

# Transitions 101

Helping Guide You and Your Loved One to the Best Possible Road Ahead



Dear Valued Family,

For individuals living with a developmental or intellectual disability, there are several key transition periods when services and benefits with Developmental Pathways and the State of Colorado are impacted. Our goal is for this packet to address all fundamental transition times for children ages 14 to 18.

Please note the following key times:

- At 14 years of age, please contact your Coordinator to have individual in services placed on the Adult Waiver Lists.  
*Please see pages (7 and 8) of this packet for additional information.*
- At 18 years of age, you can apply for Medicaid and SSI as an adult. You must be 18 for a full month before you can apply for SSI, as Social Security does not consider you an adult until you have been 18 for a month. A disability determination via SSI or Medicaid Disability and Medicaid benefits are both required in order to be eligible for waiver Services.  
*Please see pages (6-7 and 10-11) of this packet for additional information.*

We understand that during times of transition there is a great deal of information to consider, and we hope the provided packet will help simplify and support your family through any upcoming transition.

Please contact us if we can provide any additional information.

Sincerely,

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## What You Need to Know About Transition

Transition is not a singular event but rather a series of events and planning periods that can begin as early as age 14 and which have no particular end date.

**Age 14** is the earliest a person can be placed on the list for **Medicaid Waiver Programs**—funded adult disability services such as the Developmental Disabilities (DD) Waiver and the Supported Living Services (SLS) Waiver (you will learn more about Medicaid Waiver Programs on page 7). Services for these programs cannot begin until individual is at least 18 years of age and meets all eligibility criteria. We ask that individuals get on this list as soon as they turn 14, because there is a wait list for some adult programs; this transition planning may help to ensure that funding for these programs are available at the earliest possible time.

Additionally, at age 14, it may also be a good time to start looking at **Special Needs Trusts**. Please reference Benefits and Criteria on page 6 for more information.

**School Transition Services** are mandated under the Individual with Disabilities Education Act (IDEA (P.L. 101-476)). An **Individualized Transition Plan** must be developed for all students enrolled in Special Education or Integrated Learning Center (ILC) programs. This plan is developed by an Individualized Education Plan (IEP) team. The transition planning process should consider what educational needs the student will continue to have in school, in addition to what will happen when he or she transitions from school to adult life. Depending on the individual, this may include

- Post-Secondary Education
- Vocational Training and/or Employment Options
- Future Living Arrangements
- Continuing and Adult Education
- Day Program Services
- Community Participation

Please contact individual's school for more information about their Individualized Education or Individualized Transition Plan. To learn more about the IDEA Act, visit <http://idea.ed.gov/>.

**Age 18** is perhaps one of the most important ages for any person. Everyone, with or without a disability, automatically becomes an emancipated adult under Colorado law. You may want to consider **guardianship** if your son or daughter is not able to make decisions independently. It is important to know that **emancipation is automatic unless the parent formally goes through a legal process to obtain guardianship.**

When individual in services has been 18 years old for one month, they can **apply for SSI benefits**. A disability determination via SSI or Medicaid Disability and Medicaid benefits which are both required in order to be eligible for waiver services. You can apply for Medicaid and Medicaid Disability as well. To apply for SSI, you must wait until eligible individual has been 18 years old for at least one month. SSI or a Medicaid Disability determination and regular Medicaid must be set up to proceed with the enrollment process. These two components are what determine disability and financial eligibility for waiver services. Please reference Eligibility and Benefits on page 6 for more information about SSI and Medicaid.

**Guardianship** is a very powerful role to be played in the life of a person with a disability, and it may not be appropriate for your family. The guardian may make personal decisions for the ward (individual with I/DD) relating to living arrangements, education, social activities, and authorization or withholding of medical or other professional care, treatment, or advice. The guardian must always make decisions that are in the best interests of the ward. The guardian must always make sure that the ward is living in the least restrictive environment in which the ward can remain safe. Please note that you can still apply for Waiver services even if guardianship has not been established. Additional guardianship resources from the Colorado Judicial Branch: [https://www.courts.state.co.us/Self\\_Help/adultguardianship/](https://www.courts.state.co.us/Self_Help/adultguardianship/)



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A guardian must submit a written report to the court annually on the date of the guardian's appointment. The report must include information on the health and living conditions of the ward and a current physician's report.

Guardianship can be obtained through the County Probate. You can learn more about Guardianship through the Guardianship Alliance of Colorado at <http://www.abilityconnectioncolorado.org/guardianshipallianceofcolorado/>

Other options are available to families where the parents want to promote their son/daughter's independence while still maintaining some amount of legal control.

**Power of Attorney:** Essentially, a power of attorney is a legal document that grants a parent (or other individual) legal rights and powers on behalf of the individual with I/DD (once individual is 18 years or older). You have the ability to make decisions for the individual with I/DD, but ultimately, you cannot override his/her wishes.

**Financial Power of Attorney:** A Financial Power of Attorney, also known as a General Power of Attorney or General Power of Attorney for Property, gives you the authority to manage the individual's finances and property, but again, you may not override his/her wishes. For example, this would allow you to withdraw funds from a bank account, pay bills, and cash checks on the individual's behalf. As of January 1, 2010 all financial powers of attorneys signed are considered "durable" unless otherwise stated.

**Medical Durable Power of Attorney:** Grants the Power of Attorney authority to make medical and personal care decisions on an individual's behalf.

**Limited Power of Attorney:** A Limited Power of Attorney, also known as a Special Power of Attorney, is granted the legal authority, in writing, to perform a specific act or acts or have Power of Attorney for a limited amount of time.

**Conservatorship:** A conservatorship is a court proceeding to appoint an individual, or an entity like a private fiduciary, to manage the financial affairs of a minor or an adult who is unable to manage his or her own property or financial matters. A conservator is held to the standard of care applicable to a trustee: which is that of a prudent person dealing with the property of another. A conservator must keep detailed and accurate records of all the financial information of the protected person.

## *Eligibility and Benefits*

There are three components to establishing eligibility for waiver services: functional eligibility, financial eligibility and disability eligibility. In order to receive services from the Community Outreach Team, you must meet functional eligibility. Therefore, this has already been established. To meet financial eligibility, you must be eligible for Medicaid. To meet disability eligibility, you must either get a disability determination from Medicaid or a disability determination from the Social Security Administration by applying for SSI. Both entities utilize the same eligibility criteria.

***Medicaid Disability Determination*** is an avenue through which you can get a disability determination that will qualify you for waiver services. You can apply for Medicaid and Medicaid Disability at the same time; Medicaid will forward the Medicaid Disability application to the designated review agency. The application is reviewed by Arbor/ARG. ARG is contracted with the State of Colorado to review these applications and make a disability determination by using the Social Security Administration's disability criteria.

There is no financial benefit associated with this determination. In general, Medicaid Disability determinations are made faster than SSI eligibility determinations. When applying for Medicaid, we recommend that you ask to apply for a Medicaid Disability determination as well.

***Supplemental Security Income*** (SSI) is a disability benefit available through the Social Security Administration (SSA, 1-800-772-1213 or [www.ssa.gov](http://www.ssa.gov)). SSI provides a monthly benefit check to help meet daily living expenses, primarily food, clothing and shelter/housing. SSI eligibility is based on two main factors: 1) whether a person has a significant disability that impacts their ability to work, and 2) whether a person meets the financial eligibility requirements.

To begin this application process, contact Social Security at 1 (800) 772-1213 or go to [www.socialsecurity.gov](http://www.socialsecurity.gov). *Remember, you cannot begin the application process until the month after the eligible individual turns 18.* After calling, a phone interview to complete the application may be offered. You can begin the process online as well. There are three ways to apply—in person with a scheduled appointment, by phone with a scheduled appointment, or online. Ask your Coordinator/Case Manager for a copy of the Guide to Applying for Social Security, as this walks you through the application process and has many tips and tricks. Many families have found that the process goes much smoother when an in-person appointment is arranged.

***Social Security Disability Insurance/Title II*** (SSDI/Title II) is a benefit to disabled and/or blind individuals who are “insured” by workers’ contributions to the Social Security trust fund. These contributions are based on the earnings from any of the following workers: the individual, a spouse, or a parent. Payments do not change with the individual’s monthly income because the amount is determined by “credits” already paid into the system. Payments may vary among individuals based on the “credits” paid into the system. Not all types of SSDI/Title II come with a qualifying disability determination.

**Health First Colorado/Medicaid** is a program administered by the Colorado Department of Health Care Policy & Financing (HCPF) that pays for health insurance for some Coloradans who cannot afford it. To learn more about how to apply visit <https://www.colorado.gov/hcpf/how-to-apply>. For those individuals receiving SSI, Medicaid is a mandatory benefit and does not require an additional application process, but does require contact with your county to get Medicaid “switched on”. The systems should talk to each other and automatically enroll the person into SSI Mandatory Medicaid, if the SSI is approved. It doesn’t always happen. They only need to reach out to the Department of Human Services or AMES if it has not happened. It can take a few weeks after SSI is approved.

**Health First Colorado Buy-In Program/Medicaid Buy In** Program for Children with Disabilities (Children's Buy-In) is a medical assistance program that provides Medicaid benefits for children who are under age 19, have a qualifying disability, and whose adjusted family income is at or below 300% of the Federal Poverty Level (FPL). Learn more about this and the adult program <https://www.colorado.gov/pacific/hcpf/medicaidbuyinprograms>.

**A Special Needs Trust** It is not necessary for someone turning 18. It is highly recommended as a safe place to store extra assets, but it is a choice that families have to make. It can be expensive to create one. This trust will allow you time to plan for the safe-guarding of those assets without losing benefit eligibility. state of Colorado has developed Colorado ABLE plans that help individuals save, while preserving their SSI and Medicaid. To learn more about this option visit <https://www.coloradoable.org> The Special Needs Alliance has developed a Handbook for Trustees that you can download for free to learn more. Visit their website at <http://www.specialneedsalliance.org/free-trustee-handbook/>.

## **Adult Medicaid Waiver Programs**

Waivers provide additional supports and services above and beyond what Regular Medicaid covers and are designated to provide better support and oversight of disability services. There are 10 Medicaid Waivers currently in the state of Colorado. Two of these waivers are specifically for adults with an intellectual or developmental disability.

**The Supported Living Services Waiver (SLS)** is used to supplement already available supports for adults who either can live independently or, individuals that are principally supported from other sources, such as family, if more extensive support is needed.

The SLS Waiver provides a variety of services, such as personal care (like eating, bathing and dressing) or homemaking needs, employment or other day type services, accessing his or her community, help with decision-making, assistive technology, home modification, professional therapies, transportation, and twenty-four hour emergency assistance. The SLS Waiver is not intended to meet all needs. Service needs and the level of support are prioritized within your overall Service Plan.

The individual and/or the individual’s family are responsible for providing appropriate living arrangements (this may include an independent apartment or home). Up to three persons receiving services can live together.

***Developmental Disabilities Waiver/DD Waiver*** provides a full day (24 hours) of services and supports to ensure the health, safety, and welfare of the individual. Services and supports include residential services (which includes food, transportation, and daily necessities). Additionally, the individual may also choose to receive day program services, employment services, and additional therapy services.

The individual receives residential options designed to meet their unique needs for support, guidance, and habilitation. There is an extensive waitlist for the DD waiver. Options for residential services include:

**Host Homes:** The individual resides with a trained provider and his or her family in a private home. A host home provider must contract with a Program Approved Service Agency (PASA) in order to provide services in their home. Two individuals in services are allowed to permanently reside in a host home.

**Group Home:** The individual resides in a staffed Program Approved Service Agency (PASA) home with 3-5 other individuals in services.

**Personal Care Alternative (PCA):** The individual resides in a professionally staffed home with no more than two other individuals receiving services. This includes situations where an individual lives in an independent apartment setting through a Program Approved Service Agency (PASA).

**Family Caregiver:** The individual can continue to live at home or with family. Family members or friends can become employees of a service agency (after passing a background check, etc.) and be paid for providing supports to the individual in services. If there are no family members or friends who are able to do this, the service agency can send support staff into the home to provide supports and services.

**\*Please note that once enrolled in these waivers you will no longer be eligible to receive FSSP**

***The Microboard Option under the Developmental Disabilities Waiver*** is not a separate waiver. It is an agency created by family members or guardians, incorporated to do business in the State of Colorado, whose scope is solely to provide DD Services to one person with a developmental disability. The person cannot be living with the family. You and/or your representatives can directly control implementation, such as who is hired or fired, what types of incentives are provided to retain good employees, and what type of training is required, or oversight regarding the quality of the services. For more information, contact your Coordinator at Developmental Pathways.

**For more information on any of these services or programs, contact your Coordinator at Developmental Pathways.**

## *Additional I/DD Medicaid Waivers*

While the DD and SLS Waiver Programs are the 2 primary programs available for adults with an intellectual or developmental disability through Developmental Pathways, here are some other waiver programs that may benefit your loved one.

***The Children's Extensive Supports Waiver*** (CES) also facilitated by Developmental Pathways, is for children who demonstrate behaviors or have a medical condition that requires direct human intervention, more intense than a verbal reminder, redirection, or brief observation of medical status, at least once every two hours during the day **and** on weekly average of once every three hours during the night. The behavior or medical condition must be considered beyond what is typically age appropriate. If you feel that your child (under the age of 18) may qualify for this waiver, please contact your Coordinator. Individuals receiving Family Support Services who enroll in the CES waiver will be terminated from Family Support upon enrollment into CES.

***The Children's Habilitation Residential Program Waiver*** (CHRP) also facilitated by Developmental Pathways, is a residential service and support program for children and youth from birth through age 20. Provides services for children and youth who have an intellectual or developmental disability and extraordinary needs that put them at risk of, or in need of, out of home placement in a nursing facility, hospital or ICF/IID. If you feel that your loved one (ages 0-21) may qualify for this waiver, please contact your Coordinator. Individuals receiving Family Support Services who enroll in the CHRP waiver will be terminated from Family Support upon enrollment into CHRP.

***The Elderly, Blind and Disabled Waiver*** (EBD) provides assistance to elderly, blind, or physically disabled persons aged 18-64 who require long term supports and services in order to remain in a community setting. These services supplement and/or compliment the services that are available to participants through the Medicaid State plan and other federal, state, and local public programs. Colorado Access (**an agency not affiliated with Developmental Pathways**) is the Single Entry Point (SEP) agency for this particular waiver. You can reach them at (800) 511-5010 and their website here: <http://coaccess.com>. Individuals receiving Family Support Services who enroll in the EBD waiver will be terminated from Family Support upon enrollment into EBD.

***The Brain Injury Waiver*** (BI) provides home and community based services to persons with a brain injury, alternative to a hospital or nursing facility. This waiver is for individuals 16 years or older with a brain injury. The brain injury must have occurred prior to the individual's 65th birthday and the individual must require long term support services at a level comparable to services typically provided in a nursing facility or hospital. Rocky Mountain Humans Services (RMHS) (**an agency not affiliated with Developmental Pathways**) is the Single Entry Point (SEP) agency for this particular waiver. You can reach them at 844-790-RMHS (7647) and their website here [www.rmhumanservices.org](http://www.rmhumanservices.org) Individuals receiving Family Support Services who enroll in the BI waiver will be terminated from Family Support upon enrollment.

*For a list of all Medicaid Waivers in Colorado click here: [List of All Programs | Colorado Department of Health Care Policy and Financing](#)*

## *Documents Needed for Benefits*

You may need the following documents/information when applying for SSI, Medicaid and/or a Medicaid Waiver programs. Please note that this list may not be comprehensive and you may need additional documentation. Please visit the SSI Guide which provides more information.

### **SSI**

- Copy of Birth certificate
- Copy of current picture ID (Colorado State ID, School ID, or Passport)
- Copy of Social Security card
- Copy of Medicare/Medicaid card
- Copy of private health insurance card (front and back)
- List of medications
- Wages: paystubs for 3 months or one paystub with one with Year to Date total
- Stocks/Bonds
- Proof that you don't have assets over \$2,000 as an individual; \$3,000 for a couple.
- Complete copy of trust fund, if applicable.
- Checking/Savings account full statements for individual applying
- VA pension
- Social Security benefits
- Any other benefits received
- Life Insurance
- ABLE accounts
- College Savings Accounts
- Guardianship paperwork (if applicable)

### **The DD & SLS Waivers**

- Copy of birth certificate
- Copy of Social Security card
- Copy of current picture ID (Colorado State ID, School ID, or Passport)
- Copy of most recent award letter from SSI/SSDI
- Copy of Medicaid/Medicare card
- Copy of private health insurance card (front and back)
- Guardianship paperwork (if applicable)
- Approval letter from the State of Colorado for any special needs trusts
- Completed Professional Medical Information Page \*(Please be sure that the individual is seen by a doctor some time after they turn 17. The physician will need to sign a Professional Medical Information Page (PMIP) before we can start the enrollment process into SLS Services.)
- Wages: paystubs for 3 months or one paystub with one with Year to Date total
- Stocks/Bonds
- Proof that you don't have assets over \$2,000 as an individual; \$3,000 for a couple.
- Complete copy of trust fund, if applicable.
- Checking/Savings account full statements for individual applying
- VA pension
- Social Security benefits
- Any other benefits received
- Life Insurance
- ABLE accounts
- College Savings Accounts

### ***The CES Waiver***

- Copy of birth certificate
- Copy of Social Security card
- Copy of Medicaid card and private insurance card (front and back)
- Copy of applicant's picture ID. If individual has no picture ID and is under 16, an Affidavit to Establish Identity needs to be completed. An Affidavit to Establish Identity cannot be used for an individual aged 16 and above.
- Copy of individual's most recent triennial Individualized Education Plan (IEP)
- Copies of any letters from doctors dated within the last six months
- Copy of recent SSI award letter if individual is receiving SSI benefits
- Wages: paystubs for 3 months or one paystub with one with Year-to-Date total
- Stocks/Bonds
- Proof that you don't have assets over \$2,000 as an individual.
- Wages: paystubs for 3 months or one paystub with one with Year-to-Date total (if applicable to individual applying)
- Complete copy of trust fund, if applicable.
- Checking/Savings account full statements for individual applying
- Social Security benefits
- Any other benefits received
- Life Insurance
- ABLE accounts
- College Savings Accounts

## Glossary

**AMES** Certified eligibility application partner for the State of Colorado. Assists with applying for medical assistance programs. [www.accessenrollment.org](http://www.accessenrollment.org)

**Community Centered Boards (CCBs)** Nonprofit organizations contracted with by the State of Colorado and manage resources at the local level, determine eligibility for community-based services and provide case management services.

**Department of Intellectual and Developmental Disabilities (DIDD)** The division that is directly responsible for community-based services for adults with developmental disabilities.

**Division of Vocational Rehabilitation (DVR)** A State and Federally funded program designed to help eligible individuals with disabilities find suitable employment. Vocational Rehabilitation is a voluntary program and serves persons who want to work.

**Health Care Policy and Financing (HCPF)** Oversees and operates Colorado Medicaid and other public health care programs for Coloradans who qualify.

**Home and Community Based Services (HCBS)** Provide opportunities for Medicaid beneficiaries to receive services in their own home or community, rather than in an institutional setting.

**Individualized Education Plan (IEP)** An educational plan written by a multidisciplinary team specifically for each student receiving special education services (ages 3-21).

**Interdisciplinary Team (IDT)** A team responsible for developing a Service Plan for an individual in services. This team includes the person receiving services, parents or guardian (if individual is a minor), a guardian or an authorized representative, as appropriate, the person who coordinates services and supports, and others as determined by such person's needs and preference.

**Medicaid** A program administered by the Colorado Department of Health Care Policy & Financing (HCPF) that pays for health insurance for some Coloradans who cannot afford it. A person must apply for Medicaid benefits through the local Department of Social/Human Services, even if they are SSI eligible. For the locations and telephone numbers of local sites, check the Blue Pages (Government) in the telephone book, or call the Customer Service Line at 1-800-221-3943, or <https://www.colorado.gov/pacific/hcpf/colorado-medicaid>

**Service Plan (SP)** A written plan designed by an interdisciplinary team to identify the total needs of a person receiving services and, the services required to meet those needs.

**Program Approved Service Agency (PASA)** an organization approved by HCPF and the CCB to provide services to those receiving Medicaid Waiver Services.

**Single Entry Point (SEP)** Single Entry Point agencies provide case management, care planning and make referrals to other resources for Health First Colorado (Medicaid Programs)

**Supported Employment** A process which enables an individual with a disability to overcome barriers to accessing, maintaining, or returning to employment.