

# Erie County Board of Mental Retardation and Developmental Disabilities

Programs and Services

November 2004

## ELIGIBILITY AND ENROLLMENT POLICY

### I. POLICY

This policy establishes the eligibility criteria and enrollment process for Board programs. The policy is based on rules established by the Ohio Department of Mental Retardation/Developmental Disabilities (ODMR/DD) and the Ohio Department of Education (ODE). The Erie County Board of MR/DD (ECBMRDD) believes that Erie County citizens with disabilities should enjoy timely and appropriate access to services.

- A. It is the policy of the Erie County Board of MR/DD that only those individuals eligible for services will receive them.
- B. If an individual qualifies for Board operated programs or services, all reasonable efforts shall be made to accommodate and meet any special needs of the prospective enrollee, given available Board resources. Whenever capacity limits enrollment, a waiting list shall be maintained by the applicable Board department for those programs governed by ODMR/DD. Waiting lists shall be administered in accordance with Board policy and the rules set forth by the Ohio Department of MR/DD.
- C. When a person who has been determined eligible for a county board after July 1, 1991 moves to or wants to move to another county in Ohio, that person may be considered to be eligible in the new county. Erie County however, may review the person's eligibility. During the review, the person continues to be eligible to receive services according to the county board's plan and priorities.
- D. All persons who were eligible for services and receiving services from programs offered by the Erie County Board on July 1, 1991, shall continue to be eligible for those services and to receive services in those programs as long as they are in need of services. All persons who were eligible for case management services and receiving case management services on January 10, 1992, shall continue to be eligible for case management services as long as they are in need of services.

### II. DEFINITIONS

- A. Resident: An individual who currently lives within the geographic boundaries of Erie County, with the exception of those individuals who are living within a public or private institution, or in a home subject to licensing by the Department of Jobs and Family Services, Department of Mental Health, or the Department of Mental Retardation and Developmental Disabilities located within Erie County who were not a resident of Erie County prior to their entrance into the facility.
- B. Ohio Eligibility Determination Instrument (OEDI) The assessment tool prescribed by the State of Ohio to determine substantial functional limitations for persons age sixteen and over with a developmental disability.
- C. Children's Ohio Eligibility Determination Instrument (COEDI) The assessment tool prescribed by the State of Ohio to determine substantial functional limitations for persons age six through fifteen with a developmental disability.
- D. Developmental Disability means a severe, chronic disability that is characterized by all of the following:

- 1 -

Effective: November 18, 2004

Revised: December 15, 2005  
January 18, 2007

# Erie County Board of Mental Retardation and Developmental Disabilities

Programs and Services

November 2004

1. It is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness as defined in division (A) of section 5122.01 of the Ohio Revised Code
2. It is manifested before age twenty-two
3. It is likely to continue indefinitely
4. It results in one of the following
  - a) In the case of a person under three years of age, at least one developmental delay or an established risk;
  - b) In the case of a person at least three years of age but under six years of age, at least two developmental delays or an established risk;
  - c) In the case of a person six years of age or older, a substantial functional limitation in at least three of the following areas of major life activity, as appropriate for the person's age: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and, if the person is at least sixteen years of age, capacity for economic self-sufficiency.
  - d) It causes the person to need a combination and sequence of special, interdisciplinary, or other type of care, treatment, or provision of services for an extended period of time that is individually planned and coordinated for the person.

### III. PROCEDURE

- A. Referrals may be made by phone, walk-in, or in writing. All referrals for individuals three (3) years of age and older shall be forwarded to the Service and Support Administration office (SSA). All referrals for children ages birth to three (0-3) will be forwarded to the Help Me Grow office.
- B. Within two (2) working days of referral, an evaluator shall be assigned to coordinate the eligibility process and the assigned evaluator shall contact the individual (or their designee) referred to explain the process of eligibility. The evaluator will make the individual aware of the availability of an eligibility policy. This contact will be documented.
- C. Within three (3) working days of initial referral, the following items shall be sent by the evaluator: a) a cover letter describing the intake process, b) an application for enrollment, c) applicable releases of information if they are not already available, d) the Board's civil rights policy, d) and, if requested, the eligibility policy.
- D. If the completed application and applicable releases are not returned within 10 working days from the date mailed then the assigned evaluator shall contact the individual (or their designee) to determine if there are any problems or if additional assistance is needed.
- E. When the completed applications/releases are returned, the evaluator will send the releases to the appropriate parties to gather information needed to determine

- 2 -

Effective: November 18, 2004

Revised: December 15, 2005  
January 18, 2007

# Erie County Board of Mental Retardation and Developmental Disabilities

Programs and Services

November 2004

- eligibility. If no information is received after 10 working days, the evaluator will contact the agency/physician by phone to request records.
- F. Evaluation information and/or existing written information shall be reviewed within five (5) working days of receipt.
1. For children ages birth to two (0-2), a developmental evaluation through Early Intervention shall be scheduled and completed if not already available.
  2. For children ages three to five (3-5), record reviews will be completed to determine eligibility (through Multi-Factored Evaluation and/or previous Early Intervention/medical reports.)
  3. For those referred individuals ages six (6) and older, a COEDI or OEDI shall be scheduled if a disability prior to the age of 22 is substantiated.
- G. The OEDI and COEDI shall be administered by personnel authorized to do so by the department.
- H. Once all records have been received and necessary evaluations completed, the assigned evaluator will make a determination as to whether or not the individual is eligible for services.
- I. The individual's file will then be forwarded to the appropriate Program Director (SSA or EI) for review and signature. The Program Director will contact the assigned evaluator within three (3) working days of receipt and no more than 45 calendar days from the date of initial referral to either indicate their agreement with the decision or request a re-determination by an eligibility committee.
- J. If the individual is determined eligible for services and the Program Director concurs with the decision, the Program Director will:
1. Send out the eligibility letter and include the following: civil rights policy, due process/complaint resolution policy, intake survey, notice of privacy practices, and a self-addressed stamped envelope.
  2. Forward the file to the assigned Service and Support Administrator (SSA) or Early Intervention (EI) Specialist to begin the planning process
- K. If the Program Director does not concur with the eligibility decision, the Program Director shall:
1. Contact the assigned evaluator and explain the disagreement.
  2. Request the Superintendent convenes a re-determination by an eligibility committee. This committee should be convened within three working days (3) of director's request.
  3. This committee will be comprised of representatives from various program areas including members who have been certified by the Ohio Department of MR/DD to administer the COEDI/OEDI. The committee shall be chaired by an appointment of the Superintendent from the management team.
  4. This committee shall:
    - a. Review the information in the eligibility packet
    - b. Request any additional information it deems necessary
    - c. May administer another COEDI/OEDI if necessary.

- 3 -

Effective: November 18, 2004

Revised: December 15, 2005  
January 18, 2007

# Erie County Board of Mental Retardation and Developmental Disabilities

Programs and Services

November 2004

5. The results and recommendations of the committee will be submitted to the Superintendent for final approval or denial within seven (7) working days of original request for committee review by the Program Director.
6. The appropriate Program Director will facilitate a letter to the family describing the outcome of the eligibility determination as described in (III) (J) and (L).
- L. For those individuals who are determined not to be eligible for the Board's programs and services, the Program Director shall:
  1. Send, by certified mail, a letter notifying the individual or guardian of the decision along with a copy of the Board's due process /complaint resolution policy, civil rights policy, a list of alternative services, and an intake survey with a self-addressed stamped envelope.
  2. The Program Director may contact the individual/ family to explain why the individual wasn't eligible, offer assistance, and answer questions.
- M. Eligibility may be redetermined if a change occurs in the individual's functioning level as defined by the OEDI/COEDI or new information is obtained relative to the individual's eligibility status. The Board reserves the right to deny requests for redetermination when there is no new information available or there have been no significant changes to the individuals functioning level. The individual has a right to due process should this occur.
- N. The ECBMRDD shall complete eligibility determinations within forty-five calendar days of the request for services or after all necessary information has been received from the referring party or applicant. All attempts to obtain delayed information should be documented and maintained in the individual's central record.
- O. Copies of all letters, releases, and records received, original evaluations, and documented contacts shall be maintained in the individual's central record. Documents used to determine eligibility shall be stamped accordingly and maintained indefinitely.
- P. Infants and toddlers in the Help Me Grow Programs shall be screened/ evaluated according to the Ohio Department of Health guidelines and by Early Intervention/Help Me Grow staff.

## IV. RECORD KEEPING

- A. Either the SSA Department (age three and above) or the Early Intervention Department (age birth to three) will enter the IIF information.
- B. The evaluator will maintain documentation of all contacts and conversations.
- C. The evaluator will ensure the complete eligibility file is sent to central records. Information on persons found to be ineligible shall be maintained for five years after such determination is made. Information on persons found to be eligible will be maintained indefinitely.

Effective: November 18, 2004

Revised: December 15, 2005  
January 18, 2007

# Erie County Board of Mental Retardation and Developmental Disabilities

Programs and Services

November 2004

## V. DUE PROCESS

- A. Eligibility determinations are subject to the Board's administrative resolution of complaints process.
- B. An individual who wishes to appeal a decision may, at their request, be assisted by an advocate to speak on their behalf. If the individual has difficulty in reading or writing, an oral appeal may be put in writing by the designee of the Program Director or an advocate selected by the individual.

Effective: November 18, 2004

Revised: December 15, 2005  
January 18, 2007