



HUMAN SERVICES COMMITTEE - INTERIM
SENATOR LEE, CHAIRMAN

Tina Bay, Director Developmental Disabilities Division

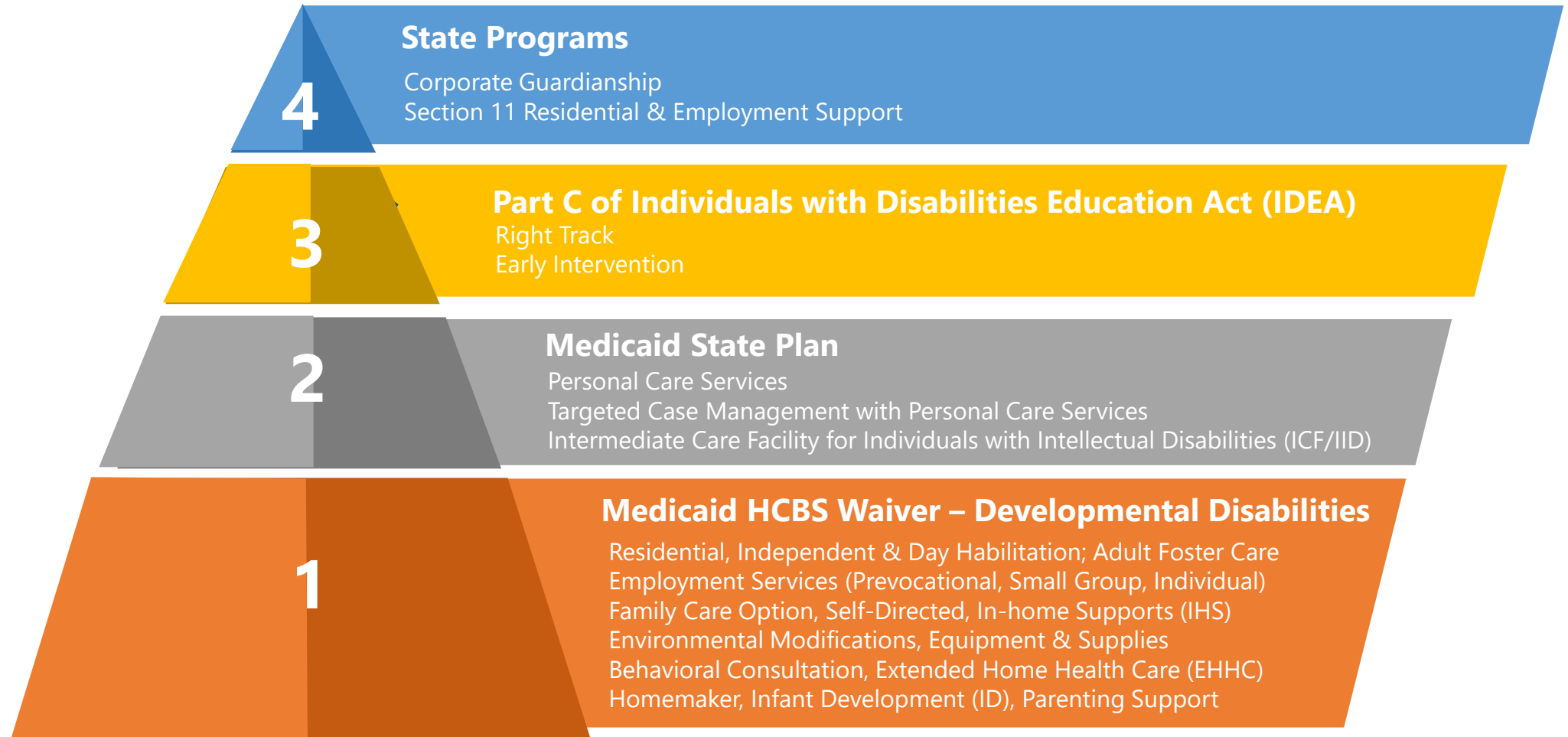
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Developmental Disabilities Program Purpose

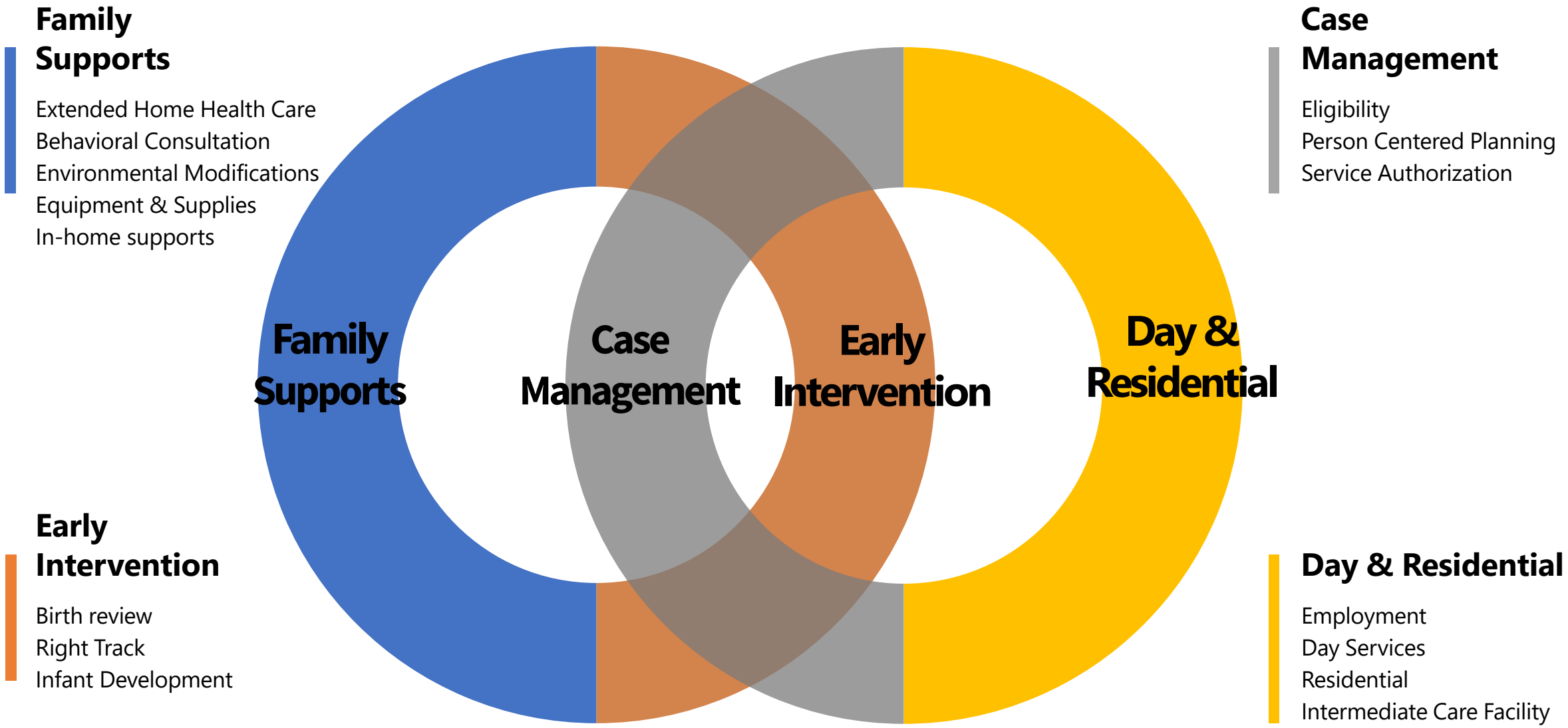
Maximize community inclusion, independence and self-sufficiency to prevent institutionalization, and to enable individuals to transition from institutions to community living.



Developmental Disabilities Service Array by Funding Authority

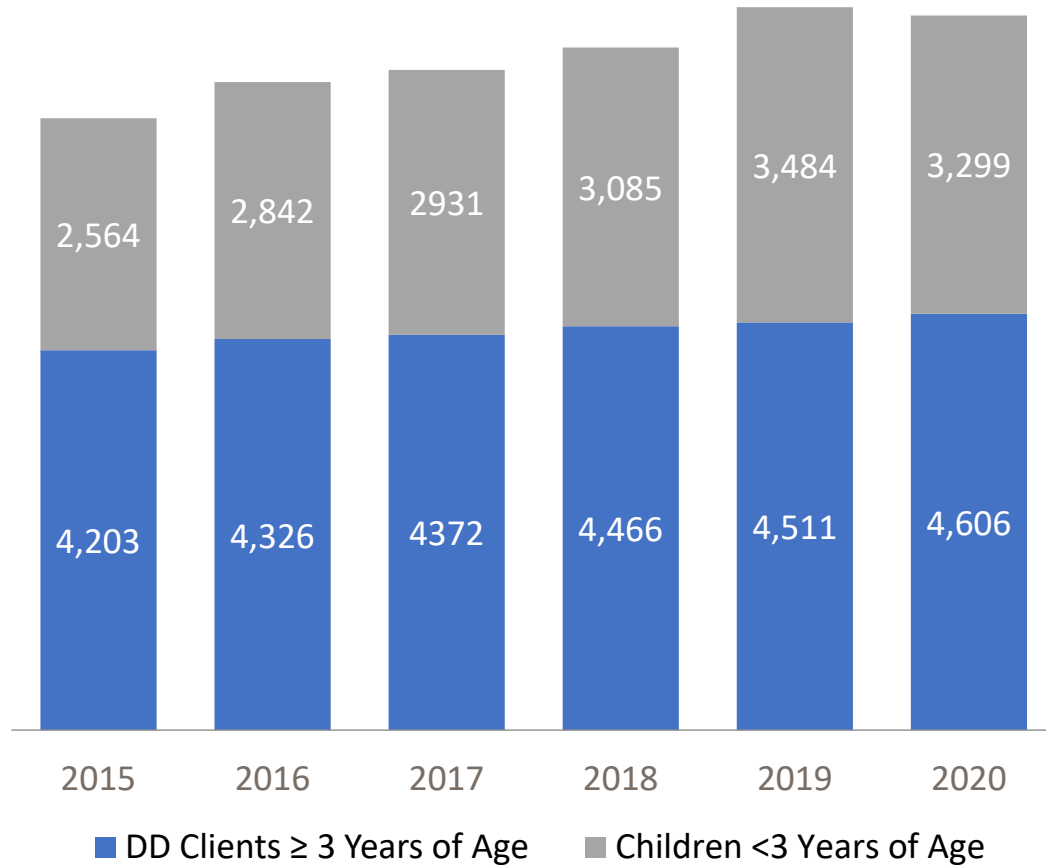


Case management and early intervention are a key intersection within the continuum of services available to people with Developmental Disabilities

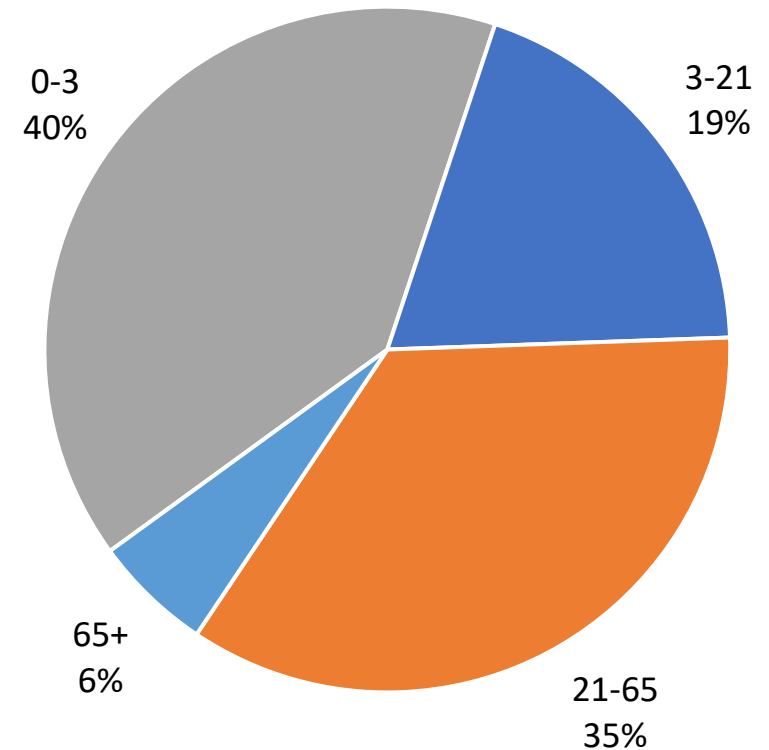


Developmental Disabilities

The majority of individuals receiving case management services are under age 21

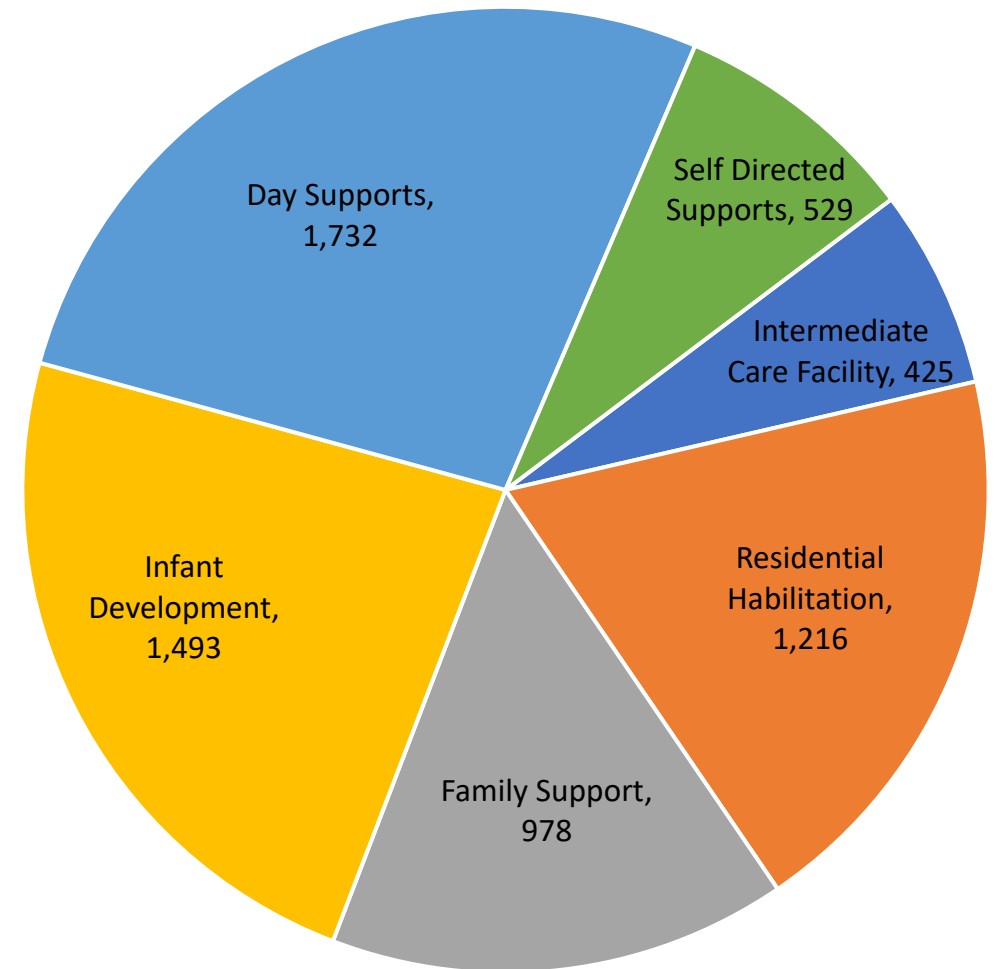


Age of DD clients receiving program management SFY20



Developmental Disabilities Individuals receiving services in community setting

- ND's 1915(c) waived services for people with a range of developmental disabilities are coordinated by 120 DD program managers and delivered by 38 licensed providers who served 7,900 people ages 0-90+ in 2020



Determining Eligibility for DD services is a Two Step Process

Step 1:

DD Program Management (DDPM) and other state funded services [defined in NDAC 75-04-06]
NDCC 25-01.2-01 definition of “developmental disability” is referenced in NDAC 75-04-06

Provides the person access to coordination of services through DD Program Management and to state-funded DD services (i.e. corporate guardianship & section 11 residential & employment support).

To meet the eligibility in NDAC 75-04-06, an individual must:

- have a diagnosis of intellectual disability
- or have a condition other than mental illness that results in a developmental disability, which results in
 - impairment of general intellectual functioning
 - or adaptive behavior similar to that of an individual with the condition of intellectual disability.

Determining Eligibility for DD services is a Two Step Process

Step 2: Intermediate Care Facility for Individuals with an Intellectual Disability (ICF/IID) level of care [42 CFR §440.150(a)(2)]

This eligibility provides the person access to Medicaid* and Medicaid-funded long term DD services (DD 1915(c) waiver).

*(*Note: If eligible person is a child, parental income and assets are waived and only the child's income is considered when determining Medicaid eligibility. If eligible person is an adult, their income and assets are considered when determining Medicaid eligibility.)*

This level of care is defined in as serving persons with intellectual disability or persons with related conditions (42 CFR §435.1009) and cognitive impairment.

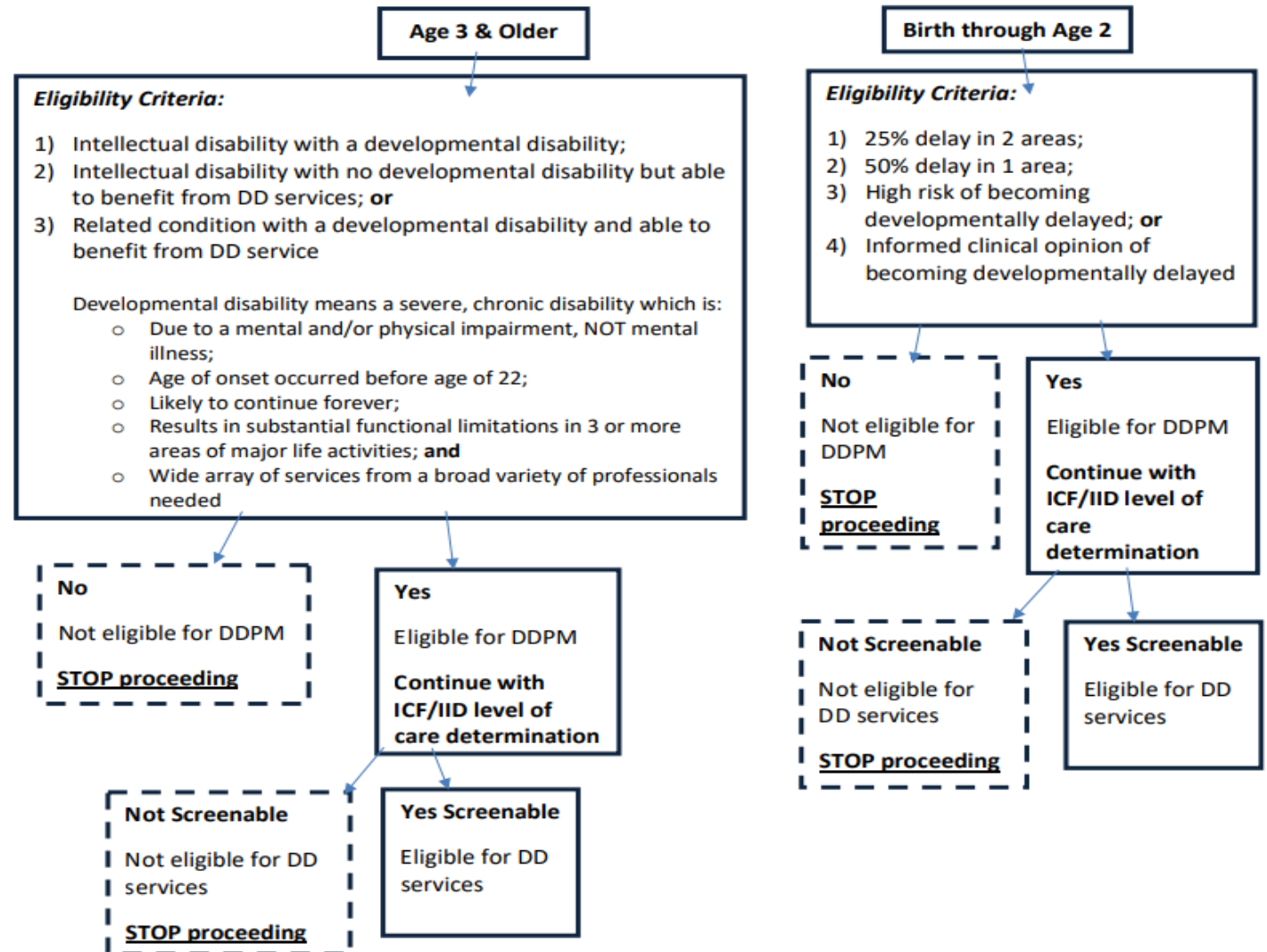
- Participants linked to the ICF/IID level of care must meet the “related condition” definition when they are not diagnosed as having an intellectual disability.
 - Persons who qualify as having a “developmental disability” under the Federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 might not meet ICF/IID level of care.
 - While “developmental disability” and “related conditions” overlap, they are not equivalent.
 - The definition of related conditions is at 42 CFR §435.1009 and is functional rather than tied to a fixed list of conditions.
- Cognitive impairment means that a person performs significantly below appropriate age level in brain function (perception, attention, memory, motor, etc.) and the impairments are not severe enough to qualify as an intellectual disability.

Eligibility Determination Process for DDPM and DD Services

In order to be eligible for supports and services from the ND Department of Human Services Developmental Disabilities Division (DD Division) a person must:

- Be a resident of ND and meet Medicaid U.S. citizenship and alienage
- Be eligible for ND Medicaid - Determined by the Human Service Zone office
<http://www.nd.gov/dhs/locations/countysocialserv/>
- Meet the criteria defined in law per North Dakota Administrative Code (NDAC) 75-04-06
<https://www.legis.nd.gov/information/acdata/pdf/75-04-06.pdf>
- Meet the Intermediate Care Facility for Individuals with Intellectual Disability (ICF/IID) level of care

Eligibility Process for DDPM and DD Services



ICF Screening Tool – Progress Assessment Review (PAR)

Who completes the PAR

- The DD Program Managers (DDPMs) are the only entity authorized to complete the PAR.

Sources of information used to complete the PAR

- The PAR is completed in an interview format with input from the person and/or their family or those who know the person the best. This can include teachers, day care staff, providers and from the DDPMs observation of the person.
- Although input is gathered from other sources, the DDPM has the responsibility to determine the final values assigned to each question.

Function of the assessment

- Describe the current levels of function and level of supports needed by a person in the following areas: residential, day services, motor skills, independent living, social, cognitive, communication, adaptive skills, medical and special health care needs, behavior, and legal.

Rating of the person's ability

- The DDPM is instructed to rate the person's ability, not lack of opportunity, motivation or willingness to complete the task. For example, if the person is able to complete the skill or task but is unwilling to, the answer is based on the person's ability, not whether they refuse to do it.
- Values should be based on the level of support the person needs, not what they are receiving.

Example Questions used in ICF Screening Tool (Progress Assessment Review (PAR))

Hand use

- No functional use of hands
- Uses raking motion or grasps with hand
- Uses thumb and fingers of hand in opposition
- Uses fingers independently of each other

Eating/Drinking

- Does not perform this, even when assisted; is fed or is unable to eat orally
- Requires hands-on assistance to initiate/complete the task
- Able to complete the task with verbal prompts, cue by touch, materials set up, or other modifications
- Completes the task independently

Communication Skills – primary modes of communication

- May cry, smile or use other facial expressions, but otherwise unable to communicate
- Points or uses gestures
- Uses a symbol system (communication board)
- Prints, types, writes, or signs instead of talking (may use assistive devices such as a head pointer)
- Uses speech as main form of communication

Behavioral Issues – **running or wandering away** (*attempts to or leaves situations or environments inappropriately without receiving permission that would normally be expected. Occurs after having opportunities for exploring their environment.*)

- Extremely urgent problem; occurs frequently or poses a very serious threat to the safety of self or others; requires close supervision & intervention.
- Serious problem; occurrences pose minor safety issues to self or others; requires close supervision and intervention
- Minor problem; occurrences may not pose a safety problem but do require some additional supervision and/or occasional intervention
- No problems in this area.



Contact Information

Tina Bay, Director
Developmental Disabilities
Division
1237 W Divide Ave, Suite 1A
Bismarck, ND 58501-1208

Phone: 701-328-8930
Toll Free: 1-800-755-8529
ND Relay TTY: 1-800-366-6888
E-mail: tbay@nd.gov

