

DD Waiver Eligibility

(per the 2012 approved CMS application and the NMAC)

Individuals with an intellectual disability (ID): an individual is considered to have ID if s/he has significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period; OR

Individuals with a specific related condition: an individual is considered to have a specific related condition if she/he has a severe chronic disability, other than mental illness, that meets all of the following conditions:

- a. is attributable to:
 - i. Cerebral Palsy or Seizure Disorder; or
 - ii. Autistic Disorder (as described in the fourth edition of the Diagnostic and Statistical Manual of Mental Disorders); or
 - iii. chromosomal disorders (e.g. Down), syndrome disorders, inborn errors of metabolism, or developmental disorder of the brain formation limited to the list in 8.290.400 NMAC
- b. results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with intellectual disability and requires treatment or services similar to individuals with ID;
- c. is manifested before the person reaches age 22 years;
- d. is likely to continue indefinitely; and
- e. results in substantial functional limitations in three or more of the following areas of major life activity:
 - i. self-care
 - ii. receptive and expressive language
 - iii. learning
 - iv. mobility
 - v. self-direction
 - vi. capacity for independent living
 - vii. economic self-sufficiency

See the NMAC 8.290.400 for the full list of chromosomal disorders, syndrome disorders, inborn errors of metabolism, and developmental disorders of the brain malformation.