

**STATE OF CONNECTICUT
DEPARTMENT OF MENTAL RETARDATION**

Procedure No: I.A.PR.002
Subject: Re-Evaluation Of Eligibility For Department
of Mental Retardation (DMR) Services
Section: Eligibility and Intake

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Effective Date: Upon release
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A. Purpose

The purpose of this procedure is to describe the process used to facilitate and ensure a consistent approach for the re-evaluation of eligibility, under Connecticut General Statute (CGS) 1-1g, for an individual to remain a client and receive the continued services of the Department.

B. Applicability

This procedure shall apply to all individuals who are currently clients of the Department. (See Connecticut General Statute (CGS) CGS 1-1g, "Definition of Mental Retardation", and the Eligibility For DMR Services Policy I.A.PO.001 and Eligibility For DMR Services Procedure I.A.PR.001.)

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 (EU) - 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

Children Between 3 and 5 (4 yrs-11mo) Years Of Age

1. Children who obtained a DMR number by becoming eligible for DMR Services, while also eligible for and part of the Birth to Three program, do not have to apply again at age 3 if there is documentation of the existence of significant developmental delays as noted in the Birth to Three regulations. However, they will be required to do so once the child reaches age 5

Note: If, a child is between age 3 and 5 (4 yrs-11mo) and is not a client of DMR, - and - the family or guardian wish the child to become a client of the Department, they must apply to the Department through the Eligibility Unit as per the Eligibility Procedures.

2. For a child who already has a DMR number because they were made eligible for the services of the Department by the Eligibility Unit --- If the family or guardian wish the child to remain a client of the Department, at age 3, upon exit from the Birth to Three program, the existence of significant developmental delays must be documented by a recent IEP, IFSP, or professional evaluation, as noted in the Birth to Three regulations.
 - a. Documentation will be provided to a regional psychologist. All information in the client's chart will be reviewed to determine if there is sufficient information to determine eligibility based on the Birth to Three Regulations. If eligibility can be documented, then the region determines the client eligible.
 - b. If the regional psychologist recommends that the client is not eligible, or the psychologist has questions, copies of all relevant testing and school records are sent to the Eligibility Unit (EU) Psychologist at Central Office for a second review.
 - c. If the client is determined not eligible, upon second review, a letter notifying the family is sent to the Eligibility Unit's Regional Liaison with the required form to request a Eligibility 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 client or the responsible person rather than the EU.
 - d. If the EU disagrees with the regional decision and finds that the person is still eligible, the Region will be informed in writing, and the individual will remain a client of the Department.
 - e. In all cases the Region or EU reserves the right to reevaluate any client of the Department on a periodic basis.
3. For children between 3 and 4 Years--11 months of age, who were either: (1) part of the Birth to Three system and did not wish to become a client of DMR at the time of exit from the Birth to Three program, or (2) a child who is completely new to DMR, they:
 - a. Must apply for eligibility through the DMR Eligibility Unit. – AND –
 - b. Their parent or guardian must provide documentation of the existence of significant developmental delays as noted in the Birth to Three regulations.

Clients Of The Department:

Children Between 5 and 8 Years Of Age

1. For ALL Children as they turn age 5, who are clients with a DMR number
 - a. Children who obtained a DMR number when they were under age 5, **MUST** when they reach 5 years of age, prove that they meet Connecticut General Statute (CGS) CGS 1-1g eligibility criteria.
 - b. All 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.
 - c. 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 by age 9, their child will be made **ineligible** for the services of the Department.

- d. If documentation is received by the Region, it will be given to a regional psychologist. All information in the client's chart will be reviewed to determine if there is sufficient information to determine eligibility based on CGS 1-1g. Once information is obtained, and eligibility can be documented, then the region continues the client's eligible.
- e. If the regional psychologist recommends that the client does not meet CGS 1-1g, or the regional psychologist has questions, copies of all relevant testing and school records are sent to the EU Psychologist at Central Office for a second review.
- f. If the client is determined not eligible, upon second review, a letter notifying the family is sent to the Eligibility Unit's Regional Liaison with the required form to request a Eligibility 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 client or the responsible person rather than the EU.
- g. If the EU disagrees with the regional decision and finds that the person is still eligible, the Region will be informed in writing, and the individual will remain a client of the Department.
- h. In all cases the Region and the EU reserves the right to reevaluate any client of the Department on a periodic basis.

Clients Of The Department:

Children Between 9 and 16 (15 yr-11 mo) Of Age Who Have Mild MR (IQ of 55-69)

1. For all Children between ages 9 and 16 who are clients of the Department, and are diagnosed as having Mild MR as documented in CAMRIS, the Region will review all triennial evaluations to determine if testing establishes cognitive scores of 69 or below. If cognitive scores are 69 or below, the individual continues to be a client of the Department.
2. If triennial evaluations indicate that IQ scores are 70 or above:
 - a. Documentation will be provided to a regional psychologist. All information in the client's chart will be reviewed to determine if there is sufficient information to determine eligibility based on CGS 1-1g. Once information is obtained, and eligibility can be documented, no further action is required and the individual remains a client of the Department.
 - b. If the regional psychologist recommends that the client does not meet CGS 1-1g, or the psychologist has questions, copies of all relevant testing and school records are sent to the EU Psychologist at Central Office for a second review.
 - c. If the client 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 client or the responsible person rather than the EU.
 - d. If the EU disagrees with the regional decision and finds that the person is still eligible, the Region will be informed in writing, and the individual will remain a client of the Department.
 - e. In all cases the Region or EU reserves the right to reevaluate any client of the Department on a periodic basis.

Clients Of The Department:

Children Between 16 – 18 (17 yrs-11 mo) Of Age Who Have Mild MR (IQ of 55-69)

1. For ALL Children as they turn age 16, who are currently a client with a DMR number
 - a. All children reaching age 16, who are clients of the Department, and are diagnosed as having Mild MR as documented in CAMRIS, will be tracked by the Region and letters sent to families at age 16, informing them that CGS 1-1g criteria must be documented by age 18, in order for their child to remain a client of the Department.

- b. If documentation is not received by age 17 years – 6 months, a reminder letter will be sent to the family reminding them that if documentation is not received by age 18, their child will be determined **ineligible** for the services of the Department.
- c. If documentation is received by the Region it will be provided to a regional psychologist. All information in the client’s chart will be reviewed to determine if there is sufficient information to determine eligibility based on CGS 1-1g. Once information is obtained, and eligibility can be documented, no further action is required and the individual remains a client of the department.
- d. If the regional psychologist recommends that the client does not meet CGS 1-1g, or the psychologist has questions, copies of all relevant testing and school records are sent to the EU Psychologist at Central Office at Central Office for a second review.
- e. If the client is determined not eligible, upon second review, 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 client or the responsible person rather than the EU.
- f. In all cases the Region or EU reserves the right to reevaluate any client of the Department on a periodic basis.

For Any Client of the Department At Any Age

1. For any client of the Department, for whom there is documentation of a change in the cognitive level which may indicate that he or she no longer meets the criteria set forth in CGS 1-1g:
 - a. When a DMR Region receives information that a client may no longer meet the DMR eligibility requirements, the Region shall request that a regional psychologist review the entire individual’s file. (New information might include new psychodiagnostic testing, or information that the person is not a resident of Connecticut or a U.S. Citizen.)
 - b. If the regional psychologist determines that the client continues to meet the definition of mental retardation as defined in CGS 1-1g, then the psychologist will inform regional personnel of the decision, and no further action is necessary at that time.
 - c. If the regional psychologist determines the client does not continue to meet the definition of mental retardation as defined in CGS 1-1g, (or otherwise the eligibility criteria for DMR services) the psychologist will inform regional personnel of the decision. Regional personnel will then send a copy of all relevant testing and evaluations to the Eligibility Unit (EU) for a second review.
 - d. If the EU agrees with the regional decision and finds that the person is not eligible, they will write the appropriate notification to the client or the responsible person. Attached to the notification will be the form to request an administrative Hearing of the decision should the client or the responsible person wish to appeal the decision. The EU decision denying eligibility will be sent to the Regional Liaison to provide to the client or the responsible person.
 - e. If the EU disagrees with the regional decision and finds that the person is still eligible, the Region will be informed in writing, and the individual will remain a client of the Department.
 - f. In all cases the Region or EU reserves the right to reevaluate any client of the Department on a periodic basis.

Reactivation Of DMR Clients

Individuals Who Were Clients Of The Department And Were Made Inactive or Discharged
-- OR -- Individuals Who Are Thought To Be Former Clients Of The Department

1. All requests to reactivate former clients, or someone felt to be a former client, should be referred to the Eligibility Liaison in each region.
 - a. The Liaison will determine if there is a record of the individual in CAMRIS.
 - b. If there is a record in CAMRIS go to ‘B’ below.
 - c. If there is no record in CAMRIS, then the Eligibility Liaison can contact an assigned staff member in Central Office. This Central Office staff person will review whether or not the individual has a

DMR number in the department's historical card file. If the individual has a prior DMR identification number it will be reactivated.

Note: Reactivation of a DMR Number does not mean that the person is made eligible for services.

To be made eligible for services one needs to go through the process listed in item 'B' below.

- d. If there is no record in CAMRIS or in the department's historical card file, the individual will be directed to the Departments Eligibility Unit to apply for services.

2. If there is a client record in CAMRIS or the historical file with a DMR number, the Liaison will make every effort to obtain the client records/file for the individual, either from their own Region, or from the Region in which the individual was previously a client.
 - a. If the old file/record cannot be found, and thus there is no prior information to make a determination of eligibility under Connecticut General Statute 1-1g, the individual will be directed to the Departments Eligibility Unit to apply for services.
 - b. If the old file/record is located:
 - i. The file/records will be provided to a regional psychologist. All information in the client's chart will be reviewed to determine if there is sufficient information to determine eligibility based on CGS 1-1g. Once eligibility can be documented, the Regional Eligibility Liaison will be notified in writing by the regional psychologist and the individuals status as a client can be reactivated by the Region.
 - ii. If the regional psychologist recommends that the client does not meet CGS 1-1g, or the psychologist has questions, copies of all relevant testing and records are sent to the EU Psychologist at Central Office for a second review.
 - iii. If the client is determined not eligible, upon second review, then a letter notifying the individual is sent to the Eligibility Unit's Regional Liaison with the required form to request an administrative Hearing..
 - iv. If the EU disagrees with the regional decision and finds that the person is still eligible, the Region will be informed in writing, and the individual will be reactivated by the Region.

3. If we are contacted by an individual other than the 'applicant', or by another agency or facility, about an inactive client, or someone felt to have been a client of the Department:
 - a. Refer the case to the Regional Eligibility Liaison.
 - b. Do not discuss the case without a release from the 'applicant' or their legal representative.
 - c. Once the appropriate release is obtained, the Regional Liaison will follow the steps outlined in A and B above.

E. References

1. Statutes
 - a. CGS 1-1g, "Definition of Mental Retardation"
2. Rules, Regulations and DMR Policies and Procedures
 - a. Regulations Conn. Agencies – DMR, Sections 17a-212-2
 - b. Eligibility for DMR Services Policy I.A.PO.001
 - c. Eligibility for DMR Services Procedure I.A. PR.001
- C. Re-Evaluation of Eligibility for DMR Services Policy I.A. PO.002
 - d. Discontinuance of Services Policy I.C.1.PO.005
 - e. Acknowledgement Letter: Request for Discontinuance of Services
 - f. Acknowledgement Letter: Residency Outside of the State of Connecticut
 - g. Acknowledgement Letter: Discontinuance of Services: Inability to Contact
 - h. AG Op. No. 88-35, "Residency"

F. Attachments

None