligibility. One of the most important aspects is the CCS's assessment of individual satisfaction. Is the person satisfied with her services? Is he getting his needs and met? DDA works with the Office of Health Care Quality (OHCQ) that does on-site licensing as well

as responds to complaints. DDA also has quality enhancement and provider relations staff who visit providers to provide oversight and support. Anyone can contact the OHCQ to report a complaint: Toll-free @ 877-402-8220. You can also file a complaint by going to this [link](#).

7) Q: How do we assure funding is in place by July 1 following a transitioning youth leaving school? DORS bridge funding requires long-term provider to sign off on the supported employment certification that the long-term voc. funding is in place. The timing seems to be problematic having this in place

Funding for Transitioning Youth (TY) is driven by the Governor’s budget and the state legislative process to approve the Governor’s budget. For the past two decades, the Governor and legislature have provided the needed funds. Each budget year is from July 1 through June 30. Actual service start dates can depend on how quickly the family contacts their Coordinator of Community Services (CCS); how prepared are they to know what service(s) they want; and is the family knowledgeable about and selected an agency to provide services. Delays result when the family needs time to learn about and select a program; when there are no openings at the program selected; and delays in applying for Medicaid. Families are advised to start the process as early as possible – include this in your IEP Transition Plan so you get some help and resources. People who have completed the process for Medicaid eligibility and waiver approval and selection of a service provider often have the earlier approved service start dates. Your CCS can help with this.

8) Q: If someone moves out of state is there assistance to apply for services in the new state?

Funding is not transferable if a person moves out of state. In most states, a person or their guardian needs to be a resident of the state before they can apply for services. Some states will allow you to apply before you move, as long as there is “intent to move” – rules vary by state. It is best to find out about DD services in the new state prior to moving so you know if there are waiting lists, different eligibility criteria, and what kinds of services are available. An increasingly important issue is ‘portability’ of Medicaid waiver benefits, which provide federal funding for services. With aging family caregivers who may no longer be able to care for their son/daughter, relocation of the person with developmental disabilities to another state to be with siblings and other relatives if something happens to their primary family caregiver will become a greater need.

9) Q: At what point does Resource Coordination step in? Who helps someone apply for DDA services? I have heard that Resource Coordination will not assist until the person has been deemed eligible for DDA services. Some need help filling out forms and navigating the system, is there anyone at DDA who assists with intakes?

Resource Coordination is now called Coordination of Community Services (CCS). CCS assists with the eligibility application process by conducting the Comprehensive Assessment (personal interview and review of documentation). The responsibility for the Comprehensive Assessment is assigned to a CCS agency by the DDA Regional Office, so you need to wait for that assignment in order to begin the eligibility determination process. (Meanwhile make sure you have applied for Medicaid and have documentation to help demonstrate the person’s eligibility.) Once the Comprehensive Assessment is completed and sent to DDA, the CCS is no longer authorized to provide services to that person. If eligibility is determined, the individual will be asked to select which CCS agency they would like to provide their CCS services.

10) Q: My step-daughter will be coming to live with us in June from North Carolina. She has Down syndrome. She turns 21 in February. Is there a certain age cut-off that we need to enroll her in DDA?

State regulations [COMAR 10.22.12.05A(1)] require an individual be a resident of Maryland to be eligible for services. Unless you are the guardian, she should apply for DDA services to determine her

eligibility as *soon as she arrives in Maryland*. If you are the guardian, you can apply on her behalf. Keep in mind that eligibility is not based on a specific diagnosis, but on documentation of a significant disability and related functional support needs. She should be able to access “transitioning youth” (TY) funding for day/employment support beginning July 1, if DDA finds that she is eligible for services. For transitioning youth (age 21, leaving school), it is crucial that they apply and access services before they are age 22 or they will be placed on a waiting list, which has nearly 8000 people.

11) Q: What is the difference between employment funding and day funding?

Day funding is the general category of funding that includes:

- Supported Employment – support to find and maintain community employment
- Employment Discovery & Customization – short term services to explore potential areas of interest and skill leading to employment
- Community Learning Service – non-site based services to explore and participate in activities of interest to people who are not seeking employment
- Day Habilitation – site-based service that offers skill attainment in areas such as activities of daily living and social development

Each of these are funded a little differently, based on regulation, and offer varied services that are individualized for each person through the planning process.

12) Q: Who are the coordinators? Is it their Service Coordinator or is it someone from DDA.

The Coordinator has been called different things over the years and in different regions. The formal title at this time is Coordinator of Community Services (CCS); this is the same position as previously called Service Coordinator, Resource Coordinator or Case Manager. The CCS is not an employee of DDA. Most CCS are employed by one of four private CCS agencies in Maryland, or in some counties by local Health Departments.

13) Q: Did she say that Supports only is after the age of 22?

“Supports Only eligible” means the person has only met 2 of the 5 DD eligibility criteria: 1) their disability is attributable to a physical or mental impairment other than solely mental illness and 2) the impairment is likely to continue indefinitely. Therefore he/she is not eligible for full, comprehensive DDA services; they are only eligible for more limited “support services.” A person can be deemed Supports Only eligible regardless of the age of onset of the disability. However, in order to be found full DD eligible, the disability must occur before age 22 (in addition to meeting the other DD criteria).

14) Q: How do we access residential options for our children?

DDA-Funded residential options can only be accessed by individuals who a) meet the definition of developmental disability per state law and b) are enrolled in the Medicaid Waiver. In addition, because of limited availability of funding, only children in the Crisis Resolution category of the DDA Waiting List receive residential services.

15) Q: I have been told that if my adult son isn't approved before 21 he won't be. Is this true?

More information is needed. What is meant by “approved”? Is he in school? There are two steps: first, he needs to meet the definition of developmental disabilities. Once found eligible, he will be placed in one of three waiting list categories with the exception that transitioning youth receive day/employment services for one year after they exit from school at age 21 years. The short answer is if he does not obtain services in his “TY year”, he likely will not receive services unless he meets the Crisis Resolution category of the DDA Waiting List.

16) Q: How can a caregiving agency get a DDA license? What are those steps?

DDA has an application and licensure process for those wishing to provide services. For information, about becoming a licensed DDA provider, go to [this link](#).

Eligibility Questions:

17) Q: What if you have DDA but do not have SSI?

DDA has a policy to only fund persons who are eligible to be funded by Medicaid. A person receiving SSI is automatically eligible for Medicaid. You can contact your CCS to learn how to apply for Medicaid and SSI. Typically, people with disabilities at age 18 apply for SSI as part of the important transition process from education to adult services.

18) Q: Do you have to have Medicaid?

DDA's policy is that you must be eligible for Medicaid in order to receive DDA –funded services. Medicaid is an income-based program. Most adults with developmental disabilities are eligible because their income is typically low. If you are adult-age, you should apply for Medicaid and SSI as soon as possible. SSI recipients automatically qualify for Medicaid.

The family income of children is waived from Medicaid income requirements once the child/family is in the DDA Waiver. Low income families may also qualify for EPSDT. EPSDT (Early Periodic Screening, Diagnosis and Treatment) is a mandated Medicaid state program and includes respite care, home modifications, and in-home supports that are ‘medically necessary.’

If your family member is a child and approved for DDA funds, your regional office and CCS will help you through the Medicaid application process. The Medicaid application for a child approved for services is a separate step you do after you are informed you will receive DDA-funded services.

19) Q: Will you let us know exactly on the website where assessment tools for children that were mentioned on the webinar are found?

The assessment tools for evaluating children are on The Arc Maryland website under Resources/Developmental Disabilities Administration. <http://www.thearcmd.org/resources/>

20) Q: If your child is not eligible for medical assistance, can you still apply to DDA?

Yes; you do not need to be eligible for Medicaid to apply for DDA services. DDA will accept and process a DDA application regardless of Medicaid eligibility. You must be eligible for the Waiver to receive DDA-funded services, however. Also keep in mind that your child may become eligible for medical assistance as an adult, and should also apply for SSI at age 18.

21) Q: I am confused about the difference between being determined eligible and services being “authorized” for services.

“Eligible” means the applicant meets the state criteria as a person with a developmental disability. “Authorized” means that funding for services has been approved and made available to the person. Being found eligible does not mean that funding is authorized. However, DDA will only authorize funding for individuals who are eligible for Medicaid – see above questions and response regarding Medicaid eligibility for children and adults. Because there is not enough funding to serve everyone that is eligible, once found eligible, the person is placed in one of three priority categories of the Waiting List based on the degree of crisis: Crisis Resolution, Crisis Prevention, and Current Request.

<p>22) Q: Who makes the redetermination of waiver eligibility? It was my understanding service coordination did this, but we have had individuals dropped when the redetermination date passed...</p>
<p>Coordinators of Community Services (CCS), previously called Service Coordinators, do not determine waiver eligibility. CSS can provide assistance with the Waiver enrollment and redetermination process, but the decision is made based on application to the Eligibility Determination Division (EDD) at Maryland Medicaid. If a person does not have SSI, they will have to apply for “redetermination” of eligibility for Waiver enrollment on an annual basis. The CCS can help with this application, but the supporting information and documentation must be supplied by the applicant.</p>
<p>23) Q: If you don't base eligibility on intellectual disability, then what do you base it on? Does Full Scale IQ alone play into determining if an individual is eligible for services? Is a child with multiple disabilities eligible? Why was my one of my children not accepted when he does have a disability that can follow him for life? Can the diagnosis of Intellectual Disability be supported by an IQ test as well as other criteria?</p>
<p>Eligibility is not based on a specific diagnoses; it is based on meeting the 5 criteria in state regulation: “Developmental disability” means a severe, chronic disability of an individual that:</p> <ul style="list-style-type: none"> – Is attributable to a physical or mental impairment other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments; – Is manifested before the individual becomes 22 years old; – Is likely to continue indefinitely; – Results in an inability to live independently without external support or continuing and regular assistance; <u>and</u> – Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual. <p>It is the combination of these criteria that are both diagnostic and functional, that form the basis for eligibility determination.</p> <p>An IQ test may be considered as it may related to the person’s functional level, such as a person with an IQ in the severe to profound range of intellectual disability.</p>
<p>24) Q: If an adult has an established long term autism diagnosis and also has mental illness, will they be ineligible due to the dual diagnosis?</p>
<p>Having a co-occurring or dual diagnosis does <u>not</u> affect eligibility. Eligibility determination is based on having met the 5 eligibility criteria for developmental disability, as outlined in state regulation (noted above).</p>
<p>25) Q: In the federal definition of a developmental disability, why did they choose age 22 as the cut off age?</p>
<p>Developmental disability is recognized as a life-long condition, having manifested during a person’s developmental years.</p>
<p>26) Q: Is it accurate that DDA will not fund Day Habilitation services for someone self-directing their services?</p>
<p>A person who self-directs a service other than day can opt for Day Habilitation services; however, they cannot self-direct their Day Habilitation service. For example, if I am authorized for day and residential services and I choose in-home personal support services, I can self-direct the personal</p>

support services in my home. I can still attend a traditional Day Habilitation program but not self-direct that service.

27) Q: Can you confirm that individuals who were Supports Only eligible before the 2016 fiscal year still are, and will still receive SO services?

People who were determined SO eligible and receiving DDA-funded services authorized/started prior to January 2016 will continue to receive those services.

28) Q: Is there any impact to eligibility and funding if we stay in Maryland but relocate to another region? Q2: Is my son's DDA eligibility and funding portable? If we move out of Maryland to another state - would he have to start all over to become eligible? Would Maryland help us with the transition?

Regardless what region you relocate to in Maryland, your eligibility will continue and be maintained. However, DDA funding is not portable to another state. Each state has its own service system and processes; so yes, he would have to start over. In most states, a person needs to be a resident of the state before they can apply for services. Some states will allow you to apply before you move, as long as there is "intent to move" ... these rules all vary by state. Before anyone forfeits their funding to move out of state, they should look up the DD services in the state they wish to move to. They should also understand that the state they are moving to may have a waiting list.

29) Q: I work with a student who applied to DDA several years ago. She did not have an eligibility interview even though offered due to family issues at that time and was denied. Recently, her family decided to pursue eligibility again and submitted updated documentation. She was denied and was not given the opportunity for an interview. It appears, she may not have been given a fair assessment. What can we do about this?

All eligibility letters come with appeal rights, so the person can go through the appeal process. The individual/family should provide supporting documentation to show he/she meets the 5 eligibility criteria. You are requesting a "reassessment of the eligibility decision." For information about appealing a DDA decision, go to this [link](#).

30) Q: If a child is determined eligible with a future need, will their eligibility be re-determined at age 18 (and potentially no longer be eligible?)

A child can be determined DD-eligible but be placed on the Future Needs Registry if all of their current needs are being met via other services (e.g., family, community, school, Autism Waiver, EPSDT). In order to be prioritized as Current Request or higher, the person must have a need for a service within three years or less. A person's eligibility will not be changed when they come off the registry and are placed on the waiting list, but their priority category may need to be updated based on their current need.

An eligibility redetermination may be completed prior to a person entering DDA funded services. The redetermination may be required to ensure the person meets the federal eligibility for the Community Pathways Waiver. It is possible that a person could be re-determined from DD-eligible to Not Eligible during this process. If you were determined eligible as 'Supports Only' contact your DDA regional office or CSS agency to request a reconsideration of eligibility as the rules have changed based on state law.

31) Q: Do I have to apply for Medical Assistance for my 14 yr old with autism before applying for DDA Eligibility?

You do not need to be eligible for Medicaid to apply for DDA services. DDA will accept and process a DDA application regardless of Medicaid eligibility. A person will be required to be Medicaid eligible should they be approved for a DDA funded service. In this case, the person will be required to apply for Medicaid through the Community Pathways Waiver (CPW). Once DDA authorizes a person to receive funding, the CCS agency will meet with the individual/family to complete a CPW Medicaid application packet. The packet includes a Medicaid application and supporting documentation (bank statements, paystubs, tax returns, etc. even though income family eligibility is waived for a child) and personal documents (ID, birth certificate, medical insurance cards). The CPW application is sent to the Eligibility Determination Division (EDD). EDD processes all waiver applications. If the CPW application is approved, DDA is notified and authorizes the person to seek a service provider. If the Medicaid application is denied, DDA will not authorize funding to that person. We encourage all applicants to apply for SSI benefits at the age of 18. Those who receive SSI are categorically eligible for the CPW—this means that EDD will approve all applications for the CPW for those who receive SSI. People who have SSI do not need to provide any financial or personal documentation with the CPW application.

32) Q: What is the waiver eligibility in regards to financial?

The Medicaid income cut off is 300% of poverty level. You cannot have more than \$2,000 saved in an account at the time of application. Adults with developmental disabilities are typically eligible for Medicaid as they are usually low income. When a child is selected for DDA services, the family's income is waived and only the child's income is applied.

33) Q: I work with some high school students who have applied and been denied, and several have not been acknowledged to have had a condition that manifested before the age of 22 even though they are under 22 and have submitted appropriate documentation. Can you please explain why this may not be checked off as criteria they met?

People have the right to appeal any DDA decision. The denials may have occurred before DDA had revised its instructions to regional offices and CCS agencies based on the state law. Contact your CSS or DDA regional office immediately to find out how to request an eligibility redetermination based on Maryland statute. For information about appealing a DDA decision, go to this [link](#).

34) Q: What if a child is in private school that is being paid for by the parent and never had an IEP?

The DDA eligibility criteria still applies so you should obtain and include diagnostic and evaluation information with your application. Your regional DDA office can connect you with a CCS who will facilitate the application and documentation process.

35) Q: Adults with autism may have been diagnosed after age 22 but science knows autism starts much earlier in life. We just didn't know how to diagnose it before as we do know. How does work it now?

Eligibility is not based on a specific diagnosis; it is based on meeting the 5 criteria in state regulation: "Developmental disability" means a severe, chronic disability of an individual that:

- Is attributable to a physical or mental impairment other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;
- Is manifested before the individual becomes 22 years old;
- Is likely to continue indefinitely;
- Results in an inability to live independently without external support or continuing and regular assistance; and

- Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.

It is the combination of these criteria that are both diagnostic and functional, that is the basis for eligibility determination, so the documentation would need to show evidence of the impairment and the effect on functional ability prior to age 22 rather than a specific diagnosis.

Waiting List Questions:

36) Q: If one already receives employment supports and ask for residential supports, do you go on the waiting list for residential supports and so effectively will not receive residential supports until you are in crisis or impending crisis?

A person receiving employment supports from DDA is enrolled in the Waiver. Waiver participants are entitled to any need-based service. So, while there is no waiting list for an additional service, the person would have to show evidence of need through a Request for Service Change (RFSC). You initiate this through the CCS.

37) Q: How long can you expect to be on a wait list if you are “Supports only” eligible if you aren't considered an urgent case?

The current DDA policy is to approve services only for persons deemed full DD Eligible and Medicaid eligible. A person found eligible as ‘Supports Only’, and not already receiving DDA-funded services, will not receive DDA services even though they are on the Waiting List because they do not qualify for the DD waiver.

38) Q: How long is the waiting list for DD services for individuals over 22?

There are nearly 8,000 children and adults on the DDA Waiting List. For the foreseeable future based on budget appropriations, only people in the highest category of the Waiting List (Crisis Resolution) will receive services. If your situation is at the Crisis Resolution level, you could receive services immediately; otherwise in all reality you will wait years until your situation becomes urgent. Operationally, Crisis Resolution means you are currently in a crisis or emergency situation (for example - abuse, neglect, homeless).

39) Q: If an adult is receiving significant privately paid services from parents and they are running out of money, would the adult have to actually lose progress and fall into active crisis to be funded?

The family caregiver's situation would be evaluated to determine if they can provide the supports and caregiving needed. If not, DDA would determine if this impacted the person’s priority category. Contact the DDA Regional office for your area or your CCS, if you have one, to discuss and plan.

Miscellaneous:

40) Q: For kids with developmental disabilities, the number 1 support -- which is entirely underfunded and provided with daily contentious legal battles -- is funding for special needs schools. How does Maryland work with the county schools in providing this service?

State and federal law requires that students with disabilities receive a free and appropriate education in the least restrictive environment to the maximum extent possible. Meaning, students with disabilities must be educated alongside their peers without disabilities to the greatest extent

possible. If an IEP team agrees that a student cannot be supported in his or her public school, a separate school may be recommended. If that happens, the local school system will pay for the student to attend the nonpublic special education school. All Funding to support the education of students with disabilities is based on federal, state and local funds. DDA is not involved in education decisions.

41) Q: How does DDA monitor agencies that clearly state they cannot support (verbally or physically) someone who needs assist (very minimal) with the use of the bathroom. Several agencies clearly state "we cannot remind any participant to use the bathroom". "We cannot ensure they are safe while using the bathroom". Families are told client must be fully independent and continent in bowel and bladder.

DDA reports that it does not monitor providers regarding who they are able and willing to serve. DDA states that this is a business decision and part of the provider's intake policy and procedures. DDA also reports that it will be working to ensure that there are adequate providers to meet the needs of all people within its service delivery system (build "provider "capacity"). If families are being turned away by providers, DDA should find out if the providers would be able to support the person if they had the proper support/supervision to address their needs. Sometimes this can be addressed by having additional support staff, which might require a higher funding level.

Many advocates view the situation described in the question as discrimination against people with the most significant disabilities.

42) Q: Are there any formal support groups for families who are going through this process, or already in the DDA programs?

Several local chapters of [The Arc](#) have family support groups; [Parents' Place of Maryland](#) also offers information and family networking. You can also contact Mary Anne Kane Breschi, DDA Director of Family Supports: [410-767-8880](tel:410-767-8880) or mary.kane-breschi@maryland.gov. Your local CCS agency should know about local family education and support groups, as well.