

The Division of Senior and Disability Services (DSDS) and the Department of Mental Health (DMH), Division of Developmental Disabilities (DD) both offer Home and Community Based Services (HCBS). This guide will assist with service coordination between the two agencies.

Division of Developmental Disabilities (DD)

- It is a federal requirement that Medicaid State Plan services be exhausted prior to accessing a comparable service within an HCBS Waiver program.
- DMH personal assistant services offered through a DD waiver are comparable to State Plan services authorized by DSDS.
- A participant cannot have an authorization for both HCBS Consumer Directed Services and DMH self-direction services.
- DD operates 4 HCBS waivers: Community Support Waiver, Comprehensive Waiver, MOCDD Waiver, and The Partnership for Hope Waiver.
- Medicaid participants can only receive services through one HCBS Waiver at a time, regardless of the state agency administering the waiver.

DD Responsibility

Determination for Referral:

- Upon determination that a DD participant needs personal care services through DSDS, the DD support coordinator is responsible for:
 - Informing the participant of the requirement to exhaust State Plan services prior to utilizing comparable DMH waiver services; and
 - Initiating a referral to DSDS via the [Online Referral Form](#).

Inappropriate DSDS Referrals:

- If a DD participant **only** requires prompting and cueing to perform a personal care task independently, a referral to DSDS is **not** appropriate, as DSDS HCBS eligibility requires hands-on assistance.
 - As stated in the DSDS Policy Manual, [Policy 3.05, Basic Personal Care – State Plan \(Agency\)](#) and [Policy 3.25, Personal Care – State Plan \(CDS\)](#), this may be a component of a task; however, encouragement and instruction do not constitute a task in and of themselves.
- If the participant does not have any personal care needs and will only be utilizing Day Habilitation (Adult Day Care) through DD, a referral does **not** need to be made for DSDS services.

- Adult Day Care is not considered a state plan personal care service, and therefore not comparable to DSDS services.
- If a referral is made to DSDS, the assessment process will be followed to determine HCBS eligibility.
 - An Adverse Action notice will only be sent upon determination of LOC ineligibility.

DSDS Assessor Responsibility

Initial Referral for DSDS Services:

- DSDS Assessor will contact the DD support coordinator (case manager) prior to completing the initial assessment to discuss the potential participant's unmet needs.
 - If the DD coordinator is not listed in the referral, information can be located in [DMH Case Management System, CIMOR](#)
- Complete the assessment with the participant/authorized representative/guardian to determine DSDS eligibility.

DSDS LOC Eligibility

LOC Met and DSDS, HCBS Accepted:

- Develop a person-centered care plan (PCCP) based off the participant's needs and eligibility for services.
 - DSDS personal care task(s) should be substituted for current DMH personal care task(s) to meet the participant's needs.
 - Per DSDS policy, the need for encouragement (prompting/cueing) and instruction alone does not constitute a need for a task.
- Review proposed care plan with participant and/or guardian and confirm agreement
- Forward the proposed care plan to the DD support coordinator, who will use the care plan to authorize additional DD services as needed
- Complete case as normal, making sure to document all DD contacts

LOC Met and DSDS, HCBS Refused:

- Develop a care plan based off the participant's needs and eligibility for services.
- Explain to the participant/guardian that refusal of DSDS services may affect the current services provided by DMH resulting in a decrease of DD services, Individualized Support Plan (ISP), which are equal to the proposed DSDS Care plan.
- Send the proposed care plan to the DD Support Coordinator before closing case. DD Support coordinator will assist with explaining the impact the refusal will have on DD services, which may result in the participant/guardian reconsidering DSDS services.

LOC Not Met:

- Thoroughly document all contacts
- Mail the Adverse Action Notice to the participant/guardian.
 - The Adverse Action Notice is used by DSDS and is issued to the participant to explain why DSDS eligibility criteria was not met.
- Contact the DD support coordinator to let them know LOC was not met and forward a copy of the Adverse Action Notice to the DD support coordinator.
 - *DMH may refer to the Adverse Action as a “rejection” or “denial letter”.*
- Process the case closing as appropriate for LOC Not Met.