

**STATE OF CONNECTICUT
DEPARTMENT OF MENTAL RETARDATION**

Procedure No: I.A.PR.001

Subject: Eligibility for the Department of Mental Retardation (DMR) Services

Section: Eligibility and Intake

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Effective Date: Upon release

Revised: January 27, 2006

A. Purpose

The purpose of this procedure is to describe the process used to facilitate and ensure the consistent determination of eligibility for services from the Department of Mental Retardation.

B. Applicability

1. This procedure applies to all persons who apply for eligibility for services from the Connecticut Department of Mental Retardation.
2. An application for eligibility determination may be made by:
 - a. any person who is a resident of Connecticut at the time application is made, or by someone on the person's behalf, and who is, appears to be, or believes him/herself to be a person with mental retardation, as defined in Connecticut General Statutes 1-1g or Prader-Willi Syndrome; or,
 - b. The legal representative of any person under the age of 5 believed to have (a) substantial developmental delay, or (b) a specific diagnosed condition with a high probability of resulting in developmental delay, but for whom a determination of mental retardation is not possible.

C. Definitions

Adaptive Behavior - The effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group.

Department Services - A service or program that is operated, funded or licensed by the Department of Mental Retardation.

Developmental Period - the period of time between birth and the eighteenth birthday.

Developmental Delay -Substantial functional limitations, attributable to a disabling condition, which are measured by standardized diagnostic instruments and procedures, including informed clinical opinion, in one or more areas: (a) cognitive development; (b) physical development, including vision and hearing; (c) communication development; (d) social and emotional development; or (e) adaptive skills.

Eligibility Determination - The process by which the Department examines information relative to an applicant for Department to determine if the applicant meets the statutory criteria for mental retardation or Prader-Willi Syndrome.

Eligibility Unit - The division that receives, evaluates, and determines all new requests for eligibility for services from the Department and monitor the regional re-determinations of eligibility.

General Intellectual Functioning - The results obtained by assessment with one or more of the individually administered general intelligence tests developed for that purpose and standardized on a statistically

significant population, and administered by a person or persons formally trained in administration and interpretation of the test.

Mental Retardation - Significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.

Prader-Willi Syndrome - A neurobehavioral genetic disorder that has been diagnosed by a physician utilizing medically appropriate criteria.

Resident – A person, either a United States citizen or legal immigrant, who is present in the State of Connecticut and intends to remain here permanently.

Significantly Sub-Average - An intelligence quotient more than two standard deviations below the mean for the test used (69 or below).

D. Implementation

1. Eligibility Criteria

- a. The Eligibility Unit (“Unit”) shall determine the eligibility for DMR services of all persons who have not previously received services, including Birth to Three services.
- b. Upon receipt of a request for services from the Department, the Unit shall provide the applicant information about the documentation required to evaluate eligibility. Such documentation includes:
 - i. Proof that the applicant is a resident of Connecticut
 - ii. Medical records that document a physician’s diagnosis of Prader-Willi Syndrome and that document developmental and neurological conditions
 - iii. Psychological evaluations, based on one or more standardized tests, that document significantly sub-average intelligence (I.Q. scores 69 or below), manifested before the age of 18-years and
 - iv. Psychological and Psychiatric evaluations that document any diagnosed psychiatric condition, should one be present
 - v. Psychological evaluations that include formal assessment of adaptive behavior, or other supporting documentation of adaptive behavior deficits, manifested during the developmental period.
- c. A person who is a resident of Connecticut and has not met the criteria in D.1.b.ii iii or D.1.b.v above may be eligible for services of the Department if expressly authorized by state and/or federal law.
- d. Notwithstanding the provisions of D.1.b.i, the requirement of state residency does not apply to federal programs which are not subject to residency rules or for transfers made between states as outlined in CGS 17a-615, “Interstate Compact on Mental Health.”
- e. The Department may re-evaluate eligibility determinations as indicated by clinical opinions, new information, or any other rational basis.

2. Eligibility Process for New Applicants

- a. The Unit will maintain a toll-free number that will be made widely available.

- b. The Unit will document all requests for eligibility and send a packet of eligibility forms, guidelines and instructions to the referral source. Forms and instructions will be provided in Spanish when Spanish is identified as the primary language.
- c. The Unit will review the department's automated client registry (CAMRIS) to determine whether or not the applicant has a prior DMR number. If the applicant does not have a DMR number and was born prior to 1987, an assigned staff member in Central Office will be contacted to review whether or not the applicant has a DMR number in the department's historical card file. If the applicant has a prior DMR identification number it will be reactivated and the applicant will be reviewed for current eligibility status. If there is no prior identification number, and upon receipt of a signed DMR service request form (DMR No. 130), a CAMRIS applicant DMR number will be established.
- d. The Unit psychologist will review the records received for each application file to determine if the application is supported by all necessary documentation . The Unit may request additional information or documentation as deemed necessary for the determination. If the Unit psychologist determines that sufficient documentation has been received, and determines that, by preponderance of the evidence, the criteria for eligibility have been met, that psychologist will make a finding of eligibility.
- e. If the Unit psychologist determines that there is sufficient documentation received, and determines that, by preponderance of the evidence, that the criteria for eligibility have not been met, a second review will be conducted by another psychologist. One or both psychologists may request additional information, including, but not limited to, a personal interview or observation of the applicant and other records.
- f. Where an opinion of a second psychologist has been sought, both must concur on whether the eligibility have been met. If the two cannot agree, the opinion of a third psychologist will be sought. At least two of the three psychologists must agree to determine eligibility.
- g. Within thirty (30) days of the determination of Eligibility, the Unit shall notify the guardian or legal representative, and where indicated, the referral source, of the decision.

When the individual is determined not eligible, the Unit will send written notice to the individual or his/her guardian or legal representative that includes the reason for the decision and notice of the right to request an administrative hearing, within 60 days of receipt of the determination. The Unit will include necessary forms with the notice.

If an administrative hearing is requested, the psychologist will represent the Department at the hearing. The psychologist shall be responsible for documenting the outcome of the hearing in the Eligibility Unit database.

- h. If incomplete or no documentation has been received by the Unit within 60 days of the application request, the Unit will notify the applicant in writing that all documentation must be received within the next 60 days or the Unit will inactivate the application.
- i. If, after 120 days, the Unit has not received sufficient information to determine eligibility, it shall notify the applicant in writing that the application has been inactivated. In the event the application review process is inactivated, the Eligibility Unit shall maintain a record of the application and all documentation received for up to seven (7) years from the date of the initial request.
- j. The Unit may grant extensions of up to six months, at the applicant's request, if the applicant has difficulty in obtaining the necessary documentation.

3. **Children under 5 years of age**

- a. Children who are in the Birth to Three program are not required to apply for DMR eligibility in order to be part of the Birth to Three program. However, if they also wish to apply to Department of Mental Retardation for eligibility, then eligibility is based on the existence of significant developmental delays documented by the appropriate professional as per the Birth to Three Federal Regulations. They must apply to the DMR Eligibility Unit as indicated above in Section D.
- b. If a child is not part of the Birth to Three program, and they wish to apply to the Department for DMR Eligibility, they must apply to the DMR Eligibility Unit as indicated in Sections D. Eligibility is still based on the existence of significant developmental delays documented by the appropriate professional as per the Birth to Three Federal Regulations
- c. For children between the ages of 3 and 5, who wish to apply to the Department of Mental Retardation for eligibility, eligibility is based on the existence of significant developmental delays documented by the appropriate professional as per the Birth to Three Federal Regulations – even if the child was never part of the Birth to Three program. They must apply to the DMR Eligibility
- d. Unit as indicated in Section D.

4. **Children Between 5 And 7 Years-11 Months Of Age Who Are Currently A Client With A DMR Number**

- a. Children reaching age 5, who have a DMR number, will be tracked by the Region and letters sent to families at age 5, informing them that CGS 1-1g criteria must be documented by age 8, in order for their child to remain a client of the department.
- b. If documentation is not received by age 8 years, a reminder letter will be send to the family reminding them that if documentation is not received 9, their child will be made ineligible for the services of the Department.
- c. If documentation is received by the Region it will be given to a regional psychologist. All information in the individuals chart will be reviewed to determine if there is sufficient information to determine eligibility based on 1-1g. Once information is obtained, and eligibility can be documented, then the region makes the individual eligible.
- d. If the regional psychologist recommends that the individual does not meet 1-1g or the psychologist has questions, copies of all relevant testing and school records are sent to the DMR Central Office EU Psychologist for a second review.
- e. If the individual is determined not eligible, upon second review, then a letter notifying the family is sent to the Eligibility Unit's Regional Liaison with the required form to request an administrative hearing. This method of notification is done because the Region already has an existing relationship with the family, and it is deemed more appropriate for the Region to inform the individual or the responsible person rather than the EU.
- f. If the EU disagrees with the regional decision and feels that the person is still eligible, the Region will be informed in writing, and the individual will remain a client of the department.
- g. In all cases the Region reserves the right to reevaluate any client of the Department on a periodic basis.

5. Any Individual Who Is Over Age 5 - AND - Who is Not A Current Client Of DMR

- a. Any Individual who is over 5 years of age, and who is not currently a client of the Department, must apply to the DMR Eligibility Unit as indicated in Section D
- b. The eligibility criteria as outlined in CGS 1-1g is utilized by the Eligibility Unit to make a determination of eligibility.

E. References

- 1. Statutes
 - a. C.G.S. sec.1-1g, "Defined."
 - b. C.G.S. sec. 17a-210, "Department and Commissioner of Mental Retardation."
 - c. C.G.S. sec. 17a-615, "Interstate Compact on Mental Health."
 - d. C.G.S. sec. 17a-274, "Involuntary Placement With the Department of Mental Retardation."
 - e. C.G.S. sec. 17a-281, "Voluntary Admission to Facility for Persons with Mental Retardation."
 - f. C.G.S. sec. 46-140(b), "Disposition Upon Conviction of Child as Delinquent."
 - g. C.G.S. sec. 54-56d, "Competency to Stand Trial."
- 2. Rules, Regulations and DMR Policies and Procedures
 - a. Regulations Conn. Agencies – DMR, Sections 17a-212-2
 - b. AG Op. No. 88-35, "Residency"
 - c. Eligibility for DMR Services Policy I.A.PO.001
 - d. Re-Evaluation of Eligibility for DMR Services I.A.PO.002
 - e. Re-Evaluation of Eligibility for DMR Services I.A.PR.002
- 3. Other
 - a. DMR Website: Eligibility/How to Apply for Services at www.dmr.state.ct.us/eligible

F. Attachments

None