

# **Developmental Disabilities Policies and Procedures**

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## **Service Chapter 816-05**

**North Dakota Department of Human Services  
600 East Boulevard Dept. 325  
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# DEVELOPMENTAL DISABILITIES POLICIES & PROCEDURES

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## **Developmental Disabilities Policies and Procedures 816-05**

### **Purpose 816-05-05**

(Revised 2/1/10 ML #3198)

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The purpose of this manual is to establish policies and procedures for implementing the provisions of Federal and State Regulating Authority for Developmental Disabilities Services in the State of North Dakota.

Developmental Disabilities provides support and training to individuals and families in order to maximize community and family inclusion, independence, and self-sufficiency; to prevent institutionalization; and to enable institutionalized individuals to return to the community. To achieve this goal, Developmental Disabilities contracts with private, nonprofit and for-profit organizations to provide an array of residential services, day services, and family support services.

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### **Definitions 816-05-10**

(Revised 2/1/10 ML #3198)

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**960** - Refers to the State Form Number 960 (SFN 960) for the reporting of suspected child abuse or neglect.

**AASK** - Adults Adopting Special Kids is a collaboration involving the department's Children and Family Services Division, Catholic Charities North Dakota, and PATH ND. They work together to promote and facilitate the adoption of children with special needs from the foster care system.

**Abuse** - Any willful act or omission of a caregiver or any other person, which results in physical injury, mental anguish, unreasonable confinement, sexual abuse or exploitation, or financial exploitation of a vulnerable adult.

**Abused Child** - An individual under the age of 18 who is suffering from serious physical harm or traumatic abuse caused by other than accidental means by a person responsible for the individual's welfare.

**ADA** - Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327; 42 U.S.C. § 12101 et seq.]

**ADL** - Activity of Daily Living. Self care activities performed daily such as: bathing, dressing, toileting, transferring to and from a bed or chair, mobility, continence, and eating/feeding.

**Administrative Assessment** - Process of documenting reports of suspected child abuse or neglect that do not meet the criteria for a Child Protection Services Assessment.

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**Administrative Referral** - Process of documenting the referral of reports of suspected child abuse or neglect that fall outside the jurisdiction of the county where the report is received.

**Adult Day Health Service** – A service provided to eligible individuals through the Home and Community Based Services Waiver. Adult Day Health Services address the health and social needs of the individual for the purpose of ensuring the optimal functioning of the individual.

**Adult Education Transition Services (AETS)** - Refers to services provided to students 18-21 years of age who are eligible for Developmental Disabilities Case Management Services and can benefit from residential and/or day services provided in the developmental disabilities system while they are still in school. This is a joint initiative between the Department of Public Instruction and the Department of Human Services. Individuals must meet eligibility requirements. Education agencies and Medicaid provide funding.

**Adult Family Foster Care** – A service made available through the Home and Community Based Services waiver. The service provides residential supports in a family home atmosphere to adults who are unable to function independently, or who may benefit from a family home environment.

**ACJ** - Alliance for Children's Justice is a statewide multi-disciplinary coalition of professionals and parents dedicated to quality child protection services in North Dakota.

**ADRC** - Aging and Disability Resource Center is a visible and trusted place at the community-level where people can turn for information and counseling on all available long term support and service options. It functions as a single point of entry to public long term support programs and services. North Dakota does not have an ADRC. A federal grant program currently funds centers in 43 states.

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**Appeal** – A specific request by a consumer for a review of a decision made by the Division and/or Department.

**ASFA** - The Adoption and Safe Families Act of 1997 [Pub. L. 105-89; 111 Stat. 2115; 42 U.S.C. § 1305 et seq.] is federal legislation to shorten the length of time in foster care and to ensure safety and permanency for children.

**Assisted Living** - An environment that helps people maintain as much independence as possible by providing apartment-like units and individualized support services, which accommodate individual needs and abilities.

**Assistive Technology (AT) Device** - Any item or piece of equipment used to maintain or improve the functional capabilities of individuals with disabilities.

**Assistive Technology (AT) Service** - Any service that directly assists an individual with a disability in selecting, acquiring or using an assistive technology device. AT services may include: evaluation, purchasing, designing, leasing, training for individuals, family members, and professionals; and coordinating therapies. It also includes services that expand access to electronic and information technology for people with disabilities.

**Attendant Care Service** – Hands-on care, of both supportive and medical nature, specific to a client who is ventilator-dependent for a minimum of 20 hours per day. The services are provided under the direction of a licensed nurse who is enrolled with the Department of Human Services to provide Nurse Management.

**Background Check/Criminal History** – A process to determine if an individual has been convicted of a crime. In some cases a criminal record may preclude the individual from providing direct supports or services to an individual.

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**Background Check/Child Abuse and Neglect** – A process to determine if an individual has a history of substantiated Child Abuse and Neglect. In some cases substantiated Child Abuse and Neglect may preclude the individual from providing direct supports or services to an individual.

**Basic Care Assistance Program** - Supplements room and board payments made by individuals of limited means living in basic care facilities. The Basic Care Assistance Program is funded with state general funds.

**Basic Care Facility** - A licensed facility for aged, blind or disabled individuals who do not require extensive medical care.

**Behavioral Consultation Services** – A service made available through the Home and Community Services Waiver. This service provides expertise, training and technical assistance to primary caregivers, in-home support staff and other natural supports to assist them with maintaining an eligible individual in the home living environment.

**Business Services** - Part of Vocational Rehabilitation, Business Services is also known as Rehabilitation Consulting and Services and provides consultation, technical assistance, and information to businesses so they can resolve disability-related issues and have an available source of qualified employees.

**CA/N** - Child Abuse and Neglect

**Care Coordinator** - Describes the comprehensive case manager in a child and family case involving severe emotional disturbance.

**Caretaker** – A person, organization, association, or facility who has assumed legal responsibility or a contractual obligation for the care of a person with a developmental disability or mental illness, or parent, spouse,



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sibling, other relative, or person who has voluntarily assumed responsibility for the person's care (NDCC 25-01.3-01).

**CARF** - Commission for Accreditation for Rehabilitation Facilities

**CCAP** - Child Care Assistance Program provides partial payment for child care services provided to children from qualifying low-income families.

**CCWIPS** - The Comprehensive Child Welfare, Information, and Payment System is a computerized case management and payment system for foster care and adoption services.

**CFS** - Refers to the Children and Family Services Division of the Department of Human Services. CFS has administrative responsibility for the policies and procedures relating to children and families. The division is responsible for program supervision and technical assistance for the delivery of public child welfare services.

**Child and Family Team** - Related to children's mental health services and child welfare services, the Child and Family Team consists of the child, family and persons most pertinent in the life of the child and family, as determined by the family (in most instances). The team meets to identify family strengths, needs, risks, and resources to reduce and/or eliminate the risk of removal from the home, reunification, emotional and educational needs, child abuse and neglect and ensure the safety, permanency and well-being of children and families.

**Child Fatality Review Panel** - A multi-professional group that meets to review the deaths of all minors in the state and identifies trends or patterns in the deaths of minors.

**Child Protection Team** - A multidisciplinary team of representatives from public and private community agencies who assist child protection service

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agencies to make decisions and recommendations for families involved in Child Protection System (CPS) assessments.

**Chore Service** - These tasks enable a client to remain in the home. Tasks include heavy housework and periodic cleaning, professional extermination, snow removal, and the task must be the responsibility of the client and not the responsibility of the landlord. Emergency Response Systems (ERS), such as electronic devices enabling the client to secure help in an emergency by activating the "help" button, are also available under this service.

**CIL** - Center for Independent Living. The four CILs serving North Dakota provide services to individuals with disabilities so they can live and work more independently in their homes and communities.

**Client Assistance Program (CAP)** - Designed to inform and advise all Vocational Rehabilitation clients and applicants about the benefits available under the Federal Rehabilitation Act of 1973, and to assist clients in securing those services.

**CMS** – Center for Medicare and Medicaid Services – The agency within the Department of Health and Human Services that is responsible for federal administration of the Medicaid, Medicare and State Children's Health Insurance Program (SCHIP) programs.

**Congregate Care** - Refers to a specialized group residential facility that provides programming for elderly individuals with mental retardation to help them maintain their current level of functioning. The health and medical conditions of the individuals served are stable and do not require continued nursing or medical care.

**Continuum of Care** - A functional philosophy that seeks to ensure clients receive the right service in the right place, at the right time.

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**Corporate Guardianship** - A service purchased on behalf of individuals eligible for developmental disabilities case management services when a district court has determined the individual requires a guardian and no one else is available to serve as guardian.

**CP** - Custodial Parent, for child support purposes, is the person (generally a parent) who has primary care, custody, and control of a child or, if a court has made a custody determination, the person who has legal custody of a child.

**CPS** - Child Protection Services protect the health and welfare of children by encouraging the reporting of children known to be or suspected of being abused or neglected; provide services for the protection and treatment of abused and neglected children to protect them from further harm.

**CPS Assessment** - Child Protection Services Assessment - A fact finding process designed to provide information that enables a determination to be made whether services are required for the protection and treatment of a child. These assessments are completed by County Social Service Board social workers.

**CPS Assessment Decision** - Child Protection Services Assessment Decision - The result of a CPS assessment, which reflects whether services are required for the protection and treatment of an abused or neglected child.

**CQL** - The Council for Quality and Leadership, often referred to as "The Council", accredits providers of services for mentally retarded/developmentally disabled persons.

**CRU** - Crisis Residential Units provide generally short-term stabilization and support to individuals diagnosed with mental illness and/or chemical dependence who are experiencing crisis as a result of exacerbation of symptoms.

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**Culturally Responsive** – Services, supports, or other assistance that is conducted or provided in a manner that is responsive to the beliefs, interpersonal styles, attitudes, language, and behaviors of individuals who are receiving the services, supports, or other assistance, and in a manner that has the greatest likelihood of ensuring their maximum participation in the program involved.

**CSHCN** - Children with Special Health Care Needs. As defined at the federal level, this population of children has or is at increased risk for chronic physical, developmental, behavioral, or emotional conditions requiring health and related services of a type or amount beyond that required by children generally.

**CSHS** - Children's Special Health Services is a unit in the Medical Services Division of the Department of Human Services, which provides services directly or through contracts to children with special health care needs and their families.

**Day Habilitation Service** – a.k.a. Day Supports - A service provided to eligible individuals through the Home and Community Based Services Waiver. Day Habilitation Services provide assistance to the individual with acquisition, retention, or improvement in self-help, socialization and adaptive skills, enabling the individual to attain or maintain his or her maximum functional level.

**DDS** - Disability Determination Services makes eligibility decisions for Social Security Disability Insurance and Supplemental Security Income so that eligible individuals can receive disability benefits. This is a unit of the department's Disability Services Division.

**Developmental Disability** - Refers to a severe chronic condition that constitutes a lifelong mental or physical impairment, which became apparent during childhood and has hampered an individual's ability to participate in mainstream society, either socially or vocationally. Refer to the Developmental Disabilities Act (Pub.L.106-402) for the legal definition.

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**Developmental Disabilities Division** – A division within the Department of Human Services charged with administering the Developmental Disabilities Service System.

**Developmental Disabilities Services** - A service system consisting of case management, day supports, residential services, and family support services for individuals with mental retardation or developmental disabilities of all ages, and early intervention services to infants and toddlers who are at risk for, or experiencing developmental delays.

**DHS** – Department of Human Services

**DJS** - Division of Juvenile Services is a division of the North Dakota Department of Corrections and Rehabilitation. DJS is responsible for the custody of delinquent and unruly children placed in its care by the courts.

**Dual Diagnosed** - Diagnosed with two disorders such as those individuals diagnosed with mental illness and chemical dependence or individuals diagnosed with mental illness and developmental disabilities.

**Dual Eligibles** - Individuals who qualify for both Medicaid (state and federally-funded health coverage for low-income persons) and Medicare (federal health coverage program for persons age 65 and older and other qualifying individuals with disabilities). Before Medicare Part D (the Medicare Prescription Drug benefit) became available in 2006, their medications were provided by North Dakota Medicaid.

**EAP** - Economic Assistance Policy is a division of the department that administers policy for and includes the following programs: Child Care Assistance Program, Basic Care Assistance Program, Energy Assistance (also referred to as Low Income Home Energy Assistance, or LIHEAP), Food Stamps, and Temporary Assistance for Needy Families (TANF), including Diversion Assistance and Job Opportunities and Basic Skills (JOBS). EAP is

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also responsible for Medicaid Estate Recovery, Quality Control, and System Support and Development.

**Early Intervention Services** - Refers to a statewide program for infants and toddlers who range from newborn to three years of age who have a developmental delay, disability, or a condition that could result in substantial limitations if intervention is not provided. Intervention services are designed to help address the physical and developmental needs of children, and to augment the capacity of their families to meet their special needs.

**Environmental Supports/Modifications** – This support is made available through the Home and Community Based Services Waiver to eligible individuals for the purpose of providing physical modifications to a private residence that are necessary to ensure the health, welfare, and safety of the participant or to enhance the participant's level of independence.

**Equipment and Supplies** – This support is made available through the Home and Community Based Services Waiver for the purpose of meeting the excess disability related expenses associated with maintaining an eligible participant in their primary caregiver's homes.

**Expanded SPED Program** - Expanded Service Payments to the Elderly and Disabled Program is a companion program to the Basic Care Assistance Program. It pays for services that can be provided in the home and community so that institutionalization in a basic care facility is avoided. The Expanded SPED Program is funded with state general funds.

**Extended Home Health Care Service** – This service is made available through the Home and Community Based Services Waiver to eligible participants living with a primary caregiver who have maximized the amount of service available under the State Plan. The service is provided to assist the participant with remaining in a family home setting.

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**Extended Services** – a.k.a. Supported Employment Service – A service provided through the Home and Community Based Services Waiver, which provides ongoing support for eligible individuals needing assistance with maintaining employment.

**FACSES** - The Fully Automated Child Support Enforcement System is the statewide automated system that supports the case processing of 50,000+ child support cases in North Dakota and supports the State Disbursement Unit (SDU) in processing child support payments.

**Family Caregiver Support Program** - Federally funded under the Older Americans Act, this Aging Services program offers help to caregivers who are caring for an adult age 60 or older, or who are themselves age 60 years or older and are caring for grandchildren or other relatives who are age 18 or younger. Services include information and referral, assistance from a trained caregiver coordinator to help caregivers assess needs and access support services, individual and family counseling, support groups, training, and respite care for caregivers.

**Family Group Decision Making** - Relating to the provision of child welfare services, this is defined as a strengths-based collaborative, coordinated decision making process using family, agency and support service resources to ensure the safety, permanency and well-being of children and families.

**Family Home Care** - The provision of room, board, supervisory care, and personal service to an eligible elderly or disabled individual by the spouse or by one the following relatives, or the current or former spouse of one of the following relatives of the elderly or disabled person: parent, grandparent, adult child, adult sibling, adult grandchild, adult niece, or adult nephew. The family home care provider does not need to be present in the home on a 24-hour basis if the welfare and safety of the client is maintained.

**Family Subsidy** - A program that may reimburse a family for excess expenses related to their child's disability. This offers support to enable

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families to keep their children in their homes when lack of financial support would make it very difficult for families to care for their children at home.

A child may be eligible for this program through age 21. Look in Waiver for possible change to definition.

**Family Support Services** – Refers to services, supports, and other assistance, provided to eligible families with members who have developmental disabilities. Services are designed to:

- Strengthen the family's role as primary caregiver;
- Prevent inappropriate out-of-the-home placement of the members and maintain family unity; and
- Reunite families with members who have been placed out of the home whenever possible.

The 3 distinct services included in Family Support Services are:

- In Home Support
- Family Care Option
- Family Care Option III

**FFY** - Federal Fiscal Year runs from October 1 to September 30.

**FLEP** - Family Life Education Program. The department of human services is required by law (NDCC 50-06-06.10) to enter into an agreement with the North Dakota State University extension service for the design of a program to educate and support individuals at all points within the family life cycle. The program must provide support for families and youth with research-based information relating to personal, family, and community concerns and must contain a research component aimed at evaluation of planned methods or programs for prevention of family and social problems. The program must address:

1. child and youth development;
2. parent education with an emphasis on parents as educators;
3. human development;
4. interpersonal relationships;



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5. family interaction and family systems;
6. family economics;
7. intergenerational issues;
8. impact of societal changes on the family;
9. coping skills; and
10. community networks and supports for families.

**FMAP** - Federal Medical Assistance Percentage is the federal matching rate for the Medicaid program. FMAP changes annually on October 1.

**Food Stamps** - A program that raises levels of nutrition among low-income households by supplementing their food purchasing power with monthly benefits distributed through an electronic benefit card.

**Free Choice of Provider** – The individual's right to obtain waiver services from any qualified and willing provider.

**Freedom of Choice** – The right of an individual who is determined eligible for a waiver to state that they wish to receive community based services.

**GA** - General Assistance is a county program designed to cover emergency needs of low-income individuals or families. The covered needs may include rent, fuel and utilities, medical, and burial expenses.

**HCBS** - Home and Community Based Services refers to the array of services that are essential and appropriate to sustain individuals in their homes and communities, and to delay or prevent institutional care.

**HCBS 1915 (c) Medicaid Waiver** – An agreement between DHS and the Center for Medicaid Services (CMS) which provides options for a continuum of home and community based services in the least restrictive environment. The waiver allows states to use funds that would have been used to pay for institutional care, for a wide variety of home and

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community-based services for individual who were living in institutions or at risk of entering institutions.

**Health Care Trust Fund** - This trust fund was established by the 1999 North Dakota Legislature as a source of funding for grants and loans to pay for legislatively approved projects.

**Health Tracks** - See North Dakota Health Tracks.

**Healthy Steps** - North Dakota's Children's Health Insurance Program that offers comprehensive health coverage for children 18 years of age and younger. To qualify, a child's family must have a net income that is greater than the Medicaid eligibility level, but not exceeding 140% of the federal poverty level. (Deductions for child care, child support, and taxes are allowed when determining eligible income.) Healthy Steps is a "State Children's Health Insurance Program" (SCHIP).

**HIPAA** - Health Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191; 110 Stat. 1936; 42 U.S.C. § 1301 et seq.] that among other things standardizes the format of certain health care information that is transmitted electronically and regulates the release of health care information. HIPAA impacts entities (and their computer systems) that handle individual health care information.

**Homemaker Service** – A service provided to eligible individuals through the Home and Community Services Based Waiver for the purpose of assisting an individual with maintaining or developing the skills needed live as independently as possible, while remaining in the home environment. This service provides non-personal care tasks such as housekeeping, laundry, and shopping.

**IADL** - Instrumental Activities of Daily Living are considered more complex tasks than those comprised by activities of daily living (ADLs). Performance of tasks such as these requires mental/cognitive (memory, judgment, intellectual ability) and/or physical ability. IADL are usually identified as

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preparing meals, shopping, managing money, doing housework and laundry, taking medication, self-transportation, and using the telephone.

**ICFMR** - Intermediate Care Facility for the Mentally Retarded. A residential facility operated pursuant to federal regulations and serving people with mental retardation and related conditions. The programming provided in this type of residence is for individuals with extensive needs. Each client must receive a continuous active treatment program, which includes an aggressive and consistent program of training, health services, and related services so that the client acquires the ability to function with as much self-determination and independence as possible.

**ICWA** - Indian Child Welfare Act of 1978 [Pub. L. 95-608; 92 Stat. 3069; 25 USCA § 1901 et seq.] This law recognizes the importance of allowing tribal courts to assume full responsibility for the placement of Indian children in foster care and adoptive homes. Under ICWA, Indian tribes may intervene in such State court proceedings concerning Indian children, and Indian Tribal courts have exclusive jurisdiction over some such proceedings.

**Inclusion** – Used with respect to individuals with developmental disabilities, means the acceptance and encouragement of the presence and participation of individuals with developmental disabilities, by individuals without disabilities, in social, education, work, and community activities.

**Individualized Plan for Employment** – A plan which describes the nature and scope of rehabilitation, employment and training services provide to an individual with a disability to help that individual reach his or her employment goal.

**Individualized Supported Living Arrangement (ISLA)** - This residential service is provided to people with developmental disabilities and/or mental retardation in their own homes or apartments. The level of support provided is individualized to the person's need for training and assistance with personal care, laundry, money management, etc.

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Individuals who receive ISLA typically need a higher level of support than people in Supported Living Arrangement (SLA).

**Individualized Supports** – Supports that enable an individual with a disability to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life.

**Infant Development** - Home-based, family focused services that provide supports to families of eligible infants and toddlers at high risk for, or with developmental delays or disabilities. An Individual Family Service Plan is developed that identifies services and learning opportunities that support the family in meeting the needs of their child, enhance their child's development, and increase the child's and family's participation in everyday routines and activities within the home and community. An eligible child may receive Infant Development services until he or she is three years of age.

**In-Home Supports** – A service made available through the Home and Community Services Based Waiver. The service provides support to meet the needs of the eligible participant with their daily and community routines, within their family home and community. This service supports the primary caregiver, allowing the rest of the family to live as much like other families as possible with the intent of preventing or delaying unwanted out of home placement.

**Institutional Child Abuse or Neglect** – Situations of known or suspected child abuse or neglect where the person responsible for the child's welfare is an employee of a residential child care facility, a treatment or care center for the mentally retarded, a public or private residential educational facility, a maternity home, or any residential facility owned or managed by the state or a political subdivision of the state.

**Integration** – Used with respect to individuals with disabilities, means exercising the equal right of individuals with disabilities to access and use the same community resources as are used by and available to other individuals.

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**Intensive In-Home Services** - Services provided under contract with a private agency to families who have at least one child about to be placed in foster care. The program's purpose is to preserve the family, prevent foster care, and assist with family re-unification of children who are placed in foster care.

**IPAT** - Refers to the Interagency Program for Assistive Technology. IPAT's mission is to increase access to assistive technology devices and services for individuals with disabilities regardless of their type of disability, age, or income level in order to positively impact work, independent living, learning, community involvement and recreation.

**IV-D** - Refers to Title IV-D of the Social Security Act [Pub. L. 93-647; 42 U.S.C. title IV-D]. A Child Support Enforcement program that provides services to locate parents, to establish paternity, to establish child support and medical support obligations, to enforce child support and medical support obligations, and to review and adjust obligations. Services are provided to families receiving public assistance [through Temporary Assistance for Needy Families (TANF) or Medicaid], in cases in which a child has been placed in foster care or upon application for services from either parent.

**IPE** - Is an Individualized Plan for Employment. It describes the nature and scope of rehabilitation, employment and training services provided to an individual with a disability to help that individual reach his or her employment goal. A Vocational Rehabilitation counselor and the client write the client's IPE.

**JCAHO** - Joint Commission on Accreditation of Healthcare Organizations

**JOBS** - Job Opportunities and Basic Skills program provides vocational training and employment for eligible individuals through TANF for the purpose of entering or reentering the job market. Program services are

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administered by Job Service North Dakota under contract with the Department of Human Services.

**Kinship Care** - A Temporary Assistance for Needy Families (TANF) program that allows relatives, with supportive services, to provide care and protection to children who are under the care, custody, and control of County Social Services and who would otherwise be in foster care.

**Legally Responsible Individual** - For The purposes of the HCBS SDS Waiver, a legally responsible individual is defined as any person who has a duty under State law to care for another person and typically includes: (a) the parent (biological or adoptive) of a minor child or the guardian of a minor child who must provide care to the child or (b) a spouse of a waiver participant.

**Level of Care** – Refers to CMS rules which require an individual to be eligible for care in an institution to be eligible for the HCBS waiver. This does not mean that the person has to live in an institution nor go to an institution, just be eligible for the type of care provided in an ICF-MR.

**Licensed Provider** – An entity licensed by the State of North Dakota to provide a professional service.

**LIHEAP** - Low Income Home Energy Assistance Program. Commonly referred to as the energy assistance program, LIHEAP provides heating assistance grants and services for qualifying low-income households. Benefits equal each household's estimated cost of heat minus a percentage of the household's income and are usually paid directly to a heating fuel supplier.

**Local Child Protection Team** - A multidisciplinary team of staff members from public and private community agencies who assist child protection service agencies to make decisions and recommendations for families involved in Child Protection System (CPS) assessments.

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**Long Term Care Facility** - (As defined by North Dakota law) A nursing facility, basic care facility or swing bed hospital unit.

**Long Term Care Ombudsman** - A person who identifies, investigates, and resolves complaints made by or on behalf of residents of long term care facilities and tenants of assisted living facilities. The ombudsman also works in other ways to protect the health, safety, welfare, and rights of residents.

**MA** - Medical Assistance, commonly referred to as "Medicaid," provides medical assistance to certain specified groups of needy low-income individuals as defined by federal law.

**Managed Care** - A system of health care that combines delivery and payment and influences utilization of services by employing management techniques (i.e., case management, referral for specialty services, etc.) designed to promote the delivery of cost-effective health care.

**MDS** - Minimum Data Set is an assessment used to determine a nursing facility resident's classification for rate setting purposes.

**Medicaid** - See MA above.

**Medicare Prescription Drug Program** that began January 1, 2006 and provides Medicare beneficiaries with access to prescription drug coverage from a host of private plans.

**Medicare Savings Programs** - Medicaid coverage that pays all or part of the Medicare premiums, deductibles, and co-insurance for Qualified Medicare Beneficiaries, Specified Low income Medicare Beneficiaries and Qualifying Individuals.

**Mental Retardation** - Is a condition diagnosed by age 18 and characterized both by a significantly below-average score on a test of

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mental ability or intelligence and by limitations in the ability to function in areas of daily life such as communication, self-care, and getting along in social situations and school activities. Mental retardation is sometimes referred to as a cognitive or intellectual disability.

**MHSAS** - Mental Health & Substance Abuse Services is a division of the Department of Human Services.

**MHSIP** - Mental Health Statistical Improvement Project is the statistical and outcome measurement system for the Department's community based mental health system of care at the regional human service centers.

**MMIS** - Medicaid Management Information System is the computer system that processes all Medicaid claims. Developed in 1978, it is also used to monitor utilization and to provide information needed to manage the Medicaid program.

**MSLA** - Minimally Supervised Living Arrangement is a community waiver group home or community complex setting, which provides training in community integration, social, leisure, and daily living skills.

**NDAC** – North Dakota Administrative Code

**NDCC** – North Dakota Century Code

**Neglect** - The failure of a caregiver to provide essential services necessary to maintain the physical and mental health of another person in the caregiver's care.

**Neglected Child** - Uses the definition in juvenile law for a "deprived child". A child who is without proper parental care, control, subsistence or education necessary for the child's physical, mental or emotional health or morals. A child who has been placed for care or adoption in violation of law. A child who has been abandoned. A child who is without proper care



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(as described above) because of the physical, mental, emotional, or other illness, or disability of the parent. A child who is in need of treatment and whose caregiver has refused to participate in treatment, which is court-ordered. A child who was subject to prenatal exposure to chronic and severe use of alcohol or any controlled substance. A child who is present in an environment subjecting the child to exposure to a controlled substance, chemical substance or drug paraphernalia.

**Non-Medical Transportation** - Transportation that enables individuals to access essential community services such as grocery, pharmacy, banking, post office, laundromat, utility company, social services, and social security office, in order to maintain themselves in their home. Non-Medical Transportation Driver with Vehicle refers to situations when the driver with the vehicle is considered as solely transporting the client to and from his/her home and points of destination. Non-Medical Transportation Escort is solely accompanying the client for the purpose of assisting in boarding and exiting, as well as during transport, in order that the client may complete the activity for which (non-medical) transportation is authorized.

**North Dakota Health Tracks** - Also known as Early and Periodic Screening, Diagnosis and Treatment (EPSDT), this program provides preventive health care to Medicaid eligible individuals up to age 21. Services include physical exams and screenings, immunizations, and referrals.

**North Dakota Protection and Advocacy Project** - The organization designated by the Governor to serve as the protection and advocacy system. P&A is an independent state agency established in 1977 to advance the human and legal rights of people with disabilities. P&A strives to create an inclusive society that values each individual.

**No Services Required** - A Child Protection Services (CPS) assessment decision, which reflects the belief that a child has not been abused or neglected.

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**No Services Required, Services Recommended** - A CPS assessment decision that reflects the belief that a child has not been abused or neglected, but the family may be in need of preventative services.

**Not-for-Profit** – Refers to an agency, institution, or organization that is owned or operated by one or more corporations or associations, of which no part of the net earnings may benefit any private shareholder or individual.

**Nurse Management** - A service for ventilator-dependent individuals eligible for Medicaid Waiver services and receiving Attendant Care Service, where a licensed nurse provides nursing assessment, care planning, delegation of skilled nursing tasks to Unlicensed Assistive Personnel (UAPs) and monitoring of delegated tasks related to the client's medical needs.

**Nursing Facility Level of Care Determination** – Criteria to establish minimum medical necessity standards before an individual can receive Medicaid funded nursing facility services, home and community based services through the Medicaid Waiver for Home and Community Based Services.

**Obligee** - The person to whom a child support obligation is owed, generally the custodial parent (CP). It may also be an entity to which a child support obligation is owed.

**Obligor** - The person who is obliged to pay child support. See also noncustodial parent (NCP).

**Older Americans Act (OAA)** - The Older Americans Act of 1965 [Pub. L. 89-73; 79 Stat. 219; 42 U.S.C. § 3001 et seq.] provides federal funding for services to older persons, especially those who are low income, socially needy, frail, or minority persons. Among the services offered are nutrition services, support services, Long Term Care Ombudsman program, and information and referral.

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**Olmstead Decision** - A 1999 U.S. Supreme Court decision, *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581, 119 S.Ct. 2176 (1999), in which the Court held that it is a form of discrimination under the Americans With Disabilities Act of 1990 (ADA) if a state fails to find community placements for institutionalized individuals if: 1) the state's treatment professionals have determined that community placement is appropriate, 2) the individual does not oppose the transfer to a community setting, and 3) the placement can be reasonably accommodated taking into account the resources available to the state and the needs of others with disabilities.

**Outreach** - Actions and communication initiated by an agency or organization for the purpose of identifying potential clients and encouraging their use of existing services and benefits.

**PAR** – Progress Assessment Review - A written instrument used as the basis of the eligibility process within Developmental Disabilities. The instrument includes an assessment of needs which assists with determining level of care and authorization of services.

**Parent Aides** - Individuals who, through training and support, work with parents who are at risk of abusing or neglecting their children. County social service boards employ parent aides.

**Part C** - Is a section within the federal law of the Individuals with Disabilities Education Act (IDEA) [Pub. L. 94-142; 84 Stat. 175; 20 U.S.C. § 1400 et seq.] that entitles a child under the age of three years and their family to certain supports, services, and rights, which in North Dakota are known as Early Intervention Services for Infants and Toddlers. Part C provides federal financial assistance to states to develop and implement a collaborative statewide system of services for these children and their families.

**Participant Directed Service** – This option, as opposed to Provider Managed Services, gives the individual the most control over their services and supports and also the most responsibility. It includes the participant

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exercising decision-making authority over workers who provide services, a participant-managed budget, or both.

**Partnerships Program** - Integrated comprehensive services for children with serious emotional disorders.

**PASRR** - Pre-Admission Screening and Resident Review is a federal requirement that every person who seeks admission to a nursing facility be screened by the state for evidence of mental retardation or mental illness. If either exists, the screening is intended to determine if nursing facility care is necessary, and if so, to determine if specialized services are needed.

**Peer Support Services** - Peer Support Services are consumer centered services with a rehabilitation and recovery focus designed to promote skills for coping with and managing symptoms while facilitating the utilization of natural resources and the enhancement of community living skills. Peer Support Services are provided by a person who has progressed in their own mental health or substance abuse recovery and is working to assist other people with mental health or substance abuse issues. Because of their life experience, peers have expertise that professional training cannot replicate.

**Peer Support Specialist** - A Peer Support Specialist is an occupational title for a person who has progressed in their own recovery from mental disorder and is working to assist other people with a mental disorder. Because of their life experience, such persons have expertise that professional training cannot replicate.

**PERM** - Payment Error Rate Measurement is an examination of selected Medicaid and Healthy Steps (SCHIP) provider claims to determine if a service is required and the beneficiary is eligible. This federal requirement became effective October 1, 2005.

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**Personal Care Service** - A service which provides assistance with bathing, dressing, toileting, continence, transferring, mobility in the home, eating, and personal hygiene, passive range of motion exercises and simple bandage changes. When specified within the plan of care, this service may also include cueing or prompting, housekeeping tasks such as bed making, dusting and vacuuming, which are incidental to the care furnished or which are essential to the health and welfare of the individual, rather than the individual's family.

**Person-Centered Service Plan** – A document which specifies supports and services that an individual will receive based on assessed needs. This also includes informal supports provided to meet the individual's needs to remain in the community.

**Pharmacy Point of Sale** - This is a computerized point of sale (POS) system that allows pharmacists to enter claims on a real time basis into the payment system. Within a matter of seconds, providers receive confirmation that the claim has been processed for payment or denied. If the claim is denied, providers receive immediate information regarding the reason for the denial. The system also prevents payment of duplicate claims, audits claims to ensure the health of Medicaid recipients is maintained by preventing inappropriate drug dispensing, reduces administrative costs and streamlines identification of recipient liability for pharmacy providers.

**Prime Time Care** - A prevention program designed to provide temporary child care to families at risk of neglecting or abusing their children.

**Psychiatric Residential Treatment Facility (PRTF)** - (Formerly called Residential Treatment Center or RTC) A facility or a distinct part of a facility that provides children and adolescents with a 24-hour, therapeutic environment integrating group living, educational services, and a clinical program based upon a comprehensive, interdisciplinary clinical assessment and an individualized treatment plan that meets the needs of the child and family.

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**Prevention Activities** – Activities with goals of eliminating or reducing the factors that cause or predispose individuals to increased risk, disease, problems, or disabilities.

**QER** – Quality Enhancement Review

**QMB** - Qualified Medicare Beneficiaries are persons for whom Medicaid pays the Medicare premiums, deductibles, and co-insurance. Income cannot exceed 100% of the poverty level. See Medicare Savings Programs.

**QI** - Qualifying Individuals are individuals for whom Medicaid pays their Medicare Part B premium. Income must be between 120% and 135% of poverty level. They cannot be covered by other Medicaid to receive benefits. See Medicare Savings Programs.

**Qualified Service Provider (QSP)** - An individual or agency that has met all of the standards/requirements and has been designated by the Department of Human Services as a provider.

**RCCF** - Residential Child Care Facility

**Recipient Liability** - This is the amount an individual who is eligible for Medicaid under the “Medically Needy” coverage group is expected to contribute toward his or her monthly medical expenses.

**Refugee Cash Assistance** - A benefit program available for the first eight months refugees are in the United States.

**Regulation** – Any written statement of federal or state law or policy, including federal and state constitutions, statutes, regulations, rules, policy manuals or directions, policy letters or instructions, and relevant controlling decisions of federal or state courts.

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**Rehabilitation Consulting and Services (RCS)** – Associated with vocational rehabilitation (VR) services, these services are designed to assist business owners and employers in developing short and long term strategies regarding disability-related issues including staffing, education, tapping into financial incentives associated with hiring an individual who has a permanent injury, illness, or impairment; or ensuring accessibility to goods or services.

**Rehabilitation Services** - Medical, psychological, social, and vocational services, including physical items, which are necessary to assist persons with disabilities to engage in gainful activity.

**Report of Suspected Child Abuse or Neglect** - Information received by child protection services concerning the suspected maltreatment of a child.

**Reserved Waiver Capacity** – The State may reserve a portion of the participant capacity for specified purposes such as community transition of institutionalized persons or for individuals who may experience a crisis.

**Residential Care** - Services provided in a facility in which at least five (5) unrelated adults reside, and in which personal care, therapeutic, social, and recreational programming are provided in conjunction with shelter. This service includes 24-hour on-site response staff to meet scheduled and unpredictable needs and to provide supervision, safety, and security.

**Residential Habilitation Service** – This service is made available to eligible individuals through the Home and Community Based Services Waiver for the purpose of assisting the participant with acquiring, improving, and retaining skills in self-help, general household management, personal finance management, socialization and other adaptive areas, to enable the participant to reside as independently as possible in the community.

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**Respite Care** - Temporary relief to a primary caregiver for a specified period of time. The caregiver is relieved of the stress and demands associated with continuous daily care.

**Right Track** - This Developmental Disabilities program works to identify infants or toddlers who may be at-risk for developmental delays. The program provides developmental screenings in environments natural and familiar to the child, refers families to appropriate supports and shares child development information with families. For purposes of this program, at-risk infants and toddlers are defined as children younger than three years of age who have environmental or biological risk factors for developmental delays or parental concern regarding development.

**RIS** - Regional Intervention Services provide community based intervention for individuals with serious mental health and/or substance abuse needs to determine appropriate level of care. RIS units at the department's human service centers conduct the admission screening for State Hospital admissions.

**ROAP** - The Regional Office Automation Project is a technology system that provides a comprehensive and integrated electronic medical records system to manage and support the business functions and requirements of the department's eight regional Human Service Centers and the Central Office.

**Safety, Strengths, Risk Assessment** - Refers to State Form Number (SFN 455) that is used to document the Child Protection Services (CPS) assessment.

**SAMHSA** - Substance Abuse and Mental Health Services Administration is an agency of the U.S. Department of Health and Human Services (DHHS) that focuses on programs and providing funding to improve the lives of people with or at risk for mental and substance abuse disorders.



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**SCHIP** - State Children's Health Insurance Program, which is called Healthy Steps in North Dakota. (See Healthy Steps definition.)

**SED** - Serious Emotional Disorder (or Disturbance)

**Services Required** - A Child Protection Services (CPS) assessment decision, which reflects the belief that a child has been abused or neglected and requires contact with the juvenile court.

**SFY** - State Fiscal Year is the period of time in the state budget cycle from July 1 to June 30.

**Single Plan of Care (SPOC)** - The Single Plan of Care is the computerized treatment/service plan that supports the Wraparound Process in the provision of mental health services to children.

**SLA** - Supported Living Arrangement is a residential service that provides support to people living in their own homes or apartments. Supportive services include help with budgeting, shopping, laundry, etc. and are provided on an intermittent basis, generally less than 20 hours per month. There is a fixed staff to client ratio. People receiving this service generally need less support than people receiving services through an Individualized Supported Living Arrangement.

**SLMB** - Specified Low-Income Medicare Beneficiaries are persons for whom Medicaid pays the Medicare Part B premium. Income must be between 100% and 120% of poverty level. See Medicare Savings Programs.

**SMI** - Seriously Mentally Ill

**Special Needs Adoption** - The classification of adoption for children who have a physical, emotional, and/or psychological disability (or are at risk for such a disability), are older than age seven, part of a sibling group, or are children whose race/ethnicity is a barrier to placement.

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**Specialized Equipment and Supplies** - Includes devices, controls, or appliances specified in the plan of care, which enable recipients to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live.

**Specialized Placement** - Refers to a residence for people who are diagnosed as both mentally retarded and mentally ill and whose individualized programs address residential, psychosocial and psychiatric development prior to entry into less restrictive settings.

**SPED** - Service Payments for Elderly and Disabled is authorized by state law to provide a number of in home and community based services to functionally impaired older individuals and people with physical disabilities who require assistance to continue to live in a home-like setting.

**SSA** - Social Security Administration

**SSDI** - Social Security Disability Insurance

**SSI** - Supplemental Security Income

**State Child Protection Team** - A multidisciplinary team of staff members from public and private agencies (determined by law) that makes the determination whether child abuse or neglect is indicated in cases of suspected institutional child abuse or neglect.

**State Fiscal Year (SFY)** – the period of time in the state budget cycle from July 1 through June 30.

**State Interagency Coordinating Council (ICC)** - Is a council appointed by the Governor. Federal law under Part C of the Individuals with Disabilities Education Act (IDEA) requires the ICC to advise and assist the designated lead agency (N.D. Department of Human Services) in the

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performance of responsibilities set forth under Part C regarding early intervention services and to advise the Department of Public Instruction (DPI) regarding the transition of toddlers with disabilities to preschool and other appropriate services. The council is comprised of parents of infants and toddlers with disabilities and representatives of providers of early intervention services, the state legislature, the Department of Human Services, preschools, the State Insurance Department, Head Start, child care providers, and other members at large.

**Subject** - In child welfare terminology, the person who is suspected of abuse or neglect of a child or the person who has abused or neglected a child.

**Supported Employment Service** – a.k.a. Extended Services – A service provided through the Home and Community Based Services Waiver, which provides ongoing support for eligible individuals needing assistance with maintaining employment.

**TANF** - Temporary Assistance for Needy Families is a federal block grant program established under Title IV-A of the Social Security Act. It serves many needs, such as meeting some of the costs of Foster Care and Child Care Assistance programs. TANF also provides temporary cash assistance to needy families primarily to facilitate the return to or preparation for work.

**TBI** - Traumatic Brain Injury

**TCC** - Transitional Child Care provides partial payment of child care to families who lose TANF assistance eligibility.

**TCLF** - Transitional Community Living Facility is a community waiver group home that provides training for individuals in community integration, social, leisure, and daily living skills in a group living environment. It is preliminary to entry into a lesser restrictive setting.

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**TECS** - Technical Eligibility Computer System is the computer system currently used by county social service boards to manage Food Stamps and some Medicaid cases.

**TPL** - Third Party Liability describes potential resources that may be available to offset claims against the Medicaid program. They include health insurance, accident insurance, court settlements, and decrees stemming from accidents of various kinds.

**Transitional Living Service** - Services that assist people with learning skills so they can live with greater independence in their own homes. This includes supervision, or assistance to the individual with self-care, communication skills, socialization, sensory/motor development, reduction/elimination of maladaptive behavior, community living, and mobility.

**Transition Services** - Services provided to assist students with disabilities as they move from school to adult services and/or employment. This term also refers to the transition from Infant Development Services to School-Based Services.

**Transitional Medicaid Benefits** - Provides up to 12 months of Medicaid coverage for families who lose eligibility under the Family Coverage group due to earnings.

**Vision** - The computer system currently used by county social services to administer Temporary Assistance for Need Families (TANF) benefits and some Medicaid cases.

**Vocational Development** - A program of vocational preparation prior to competitive or extended employment.

**VR** - Vocational Rehabilitation provides training and employment services to individuals with disabilities so they can become and/or remain

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employed. For information about a related service provided by department VR professionals for businesses, see Rehabilitation Consulting and Services.

**Vulnerable Adult Protective Services** - Refers to remedial social, legal, health, mental health, and referral services provided for prevention, correction, or discontinuation of abuse or neglect which are necessary and appropriate under the circumstances to protect an abused or neglected vulnerable adult, and ensures that the least restrictive alternatives provided, prevent further abuse or neglect, and promotes self care and independent living. (Reference: North Dakota Century Code Chapter 50-25)

**Waiver Slots** – The maximum number of individuals who can be enrolled in the waiver at any one point in time. The number of waiver slots is tied to the amount of funding the state legislature has made available for waiver services. One 'slot' usually equals the average amount of money the state expects to spend for an individual for a full year of services.

**Wraparound** - This is a strength-based philosophy of care that includes a definable process involving the child and family that results in a unique set of community services and supports individualized for that child and family. Wraparound is a process. It is not a program. It does not create new programs or services, but is the method of meeting the needs of families through the coordination and identification of natural supports and formal supports, which constitute the Child and Family Team. This process is team driven, focuses on least restrictive methods of care, and uses the family's strengths, preferences, and choices whenever possible. It is a continuum of intensity, which is driven by family needs, complexity, and level of risk.

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### **Regulating Authority 816-05-15**

### **State Regulating Authority 816-05-15-05**

### **North Dakota Administrative Code (NDAC) 816-05-15-05-05**

(Revised 2/1/10 ML #3198)

[View Archives](#)

The North Dakota Administrative Code can be accessed by clicking on the following link:

<http://www.legis.nd.gov/information/rules/admincode.html>

NDAC most commonly referenced relating to Developmental Disabilities can be located by clicking on the following links:

- [NDAC 75-04-05](#) Reimbursement for Providers of Services to Individuals with Developmental Disabilities as amended May 2006
- [NDAC 75-04-01](#) Licensing of Programs and Services for Individuals with Developmental Disabilities
- [NDAC 75-04-02](#) Purchase of Services for Developmentally Disabled Persons
- [NDAC 75-04-03](#) Developmental Disabilities Loan Fund
- [NDAC 75-04-04](#) Family Subsidy Program
- [NDAC 75-04-06](#) Eligibility for Mental Retardation-Developmental Disabilities Case Management Services
- [NDAC 75-04-07](#) Individualized Supported Living Arrangements for Persons with Mental Retardation-Developmental Disabilities
- [NDAC 75-08-01](#) Vocational Rehabilitation

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### **North Dakota Century Code 816-05-15-05-10**

(Revised 2/1/10 ML #3198)

[View Archives](#)

North Dakota Century Code can be accessed by clicking on the following link:

<http://www.legis.nd.gov/general-information/north-dakota-century-code>

North Dakota Century Code **Title 25 Mental and Physical Illness or Disability** can be accessed by clicking on the following link:

[Title 25](#)

North Dakota Century Code most commonly referenced relating to Developmental Disabilities are 25-01.2 Developmental Disabilities and 25-04 Care of Developmentally Disabled which can be accessed by clicking on the following links:

[NDCC 25-01.2](#) Developmental Disabilities

[NDCC 25-04](#) Care of Developmentally Disabled

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### **Federal Legal Reference/Regulating Authority 816-05-15-10**

#### **Code of Federal Regulations (CFR) 816-05-15-10-05**

(Revised 2/1/10 ML #3198)

[View Archives](#)

The entire CFR can be accessed at the website: <http://ecfr.gpoaccess.gov>

The parts of the CFR most commonly referenced relating to Developmental Disabilities are Titles 34 Education; Title 42 Public Health; and Title 45 Public Welfare.



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## Code of Federal Regulations - Title 34 Education 816-05-15-10-05-05

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Title	Volume	Chapter	Browse Parts	Regulatory Entity		
Title 34 Education	1	<b>Subtitle A - Office of the Secretary, Department of Education</b>				
					<a href="#">1-99</a>	Subtitle A Office of the Secretary, Department of Education
				<b>Subtitle B - Regulations of the Offices of the Department of Education</b>		
				I	<a href="#">100-199</a>	Office for Civil Rights, Department of Education
				II	<a href="#">200-299</a>	Office of Elementary and Secondary Education, Department of Education
		2	III	<a href="#">300-399</a>	Office of Special Education and Rehabilitative Services, Department of Education	

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		3	IV	<a href="#">400-499</a>	Office of Vocational and Adult Education, Department of Education
				V	<a href="#">500-599</a> Office of Bilingual Education and Minority Languages Affairs, Department of Education
				VI	<a href="#">600-699</a> Office of Postsecondary Education, Department of Education
				VII	[Reserved]
				XI	<a href="#">1100-1199</a> National Institute for Literacy
				<b>Subtitle C - Regulations Relating to Education</b>	
				XII	<a href="#">1200-1299</a> National Council on Disability

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### **Code of Federal Regulations - Title 42 Public Health 816-05-15-10-05-10**

(Revised 2/1/10 ML #3198)

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Title 42 Public Health	1	I	<a href="#">1-199</a>	Public Health Service, Department of Health and Human Services
		2	IV	<a href="#">400-413</a>
		3		
		4		
			V	

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## **Code of Federal Regulations - Title 45 Public Welfare 816-05-15-10-05-15**

(Revised 2/1/10 ML #3198)

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Title	Volume	Chapter	Browse Parts	Regulatory Entity		
<b>Title 45 Public Welfare</b>	<b>Subtitle A - Department of Health and Human Services</b>					
		1		<a href="#">1-199</a>	Subtitle A - Department of Health and Human Services	
		<b>Subtitle B - Regulations Relating to Public Welfare</b>				
		2	II	<a href="#">200-299</a>	Office of Family Assistance (Assistance Programs), Administration for Children and Families, Department of Health and Human Services	
				III	<a href="#">300-399</a>	Office of Child Support Enforcement (Child Support Enforcement Program), Administration for Children and Families, Department of Health and Human Services

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				IV	<a href="#">400-499</a>	Office of Refugee Resettlement, Administration for Children and Families, Department of Health and Human Services
		3	V	<a href="#">500-599</a>	Foreign Claims Settlement Commission of the United States, Department of Justice	
				VI	<a href="#">600-699</a>	National Science Foundati on
				VII	<a href="#">700-799</a>	Commis sion on Civil Rights
				VIII	<a href="#">800-899</a>	Office of Personn el Manage ment
				X	<a href="#">1000-1099</a>	Office of Commu nity Services , Administ ration for Children and Families , Departm ent of Health

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				XVIII	<a href="#">1800-1899</a>	Harry S. Truman Scholars hip Foundati on

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				XXI	<a href="#">2100-2199</a>	Commission on Fine Arts
				XXIII	<a href="#">2301</a>	Arctic Research Commission
				XXIV	<a href="#">2400-2499</a>	James Madison Memorial Fellowship Foundation
				XXV	<a href="#">2500-2599</a>	Corporation for National and Community Service

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### **Social Security Act 816-05-15-10-10**

(Revised 2/1/10 ML #3198)

[View Archives](#)

The entire Social Security Act can be located at the following website:

[http://www.socialsecurity.gov/OP\\_Home/ssact/ssact.htm](http://www.socialsecurity.gov/OP_Home/ssact/ssact.htm)

Title XVI and Title XIX of the Social Security Act are most commonly referred to for Developmental Disabilities. Click on the following links to access the specific section you are looking for.

### **TITLE XVI—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED[1]**

- [Sec. 1601. Purpose; appropriations](#)
- [Sec. 1602. Basic eligibility for benefits](#)

#### **Part A-Determination of Benefits**

- [Sec. 1611. Eligibility for and amount of benefits](#)
- [Sec. 1612. Income](#)
- [Sec. 1613. Resources](#)
- [Sec. 1614. Meaning of terms](#)
- [Sec. 1615. Rehabilitation services for blind and disabled individuals](#)
- [Sec. 1616. Optional State supplementation](#)
- [Sec. 1617. Cost-of-living adjustments in benefits](#)
- [Sec. 1618. Operation of State supplementation programs](#)
- [Sec. 1619. Benefits for individuals who perform substantial gainful activity despite severe medical impairment](#)
- [Sec. 1620. Medical and social services for certain handicapped persons](#)
- [Sec. 1621. Attribution of sponsor's income and resources to aliens](#)



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## **Part B—Procedural and General Provisions**

- [Sec. 1631. Payments and procedures](#)
- [Sec. 1632. Penalties for fraud](#)
- [Sec. 1633. Administration](#)
- [Sec. 1634. Determinations of Medicaid eligibility](#)
- [Sec. 1635. Outreach program for children](#)
- [Sec. 1636. Treatment referrals for individuals with an alcoholism or drug addiction condition](#)
- [Sec. 1637. Annual report on program](#)

## **TITLE XIX—GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS**

- [Sec. 1901. Appropriation](#)
- [Sec. 1902. State plans for medical assistance](#)
- [Sec. 1903. Payment to States](#)
- [Sec. 1904. Operation of State plans](#)
- [Sec. 1905. Definitions](#)
- [Sec. 1906. Enrollment of individuals under group health plans](#)
- [Sec. 1907. Observance of religious beliefs](#)
- [Sec. 1908. State programs for licensing of administrators of nursing homes](#)
- [Sec. 1908A. Required laws relating to medical child support](#)
- [Sec. 1909. State false claims act requirements for increased state share of recoveries](#)
- [Sec. 1910. Certification and approval of rural health clinics and intermediate care facilities for the mentally retarded](#)
- [Sec. 1911. Indian Health Service facilities](#)
- [Sec. 1912. Assignment of rights of payment](#)
- [Sec. 1913. Hospital providers of nursing facility services](#)
- [Sec. 1914. Withholding of Federal share of payments for certain Medicare providers](#)
- [Sec. 1915. Provisions respecting inapplicability and waiver of certain requirements of this title](#)
- [Sec. 1916. Use of enrollment fees, premiums, deductions, cost sharing, and similar charges](#)

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- [Sec. 1916A. State option for alternative premiums and cost sharing](#)
- [Sec. 1917. Liens, adjustments and recoveries, and transfers of assets](#)
- [Sec. 1918. Application of provisions of title II relating to subpoenas](#)
- [Sec. 1919. Requirements for nursing facilities](#)
- [Sec. 1920. Presumptive eligibility for pregnant women](#)
- [Sec. 1920A. Presumptive eligibility for children](#)
- [Sec. 1920B. Presumptive eligibility for certain breast or cervical cancer patients](#)
- [Sec. 1921. Information concerning sanctions taken by State licensing authorities against health care practitioners and providers](#)
- [Sec. 1922. Correction and reduction plans for intermediate care facilities for the mentally retarded](#)
- [Sec. 1923. Adjustment in payment for inpatient hospital services furnished by disproportionate share hospitals](#)
- [Sec. 1924. Treatment of income and resources for certain institutionalized spouses](#)
- [Sec. 1925. Extension of eligibility for medical assistance](#)
- [\[Sec. 1926. Repealed.\]](#)
- [Sec. 1927. Payment for covered outpatient drugs](#)
- [Sec. 1928. Program for distribution of pediatric vaccines](#)
- [Sec. 1929. Home and community care for functionally disabled elderly individuals](#)
- [Sec. 1930. Community supported living arrangements services](#)
- [Sec. 1931. Assuring coverage for certain low-income families](#)
- [Sec. 1932. Provisions relating to managed care](#)
- [Sec. 1933. State coverage of Medicare cost-sharing for additional low-income Medicare beneficiaries](#)
- [Sec. 1934. Program of all-inclusive care for the elderly \(PACE\)](#)
- [Sec. 1935. Special provisions relating to Medicare prescription drug benefit](#)
- [Sec. 1936. Medicaid integrity program](#)
- [Sec. 1937. State flexibility in benefit packages](#)
- [Sec. 1938. Health opportunity accounts](#)
- [Sec. 1939. References to laws directly affecting medicaid program](#)

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### **Individuals with Disabilities Education Act (IDEA) 816-05-15-10-15**

(Revised 2/1/10 ML #3198)

[View Archives](#)

To access the Individuals with Disabilities Education Act (IDEA) click on the following link:

<http://idea.ed.gov>

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### **The Rehabilitation Act of 1973 816-05-15-10-20**

(Revised 2/1/10 ML #3198)

[View Archives](#)

To access the Rehabilitation Act of 1973 click on the following link:

<http://www.ed.gov/policy/speced/reg/narrative.html>

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### **Links to DD Waivers 816-05-20**

#### **Home and Community Based Services (HCBS) Waiver for Individuals with Intellectual and Developmental Disabilities 816-05-20-05**

(Revised 8/15/13 ML #3381)

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This waiver is also referred to as the “Traditional Waiver” and can be accessed by clicking on the following link:

<http://www.nd.gov/dhs/services/disabilities/dd.html>

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### **REPEALED**

#### **Home and Community Based Services (HCBS) Self Directed Supports Waiver 816-05-20-10**

(Repealed 8/15/13 ML #3381)

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### **Children's Medically Fragile Waiver 816-05-20-15**

(Revised 2/1/10 ML #3198)

[View Archives](#)

This waiver can be accessed by clicking on the following website:

<http://www.nd.gov/dhs/services/disabilities/docs/nd-medicaid-waiver-for-medically-fragile-children-jun01-2008.htm>

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### **Links to Other Service Chapters Located on Bookshelf 816-05-25**

(Revised 2/1/10 ML #3198)

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To link to all DHS Service Chapters, click on the following link:

<http://www.nd.gov/dhs/policymanuals/home/>



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### **The Division of Children and Family Services (CFS) Service Chapters 816-05-25-05**

(Revised 2/1/10 ML #3198)

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- The CFS Permanency Planning Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/ppfc/ppfc.htm>

- The CFS Child Protection Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/childabuse/childabuse.htm>

- The CFS Subsidized Adoption Service Chapter 617-05 can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/subadopt/subadopt.htm>

- The CFS Subsidized Guardianship Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/subguardian/subguardian.htm>

- The CFS Wraparound Case Management Service Chapter can be accessed by clicking on the following link:

<http://robohelp.state.nd.us/robo/bin/robo.dll?tpc=%2Frobo%2Fprojects%2Fwraparound%2Fdefault.htm&mgr=agm&project=wraparound&wnd=wraparound%7CNewWindow&agt=wsm&ctxid=dhs%2Fpolicymanuals%2Fhome%2Fcfs.htm>

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- The CFS Family Preservation Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/627/627.htm>

- The CFS Interstate Compact Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/61901/61901.htm>

- The CFS Foster Care Independent Living Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/62410/62410.htm>

- The CFS Foster Care Maintenance Payments Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/fostercare/fostercare.htm>

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### **The Division of Aging Services Service Chapters 816-05-25-10**

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- The Adult Family Foster Care Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/66005/66005.htm>

- The Long Term Care, Ombudsman Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/69501/69501.htm>

- The Vulnerable Adult Protective Services Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/69001/69001.htm>

- The Older Americans Act Service Chapter can be accessed by clicking on the following link:

<http://robohelp.state.nd.us/robo/bin/robo.dll?tpc=%2Frobo%2Fprojects%2Folderamericans%2Fdefault.htm&mgr=agm&project=olderamericans&wnd=olderamericans%7CNewWindow&agt=wsm&ctxid=dhs%2Fpolicymanuals%2Fhome%2Faging.htm>

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### **Division of Mental Health and Substance Abuse Service Chapters 816-05-25-15**

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The Voluntary Out-Of-Home Treatment Program Service Chapter can be accessed by clicking on the following link:

<http://www.nd.gov/dhs/policymanuals/home/mh.htm>

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### **Financial Related Service Chapter 816-05-25-20**

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- The Department of Human Services Administrative Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/administrative449/administrative449.htm>

- The Medicaid State Plan Personal Care Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/53505/53505.htm>

- The Primary Care Physician Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/pcp/pcp.htm>

- The Aide to the Blind, Remedial Care Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/aidblindremedial/aidblindremedial.htm>

- The IV-E Foster Care Eligibility Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/iv-e/iv-e.htm>

- The Basic Care Program Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/basiccare/basiccare.htm>

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- The Home and Community Based Services Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/hcbs/hcbs.htm>

- The Electronic Benefit Transfer Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/435/435.htm>

- The Medicaid Program Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/medicaid/medicaid.htm>

- The Supplemental Nutrition Assistance Program (SNAP) Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/foodstamp/foodstamp.htm>

- The Low Income Energy Assistance Program Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/liheap/liheap.htm>

- The Temporary Assistance to Needy Families (TANF) Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/tanf/tanf.htm>

- The Children with Medically Fragile Needs Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/58505/58505.htm>

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- The Job Opportunities and Basic Skills Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/jobs/jobs.htm>

- The Subsidized Adoption Eligibility Service Chapter can be accessed by clicking on the following link:

<http://www.state.nd.us/robo/projects/subadoptelig/subadoptelig.htm>

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### **Links to DD Related Websites 816-05-30**

#### **North Dakota State Government Website 816-05-30-05**

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[View Archives](#)

By clicking on the following link, the viewer can access information relating to all aspects of North Dakota State Government:

<http://www.nd.gov/>



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### **Department of Human Services (DHS) Website 816-05-30-05**

(Revised 2/1/10 ML #3198)

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The DHS Website can be accessed by clicking on the link below. Viewer will find information about the Department's Mission, Role, Quick Facts, Strategic Plan, Biennial Report, Executive Summary, DHS Organizational Chart, News, Public Stakeholder Meeting Comments, and other resources.

<http://www.nd.gov/dhs/>

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### **Developmental Disabilities Services Division Website 816-05-30-15**

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Click on the following link to access information relating to the Division of Developmental Disabilities:

<http://www.nd.gov/dhs/services/disabilities/dd.html>

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### **Regional Human Service Centers and Regional Infant Development Programs 816-05-30-20**

(Revised 2/1/10 ML #3198)

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Click on the following link to view the list of Regional Human Service Centers and Regional Infant Development Programs:

<http://www.nd.gov/dhs/services/disabilities/dd-offices.html>

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### **Division of Medical Services Website 816-05-30-25**

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<http://www.nd.gov/dhs/services/medicalserv/medicaid/>

Medicaid was authorized in 1966 for the purpose of strengthening and extending the provision of medical care and services to people whose resources are insufficient to meet such costs. Corrective, preventative, and rehabilitative medical services are provided with the objective of retaining or attaining capability for independence, self-care, and support. These services are extended to elderly, blind, or disabled individuals as well as to caretaker relatives and children to the age of 21 years. Funding is shared by federal, state, and county governments, with eligibility determined at the county level.

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### **ND Early Intervention Website 816-05-30-30**

(Revised 2/1/10 ML #3198)

[View Archives](#)

Click on the following link to access information about Early Intervention Services

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/index.html>

The Early Intervention Services Website contains information on the following:

- Early Intervention related documents out for public comment
- North Dakota Interagency Coordinating Council
- Service Providers
- Link to the State Online Library (ODIN)
- Parent Information
- Right Track Program
- Transition from Early Intervention at age 3 Handbook
- Part C, including the Part C Application and Annual Performance Report
- Other Links
- Comment Section

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### **Vocational Rehabilitation Services 816-05-30-35**

(Revised 2/1/10 ML #3198)

[View Archives](#)

The Vocational Rehabilitation (VR) website can be accessed by clicking on the following link:

<http://www.nd.gov/dhs/rcs/index.html>

Rehabilitation Consulting & Services (RCS) is North Dakota's Vocational Rehabilitation division. Our primary mission is to assist North Dakotans with disabilities to improve their employment opportunities and to assist North Dakota businesses in finding solutions to their disability-related issues.

Through this "dual client" approach, we assist individuals with permanent injuries, illness, or impairments to achieve competitive employment and increased independence. We also assist business owners and employers through full service business consultation on a variety of business and disability-related areas.

## **North Dakota Interagency Program for Assistive Technology (IPAT) 816-05-30-40**

(Revised 2/1/10 ML #3198)

[View Archives](#)

The IPAT website can be accessed by clicking on the following link:

<http://www.ndipat.org/>

The Interagency Program for Assistive Technology (IPAT) delivers services so people with disabilities can get the assistive technology they need for work, school, and home. IPAT is North Dakota's Statewide AT Program and was established in 1993. IPAT's services provide opportunities for people of all ages to learn about, try-out, and get assistive technology. IPAT receives federal and state dollars to conduct required activities, engages in additional services on a fee-for-service basis, and seeks other funding through contract or grant opportunities.

IPAT is an affiliate of the North Dakota Association for the Disabled, Inc. (NDAD).

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### **Procedure Manuals 816-05-60**

#### **Day Support Manual 816-05-60-05**

(Revised 8/15/13 ML #3381)

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[Click here to view the Day Support Manual](#)



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### **Individualized Supported Living Arrangements (ISLA) Manual 816-05-60-10**

(Revised 8/15/13 ML #3381)

[View Archives](#)

[Click here for Individualized Supported Living Arrangements Manual](#)