

FOOTHILLS GATEWAY, INC.

Determination of Developmental Disability

POLICY:

It shall be the policy of Foothills Gateway, Inc. that a Determination of Developmental Disability be made for person's who submit a written request, to determine whether the applicant meets the criteria for developmental disability, as defined in the Code of Colorado Regulations at 10 CCR 2505.10 8.800.4, and therefore may be eligible to receive services and supports pursuant to Sections 25.5-10-202(2) and 211, C.R.S.

PROCEDURE:

- A. The Intake Case Managers at Foothills Gateway will be responsible to assist individuals requesting a determination of developmental disability and will:
 1. Provide the applicant with the required forms and a list of the minimum required documents and information necessary for the determination.
 2. Provide the applicant with information on where to obtain testing for the level of intellectual functioning and adaptive behavior, if requested. The responsibility for obtaining such assessments shall be with the applicant and/or legal guardian.
 3. Document the referral and case management activities in the Benefits Utilization System (BUS).
- B. The applicant and/or legal guardian shall provide all documentation and information necessary for the determination of developmental disability within ninety (90) calendar days of the request.
- C. If the documentation and information necessary for the determination is not received within ninety (90) calendar days of the request, Foothills Gateway will:
 1. Notify the applicant by letter of the timeline requirements and offer option of extension.
 2. Extend the deadline, at the request of the applicant, by up to an additional ninety (90) calendar days, or
 3. Close the request and notify the applicant in writing using the 803, LTC Notice of Action.
- D. Information and Assessments used to determine a developmental disability must be current and meet the requirements set by the State:
 1. Adaptive Behavior assessments completed within three (3) years of the request, by a qualified professional, using instruments that are comparable to a Vineland-II.
 2. Assessments of Intellectual functioning completed by a psychologist, using instruments that are comparable to the latest version of a Wechsler or Stanford-Binet:
 - i. If the individual is between 5 and 18 years of age, at least one intellectual assessment is needed to determine the person's impairment of intellectual functioning; or,
 - ii. If the individual is 18 or older and there is only one intellectual assessment available, the assessment must have been completed

- when the person was at least 18 years of age and within 10 years of the request; or,
- iii. If there is a historical pattern of consistent scores, bases on 2 or more intellectual assessments, that demonstrates an impairment of intellectual functioning, assessments may be used regardless of the person's age at the time of determination.
3. An established neurological condition will be documented as follows:
 - i. A diagnosed neurological condition as determined by a licensed medical professional practicing within the scope of his/her license; or,
 - ii. If a specific diagnosis is not possible, a written statement from a licensed medical professional, or a licensed psychologist may be used as long as there is a documented effort to determine a diagnosis and the available assessment information reasonably supports a conclusion that a neurological impairment is present.
 4. The effects of mental illness or physical or sensory impairment must be considered to determine the extent to which such impairments are the sole contributing factor to the impairment of intellectual functioning or limitations to adaptive behavior.
- E. The determination decision will be made within 30 calendar days of the receipt of all necessary information.
1. The Intake Case Manager will complete a written and/or electronic record of the developmental disability determination on the State prescribed form, which will be maintained in the individual's permanent file. The record will include:
 - i. Name, date of birth, and social security number of applicant;
 - ii. The date of the determination of developmental disability, which is the date the request for determination and all necessary documentation was received by Foothills Gateway.
 - iii. A description of the rationale for the developmental disability determination including the assessment information (test, date, scores) and diagnoses;
 - iv. The names and titles of the persons involved in making the determination.
 2. The determination information will be reviewed by the Intake Manager and a decision will be made in conjunction with the Intake Case Manager. If necessary, the Placement Coordinator or Professional providing information, will be consulted before making a decision.
 3. The applicant will be notified of the determination decision in writing, within seven (7) calendar days of the date of the decision,
 - i. For person determined to have a developmental disability, the letter will include an explanation of the process that will occur, including the need to develop an Individual Plan.
 - ii. For persons determined not to have a developmental disability, the letter will state the reasons for the determination and provide the 803, LTC Notice of Action with appeal rights.

4. Determination information will be entered into the Community Contract and Management System (CCMS) data base.
- F. Applicants determined not to have a developmental disability may request a new determination at any time upon receipt of new or missing required information, and a new request date will be established.
- G. Applicants determined to have a developmental disability by another CCB will be accepted by Foothills Gateway.
- H. A determination of developmental disability is considered permanent and does not require review unless:
 1. The interdisciplinary team determines that developmental disability services are no longer needed due to improvement in a person's condition and recommends a redetermination, or,
 2. Information from a new evaluation becomes available which demonstrates sufficient improvement in a person's condition such that the determination should be reviewed.

8/897/14; 3/16; 2/17