

CHILDREN OPTIONS AND COMMUNITY SUPPORTS WAITING LIST POLICY

This policy establishes the Erie County Board of Developmental Disabilities (Board), in keeping with its mission to provide support to individuals and families, recognizes that there are times that available resources are not sufficient to meet the needs of all eligible individuals who request supports. The board maintains and implements waiting lists for Children Options and Community Supports for which resources are insufficient to meet needs.

The Superintendent shall establish, revise and keep current the procedures to be utilized in the implementation of this policy. The Superintendent/ designee shall ensure compliance with these procedures. All revisions and changes will be shared with the Board when made.

Superintendent Signature: Carrie Breen Date: 5/18/17

Implemented: 12/18/14

Board Approval: 12/18/14, 5/18/17

Revised: 5/18/17

Reviewed: 12/29/16, 5/18/17

Cross Reference: OAC 5123:2-1-04; OAC 5126; OAC 5123:2-9-18

**ERIE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
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- I. The Erie County Board of DD (Board) encourages individuals eligible for services to take advantage of all available community resources not just those offered by the Board.
 - A. If the Board determines that available resources are not sufficient to meet the needs of all eligible individuals who request programs and services, the Board will develop and implement waiting lists in any of the following categories of services for which resources are insufficient to meet needs:
 - 1. Early Intervention services;
 - 2. Family Directed Resources (previously known as family support services);
 - 3. Other services determined necessary and appropriate for individuals with developmental disabilities according to their individual plans;
 - 4. Transportation;
 - 5. Community Engagement.
- II. The Board may limit the expansion of some services, set cost limits or require shared funding for some services to encourage or require funding partnerships with other public agencies or funding sources without creating a requirement for a waiting list. For example:
 - A. Education Services – Funding for public education is the responsibility of the local school district. The Board is committed to continue to provide a support role in education for students with significant needs.
 - B. Family and Children First Council (FCFC) – The Board may participate in joint funding agreements for eligible children as long as all funding partners remain involved and committed to joint funding agreements.
 - C. Requirements of Criminal Probation or Sentencing – The Board may participate in joint funding and service agreements related to an individual’s disability but will not assume responsibility for providing criminal probation or sentencing supervision.
 - D. Partnership with the Erie/Ottawa Mental Health Board to provide services for dually diagnosed individuals.
- III. **GENERAL WAITING LIST INFORMATION**
 - A. The Children Options and Community Supports Department will manage the waiting lists for Early Intervention, Family Directed Resources, Community Engagement and Transportation. Prior to accepting an application for someone to be placed on one of the lists the Children Options and Community Supports Department will verify that the individual cannot receive the requested service through a program service that is available, or an existing community resource. Placement on the waiting list is determined by the original date and time of the request.
 - B. The Children Options and Community Supports Department will manage the waiting list for Early Intervention services. Prior to accepting an application for someone to be placed on the list, the HMG Service Coordinator will verify that the individual cannot receive the requested service through another community resource. Placement on the waiting list is determined by the date and time of receipt of the DD application for services.
 - C. Individuals may choose to be placed on more than one waiting list at a time given there is a need for the service and they meet any requirements for placement on the waiting list. If an individual chooses to be placed on the Home and Community Based Waiver (HCBS) waiting list the “Erie County Board of DD Waiting Lists” form will be used. If an individual chooses to be placed on Early Childhood services waiting list, the “Application for Services” form will be used.

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- D. One time intervention - Occasionally an individual needs limited one time assistance to help them through a problem or situation to avoid being placed on the waiting list or to be removed from the waiting list. Individuals on a waiting list whose needs can be met with a one time, non-reoccurring intervention can make a request for special assistance without regard to their placement on the waiting list.
- E. If it is determined the individual is not eligible for a category of service, the Children Options and Community Supports Department will remove the individual's name from the list for that service and will assist the individual with contacting other agencies/programs for which the individual may be eligible. Individuals removed from the list have a right to due process.
- F. The waiting list(s) for each service is updated throughout the year as new applications are received and accepted. Each new application will be placed in the order in which they apply based on the original date and time of their request as received.
- G. The waiting list for local Board services and the waiting list for each Medicaid waiver are separate lists.
- H. The date and time of certain waiting lists requests are recorded and monitored through a database and are included in the individual's official file that is maintained by the Board.
- I. Board staff will clarify at the time of placement on the waiting list that, if offered, the individual would use services within the next three (3) months.
- J. At the time of a request for services and placement on a waiting list, designated board staff will: notify the individual, the individual's guardian, and the individual's family as applicable, of the alternative services available, the individual's place on the waiting list, and notice of due process rights.
- K. Specifically for Early Intervention services, board staff will notify the family that services are not available, and will be notified again when services become available. A service coordinator will help families find alternative services while they are placed on a waiting list.
- L. When a category of service for which there is a waiting list becomes available, the Board will reassess the service needs of the individual next on the waiting list to receive that category of service. If the reassessment demonstrates that the individual continues to need the category of service, the Board will offer the service to the individual and they have thirty (30) days to accept or decline the service. If the individual declines the service, the individual will be removed from the waiting list and if future requests are made they will be placed at the bottom of the waiting list based on the new date.

IV. WAITING LIST PLACEMENT(S)

- A. Upon eligibility determination an individual's needs are assessed to determine if services can be provided, or if placement on an existing waiting list(s) is necessary.
- B. If at any time an individual's needs change, they may request a service for which there is a waiting list. The individual will be placed on the list for the service appropriate to the individual's need based on the individual's assessment.

V. WAITING LIST REMOVAL

Waiting list removed will occur when:

- A. The individual accepts and receives the requested service.
- B. When the Board receives notification that an individual is no longer requesting the specific services for which they are on a waiting list. If an individual chooses

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to be removed from a waiting list the "Waiting List Removal Form" will be used. When the Board has made two documented annual attempts to contact an individual and/or their legal representative without success, the individual's name will be removed from the waiting list(s). Notices of attempts to contact will be documented in the individual's file. In the event the individual's whereabouts are located the board shall restore the individual to the waiting list based on the original date.

- C. When the Board receives verification that an individual is deceased, the individual's name will be removed from the waiting list(s).
- D. When the Board determines that an individual no longer meets the criteria to be on the waiting list the Board will provide the individual or their guardian with written notice of their intent to remove them from the list and a copy of either the Board's Administrative Resolution of Complaints for Individuals. If there is not an appeal received within 30 days of the notice the individual will be removed from the waiting list(s).

VI. DEPARTMENT WAITING LIST PROTOCOL

A. Community Engagement

If an individual request a Community Connections activity and there is not available opening for participation, the Children Options and Community Supports Department will place the individual on a waiting list for that specific activity.

- 1. The individual will receive verbal notification of being placed on the waiting list.
- 2. All individuals will be placed on the waiting list based on the date and time of their request for the specific activity.
- 3. If an opening for a function becomes available, the individual will be contacted by the Children Options and Community Supports Department to determine if they are still interested in participating in the activity based on the order the individual was placed on the waiting list.
- 4. When the date of the specific function that has a waiting list has passed, all individual will be removed from the waiting list for that particular function.

B. Early Intervention

- 1. If a child becomes eligible for Early Intervention Services and requests a Primary Service provider from the Children Options and Community Supports Department, but there is no availability for services, the child will be placed on a waiting list.
- 2. The Director of Children's Options and Community Supports will determine when waiting lists will be started based on provider caseload availability. The Director of Children Options and Community Supports Department will designate a Board employee to maintain and manage the Early Intervention services waiting list.
- 3. The waiting list will be updated as new requests are received in the order in which they were received, based on the date and time of the DD application for services.
- 4. As a Primary Service provider becomes available, the requests will be honored in the order in which they were received.
- 5. A Help Me Grow Service Coordinator will offer other providers in the community, if available, while the family waits for services.

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C. Family Directed Resources

1. If an individual requests Family Directed Resources and there are no available resources, the request will be placed on a waiting list.
2. The Children Options and Community Supports Department will notify the individual of being placed on the waiting list and the Board's Administrative Resolution of Complaints will be given.
3. The waiting list will be updated as new requests are received when no resources are available.
4. Each request will be placed on the waiting list in the order in which the requests were received based on the date and time the request is received in the office.
5. As resources become available the requests will be honored in the order in which they were received.

D. Non-Medicaid waiting lists require:

1. Residents of another county that request placement on a non-Medicaid waiting list(s) will use the date of request for Erie county placement on the waiting list not the date of request used in the county they reside in. To actually receive a Board non-Medicaid service the individual will need to reside in Erie County.
2. Individuals must be eligible for DD services as determined by the OEDI or COEDI. The individual will be placed on waiting lists using their request date not the date that eligibility is determined.
3. Individuals must meet age requirements and service eligibility requirements for the services requested.
4. Individuals must complete an "Erie County Board of DD Waiting List" form as a way to document service needs and the date/time of the request for placement on Board service(s) waiting lists.

VII. WAITING LIST ANNUAL NOTIFICATION

- A. To insure accuracy, make current updates to the waiting list, and to provide a system for input, families and/or consumers identified on a waiting list will be required to review their needs or preferences on an annual basis.
- B. Annually each department responsible for maintaining waiting lists will make contact with each individual/family/guardian placed on any waiting list. The purpose of this notification is to inform individuals of their current placement on the waiting list, and give them the opportunity to dispute waiting list placement. If an individual disputes their placement location a letter to the Board must be submitted for the placement to be reviewed. Changes in status may include removal from the waiting list(s), or request for placement on additional waiting lists. Annual notifications will include placement notification, the Boards Waiting List Policy and Procedures, notification of the alternative services available, the Board's Administrative Resolution of Complaints for Individuals, and notice of the right to Medicaid due process
- C. The Board staff will make every attempt to maintain the most current contact information for individuals; however, it is ultimately the responsibility of individuals, guardians, or parents to notify the Board of address changes.
- D. On an annual basis, prior to the implementation of the Annual Plan, the Board will review the needs of individuals on the list and will consider adjustments to resources to best address unmet needs.

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VII. REQUESTS FOR INFORMATION

- A. Information pertaining to individuals on the waiting list will be released according to the Board's confidentiality policy. When disclosure of the identity of an individual is needed to determine that the Board's waiting lists are being maintained in accordance with section ORC 5126.042 and OAC 5123:2-1-08, the Board will release only the individual's name, the category of services requested by the individual, the individual's rank on the waiting list, the individual's date of request for services, and any circumstances under which the individual was given priority when placed on the waiting list(s).

IV. DUE PROCESS

- A. Due process will be available to any individual aggrieved by an action of the Board related to the following:
 - 1. Approval, denial, withholding, reduction, suspension, or termination of a service funded by the Medicaid program.
 - 2. The establishment or maintenance of, placement on, the failure to offer services in accordance with, or removal from a waiting list.
 - 3. When there is a dispute regarding the date of request.
- B. Due process will be provided in accordance with OAC 5101:6-1 to 5101:6-9 when the service involved is funded by the Medicaid program and in accordance with OAC 5123:2-1-12 when the services involved are not Medicaid-funded.