New Mexico Department of Health (DOH) Developmental Disabilities Supports Division (DDSD) POLICY	Policy Number: IEB-001-R **Supersedes:** Expedited Allocation to the Developmental Disability Waiver Program Policy 6-18-07
Policy Title: Expedited Allocation to the Developmental Disability Waiver Program Policy	
Effective Date: July 1, 2010	
Approved: **Signature on File**	**Date:** 6-16-10

I. PURPOSE

The purpose of this policy is to establish criteria for the Department of Health (DOH) employees to follow in providing for the expedited allocation of individuals on the Central Registry who meet the federal definition of developmental disability to be allocated Waiver services on a basis other than the individual's date of registration.

II. POLICY STATEMENTS

It is the policy of the DOH Developmental Disabilities Supports Division (DDSD) to allow for expedited allocation to the Developmental Disabilities (DD) Waiver Program under special circumstances and in response to legal mandates. If a person qualifies for an expedited allocation and subsequently is determined to meet both medical and financial eligibility criteria, services would not begin immediately but would be available sooner than if the person had to wait for allocation based upon the date of registration. In order to meet the expedited allocation criteria, at least one of the specific criteria from A, B, C, or D, and criterion E must be met:

A. An individual on the Central Registry who has been determined to have a developmental disability and whose current situation meets the statutory definition of abuse, neglect and/or exploitation as substantiated by Adult or Child Protective services; **or**

B. An individual on the Central Registry who has been determined to have a developmental disability and due to death or sudden disability of his/her primary caregiver is without continued care or an alternate primary caregiver; **or**

C. An individual on the Central Registry who has been determined to have a developmental disability who was most recently on a civil DD commitment pursuant to NMSA, 1978 §43-1-13 (and as referenced in NMSA, 1978 §31-9-1.6), and who continues to need developmental disabilities services to assure health and safety; **or**

D. An individual who previously was determined eligible for and participated in the DD Waiver Program whose case was closed administratively by the Human Services Department in accordance with their rules due to the client's need for inpatient hospitalization or other residential clinical treatment that extended past sixty (60) days, and who now has completed such treatment and is ready to return to the DD Waiver Program; **AND**

E. Current available resources are inadequate to maintain the health and safety of the individual.

The DDSD has sole authority in the determination of an Expedited Allocation in accordance with this policy and other DDSD rules and requirements.

III. APPLICABILITY

This policy applies to all DOH/DDSD employees processing requests/referrals for expedited allocation.

IV. DEFINITIONS

Abuse: Means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish.

Central Registry: Means a database that lists DD Waiver, ICF/MR and SGF registrants. It is used to track registration and mental retardation/related condition match determinations and in allocation for eligible individuals. Allocations to services for DD Waiver registrants are made by registration date.

Developmental Disability: An applicant is determined to have a developmental disability by means of meeting the targeted population criteria contained in the Developmental Disabilities Waiver agreement.

Developmental Disability (DD) Waiver Program: Means a Medicaid Home and Community-Based services waiver for individuals with Developmental Disabilities that was made possible by Title XIX Home and Community-Based Services Act of 1981. This act made an exception to or 'waived' traditional Medicaid requirements by making Medicaid funds available for home community-based services as an alternative to institutional care. This program helps children and adults with developmental disabilities.

Expedited Allocation: Means the early initiation of eligibility determination activities for the DD Waiver Program by means other than the individual's date of registration for this program.

Exploitation: Means the deliberate misplacement of consumer's property, or wrongful, temporary or permanent use of a consumer's belongings or money without the consumer's consent.

Neglect: Means the failure to provide goods and services necessary to avoid physical harm, mental anguish or mental illness.

V. REFERENCES

CFR 42, Public Health

DDSD CMS 1915c DDW Renewal Application App_0173.90.R2, 9-21-06 and the crisis section on pages 22, 88, 115 – 117.

Policy Number IEB-001 - Expedited Allocation to the Developmental Disability Waiver Program Policy June 18, 2007.