

POLICY

As a Community Centered Board (CCB), Developmental Pathways, Inc. (DP) is committed to both the utilization of existing provider services, social networks, and natural sources of support in our service areas as well the establishment of new services and supports. DP is committed to fostering innovative, effective, and inclusive services and supports in their community for individuals with intellectual and developmental disabilities and delays and their families and to work to prevent unnecessary institutionalizations and to actively support deinstitutionalization when appropriate.

To that end, DP will allocate a portion of local funding to directly meeting otherwise unmet needs of individuals with intellectual or developmental disabilities and/or delays who reside in our catchment area, which includes Arapahoe county, Douglas County, and the City of Aurora and/or are served by Developmental Pathways.

PURPOSE

The purpose of this policy is to affirm our commitment to meeting individual unmet needs within our service areas and to approve funding allocations in accordance with this policy (and related procedures) to ensure available funds are distributed consistently and appropriately to those who are most in need of assistance.

PROTOCOL

Primary Funding Source

Funding sources used to meet unmet needs will include Mill Levy dollars awarded to Developmental Pathways through Referendum 4a (2001) through both Arapahoe and Douglas Counties, Reserve Funds, Foundation dollars, grant dollars, donations, and other sources (hereinafter referred to as “Local Funds”).

Allocations

Under guidance by the Developmental Pathways Board of Directors (the Board), a portion of DP’s annual Local Funds will be allocated to the Community Engagement Department (hereinafter referred to as “the Department”) to directly meet unmet needs of individuals with intellectual or developmental disabilities and/or delays (and their families) who reside in DP’s catchment area and/or are served by Developmental Pathways. Local Funds are intended to supplement rather than supplant other funding sources including natural supports, Medicaid and Medicare-covered supports, private insurance, common community resources, and/or other available long-term services and supports.

Authority

The Department will have oversight and approval authority of the individual unmet needs funding, which will be limited and approved on a case-by-case basis. The Department will outline the qualifications of the professionals or group of professionals who are qualified to authorize funds and the scope of their authority.

Eligibility

The Department will maintain unmet needs procedures governing how funds are requested and allocated. All approved requests funded using Local Funds shall, minimally, meet the following criteria:



1. The individual must be eligible for Intellectual or Developmental Disability (IDD) services as defined as meeting the criteria for either a Developmental Disability or Developmental Delay as outlined in Colorado Revised Statute (CRS).
 - a. Exception: funding may be used to support testing to actively pursue a developmental disability/delay determination when other resources are not available to support this process.
2. The individual must reside in DP's catchment area and/or be served by Developmental Pathways (per specific funding sources).
3. The individual must be experiencing an emergency situation and/or have an identified need that cannot be met by any other means, including but not limited to:
 - a. Unpaid or Natural Supports
 - b. Third Party Resources, including private insurance(s)
 - c. Medicaid State Plan Funding and Supports
 - d. Medicaid Waiver Funding
 - e. Other program funding such as: State Supported Living Services (SLS) funding, OBRA Specialized Services (OBSS) funding, Family Support Services Program (FSSP) funding, Early Intervention funding, etc.

Meeting the above core funding criteria does not constitute a guarantee of funding; funding is limited, and authorizations will be made on a case-by-case basis.

Procedures

The Department will establish and maintain procedures that outline:

1. Additional eligibility requirements (if any);
2. Funding qualifications, limitations, and caps (if any);
3. Conventions for reviewing, approving, and managing requests;
4. The qualifications of the professional(s) or group of professionals who are qualified to authorize funds and the scope of their authority and;
5. Fund distribution and review practices.
6. Grievance and complaint options related to individual unmet needs allocation requests.

The Department will update their procedures annually as needed and/or following allocation commitments made by the Board and will be based on the overall initiatives and goals of both the CCB and the Department to best meet the needs of the community.

Objectives of Funding

The Department shall aim to meet the one or more of the overall objectives:

1. Protecting and assisting individuals with intellectual or developmental disabilities and/or delays lead healthy, safe, person-centered, integrated, meaningful lives which may include improved access to their community.
2. Working to avoid out-of-home placements and/or institutional placements by providing education, assistance, and support to individuals with intellectual or developmental disabilities and/or delays and their families that will best assure continued in-home placement.
3. Helping individuals with intellectual or developmental disabilities with finding and maintaining meaningful employment and job skills.



4. Helping to provide supervision and supports to individuals with intellectual or developmental disabilities and/or delays so that working families can continue to support them at home.
5. Providing intense support to infants and toddlers who are at risk, with methods proven to minimize future delays and reduce the costs of future care.

Funding Limitations

Based on funding limitations, the Department will assure funding is used to support needs that are 1) directly related to the determined intellectual or developmental disability and/or delay; and/or 2) enhance the quality of life for individuals with intellectual or developmental disability and/or delays including help with accessing activities and other opportunities in their communities which support greater independence, stronger natural support networks, and more integrated living. Funds will generally not be used to meet typical auxiliary living expenses such as: cable/internet hookup and maintenance, phone hookup and maintenance, costs related to typical homeownership including yard care and maintenance, automobile ownership and maintenance, etc.

Case Management / Service Coordination

The Department will assure requests are made via the assigned case manager/service coordinator and/or the interdisciplinary team (IDT). The purpose of this involvement is to ensure current services and supports and other potential alternative resources are pursued as appropriate and to ensure there is not a duplication of supports with other available resources.

If an individual with intellectual or developmental disabilities and/or delays resides in DP's catchment area, but is not actively associated with DP (hereinafter referred to as "out-of-case management agency" or "out-of-CMA"), DP will assign the request to a DP staff member and will coordinate as appropriate with the individual's currently designated case management agency (CMA) to ensure core eligibility and funding criteria are met, which many include the review of DD/delay determinations, current service planning documentation, up-to-date utilization information, and other documentation.

If an individual with intellectual or developmental disabilities and/or delays resides in DP's catchment area, but has no previous or current designated case management agency (CMA), DP will work with the individual (and/or his/her family or authorized representative) to select their CMA of choice and will coordinate with that agency to ensure core eligibility and funding criteria are met.

RELATED POLICIES

Confidentiality Policy
Authorization for Release and Exchange of Information
Conflict-Free Case Management Policy
Intellectual and Developmental Disability Determination Policy
Nondiscrimination Policy
Person-Centered Policy
Local Funding Policy

AUTHORITY

27-10.5-104 [Authorized services and supports]
25.5-10-209, C.R.S. [Community-centered boards]
25.5-10-202, C.R.S. [Definitions]
Referendum 4a, 2001, Arapahoe and Douglas Counties
Mill Levy Contracts with Arapahoe and Douglas Counties;
Mill Levy Grant Contract for Adams County Residents

DEFINITIONS

Authorized Representative: means an individual designated by a Client or by the parent or guardian of the Client, if appropriate, to assist the Client in acquiring or utilizing services and supports, this does not include the duties associated with an Authorized Representative for Consumer Directed Attendant Support Services (CDASS) as defined in 8.510.1.

Case Management Agency (CMA): means a public or private not-for-profit or for-profit agency that meets all applicable state and federal requirements and is certified by the Department to provide case management services for Home and Community-Based Services waivers pursuant to Section 25.5-10-209.5, C.R.S. and pursuant to a provider participation agreement with the state department.

Case manager or Service Coordinator: means a person who assists with case management services and supports for individuals.

Client: means an individual who 1) meets services and support eligibility requirements and has been approved for and agreed to receive Home and Community-Based Services (HCBS) and/or State-General Funded Services and/or EI and is receiving case management or service coordination from Developmental Pathways and/or 2) is pursuing access to those services and/or 3) is waiting for those services 4) and/or is receiving support via local funding/programming with Developmental Pathways.

Client Representative: means a person who is designated by the Client to act on the Client's behalf. A Client Representative may be: (A) a legal representative including, but not limited to a court-appointed guardian, a parent of a minor child, or a spouse; or (B) an individual, family member or friend selected by the Client to speak for or act on the Client's behalf.

Complaint or Grievance means a situation that is unsatisfactory or unacceptable.

Community Centered Board (CCB): means a private corporation, for-profit or not-for-profit that is designated pursuant to Section 25.5-10-209, C.R.S., responsible for, but not limited to conducting Developmental Disability determinations, waiting list management Level of Care Evaluations for Home and Community Based Service waivers specific to individuals with intellectual and developmental



disabilities or delays, and management of State Funded programs for individuals with intellectual and developmental disabilities or delays.

Developmental Delay means that a child meets one or more of the following:

- A. A child who is less than five (5) years of age at risk of having a developmental disability because of the presence of one or more of the following:
 - a. Chromosomal conditions associated with delays in development,
 - b. Congenital syndromes and conditions associated with delays in development,
 - c. Sensory impairments associated with delays in development,
 - d. Metabolic disorders associated with delays in development,
 - e. Prenatal and perinatal infections and significant medical problems associated with delays in development,
 - f. Low birth weight infants weighing less than 1200 grams, or
 - g. Postnatal acquired problems resulting in delays in development.

- B. A child less than five (5) years of age who is significantly delayed in development in one or more of the following areas:
 - 1. Communication,
 - 2. Adaptive behavior
 - 3. Social-Emotional.
 - 4. Motor,
 - 5. Sensory, or
 - 6. Cognition
 - 7. A child less than three (3) years of age who lives with one or both parents who have a developmental disability

Developmental or Intellectual Disability means a disability that:

- A. Is manifested before the person reaches twenty-two (22) years of age;
- B. Constitutes a substantial disability to the affected individual, as demonstrated by the criteria below at C, 1 and/or C, 2; and,
- C. Is attributable to mental retardation or related conditions which include cerebral palsy, epilepsy, autism or other neurological conditions when such conditions result in either impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.
 - 1. Impairment of general intellectual functioning means that the person has been determined to have a full-scale intellectual quotient equivalent which is two or more standard deviations below the mean (70 or less assuming a scale with a mean of 100 and a standard deviation of 15).
 - a. A secondary score comparable to the General Abilities Index for a Wechsler Intelligence Scale that is two or more standard deviations below the mean may be used only if a full-scale score cannot be appropriately derived.
 - b. Score shall be determined using a norm-referenced, standardized test of general intellectual functioning comparable to a comprehensively administered Wechsler Intelligence Scale or Stanford-Binet Intelligence Scales, as revised or current to the date



- of administration. The test shall be administered by a licensed psychologist or a school psychologist.
- c. When determining the intellectual quotient equivalent score, a maximum confidence level of ninety percent (90%) shall be applied to the full-scale score to determine if the interval includes a score of 70 or less and shall be interpreted to the benefit of the applicant being determined to have a developmental disability.
2. Adaptive behavior similar to that of a person with mental retardation means that the person has an overall adaptive behavior composite or equivalent score that is two or more standard deviations below the mean.
 - a. Measurements shall be determined using a norm-referenced, standardized assessment of adaptive behaviors that is appropriate to the person's living environment and comparable to a comprehensively administered Vineland Scale of Adaptive Behavior, as revised or current to the date of administration. The assessment shall be administered and determined by a professional qualified to administer the assessment used.
 - b. When determining the overall adaptive behavior score, a maximum confidence level of ninety percent (90%) shall be applied to the overall adaptive behavior score to determine if the interval includes a score of 70 or less and shall be interpreted to the benefit of the applicant being determined to have a developmental disability.
 - D. A person shall not be determined to have a developmental disability if it can be demonstrated such conditions are attributable to only a physical or sensory impairment or a mental illness.

Individual with an intellectual and developmental disability and/or delay means a person determined by a community-centered board to have an intellectual and developmental disability and shall include a child with a developmental delay.

Interdisciplinary Team (IDT): means a group of people convened by a community centered board which shall include the person receiving services, the parent or guardian of a minor, a guardian, or an authorized representative, as appropriate, the person who coordinates the provision of services and supports, and others as determined by such person's needs and preferences, who are assembled in a cooperative manner to develop or review the individualized plan.

Professional(s) or group of professionals qualified to review and approve allocations means persons who have professional training and experience in the disabilities field and meet the procedural minimum qualifications to do so.