

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF FAMILY SERVICES

P.O. BOX 88

JEFFERSON CITY, MISSOURI

July 24, 2003

MEMORANDUM

TO: AREA EXECUTIVE STAFF, RESIDENTIAL CARE SCREENING TEAM (RCST) COORDINATORS, CHILDREN'S SERVICES STAFF, AND ELIGIBILITY SPECIALISTS

FROM: DENISE CROSS, DIRECTOR

SUBJECT: DIVISION OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (MRDD)/DIVISION OF FAMILY SERVICES (DFS) COMPREHENSIVE MEDICAID WAIVER PROCEDURES

REFERENCE: CHILDREN'S SERVICES

DISCUSSION:

The purpose of this memorandum is to advise staff of the procedures when referring children and youth in the custody of the Division of Family Services (DFS) to the Department of Mental Health (DMH), Division of Mental Retardation and Developmental Disabilities (MRDD) Comprehensive Waiver program. Changes to the Child Welfare Manual will be forthcoming.

What is the MRDD Waiver?

In 1994, DFS entered into an agreement with MRDD to jointly serve children who are in the custody of DFS and who have diagnosed developmental disabilities that result in functional impairment. The Division of Mental Retardation and Developmental Disabilities is one of three divisions within the Department of Mental Health. The other two divisions, Comprehensive Psychiatric Services (CPS) and Alcohol and Drug Abuse (ADA) are not participants in the Comprehensive Waiver program.

MRDD serves a population that has developmental disabilities such as mental retardation, cerebral palsy, head injuries, autism, epilepsy, and certain learning disabilities. To be eligible for services from MRDD persons with these disabilities must be substantially limited in their ability to function independently. Such conditions must have occurred before age 22, with the expectation that they will continue. **DFS staff must first refer children to MRDD for the purpose of determining eligibility for any child who appears to meet the eligibility criteria.** Eligible children may then access a full array of MRDD services, even if the child does not qualify for participation in the Comprehensive Waiver program.

MRDD administers a Medicaid program called the Comprehensive Waiver for individuals with mental retardation or other developmental disabilities, also known as the MRDD Waiver. Missouri's MRDD Waiver program allows the MRDD regional centers to offer specific services in the home and community to individuals who are Medicaid eligible and who would otherwise, without these services, require placement in an Intermediate Care Facility for the Mentally Retarded (ICF/MR). In keeping with the 1994 agreement, DFS contributes the 40% match used by MRDD to draw down Medicaid's 60% federal financial participation.

PROCESS:

A child must be in DFS custody, Title IV-E eligible and have a fund code of 02 (Alternative Care-IV-E) or 12 (Title XIX-FFP) on the SS-61, Alternative Care Client Form, to be eligible for the Comprehensive Medicaid Waiver.

Requests for eligibility determination for the Medicaid Waiver program are made through an intake worker or service coordinator at the local MRDD Regional Center. Attached to this memo is a listing of those Regional Centers. MRDD determines eligibility by a functional assessment as opposed to linking eligibility to a specific diagnosis.

The current statewide process of approving new individuals to receive a waiver slot, requires the final approval of all three MRDD district deputies. At one time, a pool of vacant slots was assigned to every regional center and the regional center had some discretion in re-using slots each year. This is no longer done. Regional Centers do not have vacant slots or a pool that they assign at their discretion to new participants. If someone leaves the waiver and vacates a slot, the regional center can't reuse the slot at will. The slot goes back to the central pool.

The service coordinator at the local MRDD Regional Center requests the need for waiver participation from the district deputy. The request is then forwarded to the other district deputies along with the justification. All three district deputies must agree so consistent decisions can be made statewide on who can be served. Currently, there are approximately 75 youth in DFS custody accessing these services. Since everyone who would like to participate in the waiver cannot at this time, this is done with the slot system. When all three have indicated approval, the request comes to MRDD's central office and the slot is officially approved. The regional center is notified of the approval.

Although this sounds complicated, the approval process is usually completed within 2-3 working days through a web-based e-mail system.

MRDD Regional Center staff notifies the county DFS staff of the child's eligibility and determines if there is capacity to add another agreement (waiver slot). Under the auspices of the Family Support Team, the county DFS staff, the local DMH Regional Center staff, and the DFS Residential Care Screening Team (RCST) Coordinator should work together to develop a plan to meet the child's needs, as follows:

- A Family Support Team at the local level must develop a written plan for the child. The team must include staff from both MRDD and DFS. The plan must address the child's short term and long term needs. Eligibility for Medicaid, eligibility for the waiver, and availability of a waiver slot must be verified before the plan is approved locally. Specific arrangements regarding the child's room and board, treatment needs (habilitation/rehabilitation) and any one-time costs are to be determined;
- The plan is transferred to a written agreement. A copy of a sample agreement and instructions for completion are attached to this memorandum;
- The MRDD Regional Center representative, the county DFS office and the DFS Area RCST Coordinator must all approve the plan. The RCST Coordinator is required to sign the agreement on behalf of DFS. It is the Regional Center's responsibility to obtain the appropriate local signatures and to send the plan to the MRDD Central Office, Federal Programs Unit, in Jefferson City for approval. Once the MRDD Director or designee has reviewed the plan, it is forwarded to DFS Central Office for approval. A copy of the agreement is kept in DFS Central Office and a file is set up for the child. After final approval, MRDD keeps the original of the agreement and sends copies to the MRDD Regional Center, DFS Central Office, DFS County Office, RCST Coordinator and the DMH Department District Director.
- The terms of each agreed upon plan will remain in effect for the specified duration of that plan. The plan can be changed only with the mutual consent of all approving parties, specifically, the interagency team, local DFS and MRDD offices, the RCST Coordinator, and the respective central offices. An agreement is usually in effect until the youth's 18th birthday, although it may extend until the youth's 21st birthday. MRDD assumes responsibility for determining the service needs of the young adult beyond the 21st birthday;
- The payee for any benefits the child receives, and the amount of benefits should be listed on the agreement. This income is to be used to meet room and board costs for the child. MRDD should be payee for these benefits. If the child receives no outside income, DFS is responsible for payment of room and board costs and personal spending monies. Monthly room and board costs are paid on

the SS-61, Alternative Care Client Form. Department Vendor Number (DVN) and vendor type (MM) will be assigned in DFS Central Office;

- DFS remains legal custodian of the child. If DFS is relieved of custody of any child covered by an agreement, the child must then be withdrawn from the waiver;
- The vendor is required to provide the DFS case manager with monthly summary reports of the child's activities and progress;
- Cancellation of the agreement for a specific child, by either agency, may occur after giving thirty (30) days prior written notice to all parties.

PAYMENT:

If there are changes in the amount of payment (increase or decrease), or the party responsible for the payment, it is necessary for all parties to sign the addendum. The original copy of the addendum is then processed in the same manner as the original agreement. If a change is made in the amount that DFS agrees to pay, it is necessary for the DFS case manager to send a copy of the addendum to DFS Central Office, attention Keith Krueger, within ten days of the change occurring. This will help avoid errors in the billing process between MRDD and DFS. The 40% payment rate for eligible and approved youth is billed and paid monthly at the DFS Central Office level. Local county staff have no additional payment responsibilities for approved youth served under this agreement.

In some situations, DFS case management staff may have entered into a local agreement with MRDD Regional Center staff to meet the needs for a particular child. The case manager may erroneously view this as a Comprehensive Medicaid Waiver placement because of the terminology used by DMH Regional Center staff when the agreement was developed. However, the costs for the care of the particular child will continue to be charged to local DFS Alternative Care funds, unless the Central Office of both DFS and MRDD have approved the agreement using the procedures outlined in this memorandum.

NECESSARY ACTION:

1. Review this memorandum with all Children's Services staff.
2. Refer to the attached Agreement and listing of Regional Centers.
3. Review alternative care caseloads to determine which children currently receive Medicaid Waiver services. Assure that changes in an eligible child's placement, costs of care, or eligibility are reported to DFS Central Office, as required.

4. Identify children for whom a local agreement has been developed with MRDD Regional Center staff. Refer these children for possible approval of the Comprehensive Waiver funding.
5. DFS case managers should identify and refer all appropriate children to the local MRDD Regional Center for assessment.
6. All questions regarding specific case situations, as related to these procedures should be cleared through normal supervisory channels.

DC/CW

Attachments

DFS/MRDD INTERDIVISIONAL PLAN AND AGREEMENT COMPLETION
INSTRUCTIONS

DFS/MRDD INTERDIVISIONAL PLAN AND AGREEMENT

DIVISION OF MENTAL RETARDATION/DEVELOPMENTAL DISABILITIES
FACILITY LISTING