



COLORADO

Department of Health Care
Policy & Financing

OPERATIONAL MEMO

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TITLE: DEVELOPMENTAL DISABILITY AND DEVELOPMENTAL DELAY DETERMINATIONS

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DIVISION AND OFFICE: CASE MANAGEMENT AND QUALITY PERFORMANCE DIVISION, OFFICE OF COMMUNITY LIVING

PROGRAM AREA: CASE MANAGEMENT

APPROVED BY: BRITTANI TRUJILLO

KEY WORDS: DEVELOPMENTAL DISABILITY, DETERMINATION, COMMUNITY CENTERED BOARD, DEVELOPMENTAL DELAY

HCPF Memo Series can be accessed online: <https://www.colorado.gov/hcpf/memo-series>

Purpose and Audience:

The purpose of this Operational Memo is to provide clarification for Community Centered Board (CCB) staff regarding the Developmental Disability and Developmental Delay determination process. Additionally, the Department of Health Care Policy and Financing (Department) is issuing standardized forms to be used by all CCBs.

Background:

Pursuant to 10 CCR 2505-10, 8.600.4, Developmental Disability means a disability that is manifested before the person reaches twenty-two (22) years of age, which constitutes a substantial disability to the affected individual, and is attributable to an intellectual and developmental disability or related conditions which include Prader-Willi syndrome, cerebral palsy, epilepsy, autism or other neurological conditions when such conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with an intellectual and developmental disability. The definition can be found in this section.

In November 2014, the Department provided communication and a Fact Sheet regarding the Developmental Disability definition and need for testing. Additionally, in December 2018 the Department issued an Informational Memo and Frequently Asked Questions document regarding the role of psychological testing in accessing Medicaid services. These documents can be located on the Department's external website and links are included in the attachments section of this memo.

Information/Procedure:

This Operational Memo references new standardized Department prescribed forms for Requests for Determination of Developmental Disabilities, Developmental Disability Determination Decisions and Developmental Delay Decisions to be used by all CCB's effective the date of this Operational Memo. Use of all previous forms either created by the Department or Case Management Agency should be discontinued. The Department will provide training and guidance to Case Management Agencies on the new forms and how they should be utilized.

Pursuant to 10 CCR 2505-10, 8.607.2.O, A determination of developmental disability shall be permanent and shall not require renewal or review unless the interdisciplinary team determines that developmental disability services are no longer needed due to improvement in a person's condition and recommends a redetermination; or, information from a new evaluation becomes available which demonstrates sufficient improvement in a person's condition such that the determination should be reviewed.

Developmental Disability and Developmental Delay Determinations do not constitute eligibility for any waiver program on their own. Each waiver has its own eligibility criteria that must be met to access that waiver.

Assessments of Adaptive Functioning can be used for a determination if the assessment has been completed within three (3) years of the request for determination. This includes assessments at ages two (2), three (3) and four (4) to be used for a developmental disability determination when a child turns five (5). Assessments of intellectual functioning shall not be utilized prior to the age of five (5) for a developmental disability determination.

Developmental Delay Determinations are required for individuals under the age of five (5) who are interested in accessing Family Support Services Program (FSSP), Children's Habilitation Residential Program (CHRP) and Home and Community Based Services Children's Extensive Services waiver (HCBS-CES).

A Developmental Delay Determination is valid until the day of the child's fifth (5) birthday or if the child is enrolled in FSSP, CHRP or HCBS-CES and turns five (5) during their service plan year, the Developmental Delay Determination will be valid until the end of the service plan year to allow time for completion of a Developmental Disability Determination, ensuring continuity of service provision.

Once a determination of Developmental Disability or Developmental Delay has been made, the CCB is required to maintain a written copy/electronic record of the determination on a Department prescribed form (10 CCR 2505-10, 8.607.2.H). The Department prescribed forms are referenced below.

Attachment(s):

www.colorado.gov/hcpf/case-management-agency-resources#DD

Department Contact:

Karli Cheatham

Karli.Cheatham@state.co.us