



Section 6: Adult developmental disability services

Section overview

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The Developmental Disabilities Program (Office of Developmental Disabilities Services or ODDS) offers services that help people meet their goals. If you are eligible, developmental disability (DD) services may help you live, work and enjoy your adult life in the community.

Eligibility for developmental disability services

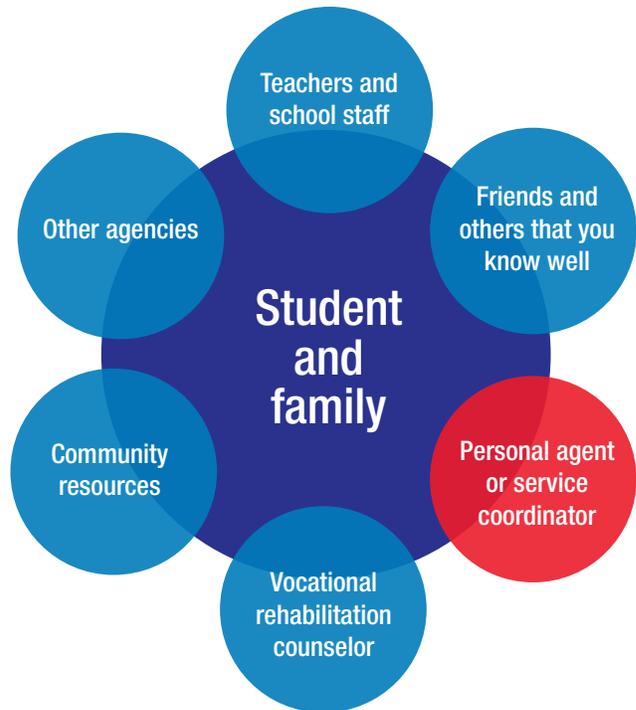
Contact your local community developmental disability program (CDDP) to find out if you are eligible for services. An eligibility worker will help you complete the application and collect any needed documents. Your IEP team may also help you. The application is available on the ODDS website in English, Spanish, Russian and Vietnamese.

The eligibility worker will use your completed application and other documents to determine if you are eligible for DD services. In general, you may be eligible if:

- You have an intellectual *or* developmental disability; and
- This disability makes everyday living skills like walking and communicating hard to do; and
- Your disability is not caused by mental disorder, sensory impairment, personality disorder, substance abuse, learning disability or attention deficit hyperactive disorder (ADHD).

A CDDP must tell you if you are eligible for DD services within 10 days of getting your application. You will receive a “Notification of Rights” letter in the mail. The letter explains three things:

- Whether or not you are eligible for DD services and why;
- Your right to an administrative hearing if you are not found eligible (during this hearing, you can explain why you are eligible);
- How to file an administrative hearing request.



What is a developmental disability?

A developmental disability (DD) is a severe intellectual or physical impairment or combination of mental and physical impairments that:

- Begins before a person is 22 years of age or 18 years of age for an intellectual disability;
- Begins in and directly affects the brain and has continued, or is expected to continue indefinitely;
- Causes significant problems with behaviors such as communicating, grooming, dressing, safety and social skills.

See the full definition of “developmental disability” and related terms in OAR 411-320-0020.



Note: We recommend you find out if you are eligible for DD services during your first year of high school or earlier. This will help you and your personal agent or service coordinator plan your transition as early as possible.

Case management — it's your choice!

Once you are eligible for services, you will go through a choice advising process to learn your options for case management and other ODDS services available. If you are an adult living in your family home or your own home, you can choose to receive case management services from:

- Either a services coordinator (SC) at your local CDDP; or
- A personal agent (PA) at a local support services brokerage.

CDDPs are local state offices serving one or more counties. They determine eligibility and provide case management services and home and community-based services to children and adults with intellectual and developmental disabilities (IDD).

Support services brokerages are private organizations that provide case management and home- and community-based services to adults with IDD. Brokerages follow a philosophy of self-determination. They focus on helping people direct their own services and lives. Learn more at www.mybrokeragemychoice.org.

Your case manager is your key to getting help to live the life you want. You need to feel comfortable in this relationship. We recommend that you visit a local CDDP or brokerage to find a good fit for you and your vision for your life.

The adult needs assessment

After you become eligible for services, your SC or PA will conduct an adult needs assessment (ANA) with you. The ANA is a series of personal questions that will show what kind and how much support you need.

The ANA looks at the support you need on a typical day. Some of the questions are about personal things like the amount of help you need to use the bathroom or take care of your body. Other questions cover topics like the amount of help you need to communicate, get around in your community or manage money.

The adult needs assessment may not catch all your support needs. For example, you may not always speak or get around the same way all the time. As a result, some of your needs for support may not be obvious during your ANA meeting. Think about all the support you need. Here some ideas to help you get ready for your ANA:

- Think about a typical day. List any help you receive from family or friends during different times of the day.
- Invite people to the ANA meeting that know you well (like siblings, parents or close friends) to share information about you.

Your adult needs assessment results will lead to your individual support plan.

Figure 4. Steps to get DD services





The individual support plan

Your individual support plan (ISP) is an important document that explains your needs, goals, choices and services for the next year. Your ISP is based on the outcome of your ANA. Your ISP:

- Describes what a full and happy day looks like and the supports you need to have it;
- Explores and identifies your employment and other goals; and
- Describes your plan for supports to help you reach your goals.

During your ISP meeting, you will talk with your ISP team about your interests. You will decide your goals and the supports you need. Your ISP team includes you and your SC or PA and any other people you invite to participate; examples are friends, family or representatives from other agencies that support you.

Once your plan is complete, your SC or PA will connect you to community service providers. You can interview them to select those that provide the supports you need. Ask your SC or PA for tips to interview providers.

You and your ISP team will meet at least once a year to update your goals. However, you may ask for a planning meeting any time your support needs or goals change.

What is Medicaid?

Medicaid is a health program for low-income people and families funded through a partnership between Oregon and the federal government. The federal Centers for Medicare and Medicaid Services (CMS) make the rules. Oregon administers its Medicaid program with approval from CMS. Medicaid services are available through Medicaid state plans and home- and community-based waivers. Waivers waive your right to receive services in an institution. This makes it possible for you to receive services in your community.

Medicaid state plans

A Medicaid state plan is a contract between Oregon and CMS. The state plan explains how Oregon administers the programs covered by the state plan. It also explains who is covered, services that are covered, how providers get paid, and quality assurance measures.

Medicaid state plans are entitlements. This means you cannot be on a wait list to access state plan services. If a doctor or assessment says you need a state plan service that you are eligible for, you must quickly receive it. If you need a state plan service, Oregon cannot say it does not have the resources to provide it.

Oregon has two state plans serving people with IDD:

1. The Oregon Health Plan provides basic health insurance coverage (doctor, hospital, prescriptions) to individuals and families with income up to 138% of the federal poverty level (FPL).
2. The Community First Choice (K Plan) provides personal care and other services in home and community settings. To receive these services you must:
 - Be assessed for and meet the “institutional level of care (LOC)” standard. You would require care in a hospital, nursing facility or institution if you did not have these services.
 - Have an individual or family income up to 138% FPL or be on a waiver.

Medicaid home- and community-based waivers

Medicaid home- and community-based waivers allow states to provide long-term services in a “home- and community-based” setting instead of in a nursing home, state psychiatric hospital or institution for people with IDD.



Oregon uses two waivers to deliver community services to adults with IDD — the comprehensive services waiver and the support services waiver.

Waivers are different from state plans because they can:

- Have wait lists;
- Be limited to certain populations, like adults with IDD;
- Have different income rules than the state plan. Oregon's IDD waivers allow income up to 300% SSI; and
- Look at only the person's income rather than the family's income for eligibility purposes.

Adult DD services

Oregon provides adult DD services through two state and federally funded Medicaid programs:

- The Community First Choice Option or “K Plan”; and
- Home- and community-based waivers. Oregon has two Medicaid waivers that serve adults – the Comprehensive Services Waiver and the Supports Services Waiver.

Both the K Plan and the waivers provide long-term services in your home and community rather than in a nursing home or a hospital. These supports also may allow you to receive what you need to keep a job while you are still in school.

The Medicaid programs that provide DD services are complex. You can make sure you get the services and supports you need by understanding how the programs work. See the above box for more information on Medicaid, state plans and home- and community-based waivers.

Now, let's talk about the services available under the K Plan and the waivers. If eligible, you may receive DD services through both the K Plan and one of the waivers. These services are based on your eligibility, the results of your ANA, the contents of your ISP, and what you want your life to be like.

K Plan services

Services available in the K Plan are listed below. A link to the Oregon Administrative Rule (OAR) with full service descriptions is included under resources at the end of this section. The rule gives detailed information about what these services mean, including:

- Attendant care to help you with needs like bathing, dressing, eating, housekeeping, meal preparation and shopping;
- Transportation;
- Relief (respite) care for your caregiver;
- Assistive technology (\$5,000 per year) to support a person's independence;
- Training on how to manage your own personal support workers;
- Home modifications (\$5,000 per year);
- Behavior support;
- Chore services; and
- Skill development.

See Resources at the end of this section for links to the rules that describe K Plan services.

Waiver services

Services available in the comprehensive and supports waivers are listed below:

- Supported employment (job development, job coaching, small group);
- Prevocational services (discovery and career exploration, employment path);
- Case management;
- Vehicle modifications;
- Special diets (support services waiver);⁵
- Family training (comprehensive services waiver).⁶

Using your services to get a job

Now we will talk about waiver services that will help you get a job.

Ideally, you will leave school with a job and can get job coaching while you are still in school. However, if you do not have a job before you leave school and are eligible for DD services, you may access the services below. Figure 5 is an example of how DD services can help you find and keep a job. However, people find jobs many ways, so this process may vary for you. Finally, if you are not eligible for DD services, you can contact VR. VR services are for people with most types of disabilities (see Section 7 for more information).

Below is a description of employment services to help you get and keep a job you like in your community.

Discovery and career exploration is a process of learning about a person and how he or she best works. This process typically leads to VR referral.

Job development helps a person find a competitive job in the general work force or develop self-employment.

Job coaching is ongoing support that helps a person keep a competitive job in the general work force, advance in a career or continue to be self-employed.

Small group supported employment provides services and training to groups of two to eight people in business, industry and the community. This service helps people reach their goal of getting a competitive job in the work force.

Employment path services help people learn work-related skills and gain work experience, including volunteering. These services are in the community or a facility. They are expected to lead to a job in the general work force.

Problem solving

Sometimes, things do not go as planned or expected. It is important to let your SC or PA know when you are not happy with your services. In that case, you can file a formal complaint. Complaints are important because they provide information to CDDPs, brokerages and the Developmental Disabilities Program about problems that

⁵ This service is only available in the supports services waiver.

⁶ This service is only available in the comprehensive services waiver.

Figure 5. Using your services to get a job





need to be fixed. Use the Developmental Disabilities Services Complaint Form (SDS 0946) to file a complaint in person, by phone or in writing. File your complaint with the provider organization, your PA or SC, or the brokerage or CDDP director. You must receive a written acknowledgement within five business days and a written response to your complaint within 45 days. You can often resolve complaints locally by talking with your PA, SC and the director.

If you are not satisfied with the response, you may use the DD Services Complaint Form to ask the CDDP manager or brokerage director to conduct a formal review. You must receive a written response to the formal review request within 30 days of the date you submitted the form.

If your problem is not solved by taking these steps, you can request an administrative review or Medicaid fair hearing. See the individual rights and complaint process in Oregon Administrative Rule 410-318-000 for information on how to pursue an action.

Resources

CDDP contact information

www.oregon.gov/dhs/DD/Pages/county_programs.aspx

Application form for DD services available in English, Spanish, Russian and Vietnamese

www.oregon.gov/dhs/DD/Pages/eligibility.aspx

Community Developmental Disability Programs, eligibility determination, OAR 411-320-0080

www.dhs.state.or.us/policy/spd/rules/411_320.pdf

Definition of developmental disability, OAR 411-320-0020

www.dhs.state.or.us/policy/spd/rules/411_320.pdf

Brokerage contact information

www.oregon.gov/dhs/dd/adults/brokerages.pdf

Learn more about brokerages

<http://mybrokeragemychoice.org/wp/>

Expenditure guidelines for students receiving employment services while in school

- For the comprehensive waiver:
www.dhs.state.or.us/policy/spd/transmit/pt/2013/pt13016.pdf
- For the supports waiver:
www.dhs.state.or.us/policy/spd/transmit/pt/2013/pt13011.pdf

K State Plan, OAR 411-035-000

www.dhs.state.or.us/policy/spd/rules/411_035.pdf

Support Services, OAR 411-340-000

www.dhs.state.or.us/policy/spd/rules/411_340.pdf

Comprehensive Services, OAR 411-330-000

www.dhs.state.or.us/policy/spd/rules/411_330.pdf

Employment services for individuals with developmental disabilities, OAR 411-345-000

www.dhs.state.or.us/policy/spd/rules/411_345.pdf

Developmental Disabilities Services Complaint Form (SDS 0946)

<https://apps.state.or.us/Forms/Served/se0946.pdf>

Individual rights and complaint process, OAR 410-318-000

www.dhs.state.or.us/policy/spd/rules/411_318.pdf