

Temporary Presumed Eligibility in Declared Emergencies

1. When a State of Emergency is declared by the Federal, State, or Local government within whose jurisdiction Waiver services are being delivered, eligibility criteria for Waiver services may be relaxed to ensure timely access to services by persons presumed eligible and in need.
2. Temporary Presumed Eligibility standards remain in effect until such time as the applicable State of Emergency is lifted.
3. During this period of time, Temporary Presumed Eligibility standards allow for the following practices during determination of eligibility;
 - a. Remote eligibility activity – All eligibility activities (including applicant and clinician contact) may be completed remotely. Specifically, in-person activities (such as intakes and interviews) may be completed by phone, or secure telehealth technology, when possible to avoid in-person contact and limit risk of spreading the infectious disease. Additionally, please request all medical records, school records, and other required documentation electronically or by mail.
 - b. Remote Telehealth – Support Coordinators conducting eligibility activities may accept evaluations from psychologists that were completed remotely. Telehealth evaluations with adaptive (or other, as applicable) assessments completed with telehealth technology (i.e. phone or secured video technology) should follow HIPAA requirements. In the event an in-person or telehealth evaluation or assessment is required by another policy or standard and cannot be completed, apply Presumed Eligibility protocols.
 - c. Presumed Eligibility – In the event that an administrative evaluation is not possible, and substantiating documentation of all eligibility criteria (as per ADMH-DDD OG 8.2) is not available, any of the following substantiated data will be accepted:
 - i. Most recent IQ test with Full Scale Intelligence Quotients (IQ) scores less than 70, prior to age 18.
 - ii. A qualifying Intellectual Disability (ID) diagnosis by a Qualified Professional without an adaptive assessment, prior to age 18.
 - iii. When testing or documentation of a qualifying intellectual disability is unavailable, an attempt to obtain the attached Physician’s Statement should be made to verify:
 1. The Qualified Professional can affirm an ID diagnosis;
 2. The ID diagnosis directly causes an adaptive behavior impairment that significantly impacts Conceptual, Practical, Social functioning, or Socialization, Daily Living Skills, Communication areas; and
 3. The qualifying condition and impairment are reasonably expected to have occurred prior to the age of 18.
 - d. Presumed Eligibility Practices
 - i. Notes in the web-based application must clearly identify why Presumed Eligibility policy is used for an applicant.
 - ii. All notices of eligibility under Temporary Presumed Eligibility standards must indicate “Presumed Eligible” in the communication.
 - iii. The RCS Waiting List Coordinator must distinctly track Presumed Eligible cases and redetermine eligibility via standard means (as per ADMH-DDD OG 8.2) within one (1) year of the Presumed Eligibility determination.

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- iv. A new decision notice must be sent to all individuals determined Presumed Eligible within ten (10) business days of that determination.
 - v. Re-determination must be completed prior to twelve (12) months from the initial Presumed Eligibility determination.
- 4. Whenever possible, ADMH-DDD OG 8.2 should be followed if current documentation is available or telehealth technology will provide required eligibility documentation for the rule.
- 5. Eligibility determinations should be processed timely and not delayed unnecessarily. If the ADMH-DDD OG 8.2 requirements are not met by current available records, the Waiting List Coordinator should implement Presumed Eligibility within 30 days of identifying a possible Presumed Eligibility case.