

Stark County Board of Developmental Disabilities

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MEDICAID HOME AND COMMUNITY BASED SERVICES (HCBS) WAIVER WAITING LIST

POLICY

Stark County Board of Developmental Disabilities (SCBDD) recognizes the importance of and is committed to enrolling individuals onto Medicaid Home and Community Based Service (HCBS) waivers administered by the Ohio Department of Developmental Disabilities in a manner that identifies those with greatest assessed need. The availability of resources will determine the number of waivers that can be enrolled.

When individuals, their families or guardians, feel and express the need for services it is often done during an emotional or anxiety-provoking circumstance. The Ohio Assessment for Immediate and Current Need will be completed to identify need. Assessment of immediate and current need is the responsibility of SCBDD's Service and Support Administration staff.

The purpose of the procedure pursuant to this policy is to outline the requirements for SCBDD to administer an assessment of immediate and current need as well as establish and maintain a waiting list for Medicaid HCBS Waiver services when identified current need for services exceed the capacity determined by available resources.

Historical Resolution Information		Reviewer(s):
Date	Resolution Number	
10/23/18	10-49-18	Superintendent
1/25/22	01-08-22	Director of Service & Support Administration
2/25/25	02-15-25	

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PROCEDURE

- I. Planning for Locally-Funded Home and Community-Based Services Waivers
 - A. Each calendar year, Stark County Board of Developmental Disabilities (SCBDD) shall identify how many individuals SCBDD plans to enroll in each type of locally-funded home and community-based services waiver. This will be based on projected funds available to SCBDD to pay the non-federal share of the Medicaid expenditures and the assessed needs of the county's residents on the waiting list for home and community-based services.
 - B. This information shall be made available to any interested person upon request.
- II. Administration of the Waiting List Assessment Tool
 - A. SCBDD will administer the initial waiting list assessment tool to an individual when the individual, the individual's guardian, or a member of the individual's family:
 1. Request the county board administer the waiting list assessment tool;
 2. Requests the individual be enrolled in a home and community-based services waiver or placed on the waiting list for home and community-based services; or
 3. Identifies an unmet need.
 - B. SCBDD will re-administer the waiting list assessment tool to an individual when the individual, the individual's guardian, or a member of the individual's family identifies a change in the circumstances that may result in the individual having a current need or an immediate need.
 - C. When cause for administering the waiting list assessment tool is identified (II. A. or II. B.), SCBDD will:
 1. Explain to the individual, the individual's guardian (which may include a public child services agency), or a member of the individual's family, as applicable, the waiting list assessment tool process and the timeframes set forth in rule (OAC 5123-9-04).

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2. Identify services available to meet the individual's need while the waiting list assessment tool is completed.
3. Use the waiting list management system to assess the individual by administering the waiting list assessment tool.
 - a) The waiting list assessment tool will be initiated by conducting an interview with the individual and the individual's guardian, as applicable, within 15 calendar days of the date that cause for administering the waiting list assessment tool is identified in accordance with II. A. or II. B. SCBDD will document extenuating circumstances related to the individual that delay completion of the waiting list assessment tool.
 - b) The waiting list assessment tool will be completed and approved within 45 calendar days of the date of interview with the individual and/or the individual's guardian that was conducted. SCBDD will document extenuating circumstances related to the individual that delay the completion of the waiting list assessment tool.
- D. SCBDD will notify the individual or the individual's guardian, as applicable, in writing of the outcome of the administration of the waiting list assessment tool within 10 calendar days of the completion and approval.
 1. The notice will include a copy of the individual's completed waiting list assessment tool and explanation of the individual's/guardian's due process rights.
 2. When SCBDD determines that the individual does not require waiver enrollment or placement on the waiting list for home and community -based services because community-based alternative services are available to meet the individual's assessed need, the notice will include:
 - a) A list of individual's assessed needs.
 - b) Specific community-based alternative services that address each assessed need.
 - c) The date by which the county board will follow-up with the individual/guardian to determine if the suggested community-based alternative services have been accessed.
 - d) Contact information for the person at SCBDD who can assist in identifying and accessing community-based alternatives services including the person's name, title, telephone number, and electronic mail address.

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III. Waiting List for Home and Community-Based Services

- A. SCBDD will place an individual's name on the waiting list for home and community-based services when, based on assessment of the individual using the waiting list assessment tool, the individual:
1. Has been diagnosed with a severe, chronic disability that is:
 - a) Attributable to a mental or physical impairment or combination of mental and physical impairments, other than impairment solely by mental illness.
 - b) Manifested before the individual is age twenty-two; and
 - c) Likely to continue indefinitely; and
 2. Has a current need which cannot be met by community-based alternative services in Stark County (including a situation in which an individual has a current need despite the individual's enrollment in a home and community-based services waiver).
- B. SCBDD will not place an individual's name on the waiting list for home and community-based services when the individual:
1. Is a child who is subject to a determination under section 121.38 of the Revised Code and requires home and community-based services; or
 2. Has an immediate need, in which case the SCBDD shall take action necessary to ensure the immediate need is met. SCBDD shall provide the individual or the individual's guardian, as applicable, with the option of having the individual's needs met in an intermediate care facility for individuals with intellectual disabilities or through community-based alternative services. Once an individual or individual's guardian chooses the setting in which he or she prefers to receive services, the SCBDD shall take action to ensure the individual's immediate need is met, including by enrollment in a home and community-based services waiver, if necessary. Such action may also include assisting the individual/guardian in identifying and accessing alternative services that are available to meet the individual's needs.
- C. When SCBDD places an individual's name on the waiting list for home and community-based services, SCBDD will:
1. Record of the individual's status date in the waiting list management system.

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2. Notify the individual or individual's guardian, as applicable, in writing that the individual's name has been placed on the waiting list for home and community-based services.
3. Provide contact information to the individual or individual's guardian for a person at SCBDD who can assist in identifying and accessing alternative services that address, to the extent possible, the individual's needs. Contact information will include the person's name, title, telephone number, and electronic mail address.

D. Annually, SCBDD will:

1. Review the waiting list assessment tool and service needs of each individual whose name is included on the waiting list for home and community-based services with the individual and the individual's guardian, as applicable; and
2. Assist the individual or the individual's guardian, as applicable, in identifying and accessing alternative services.

E. Under any circumstances, When SCBDD determines an individual's status has changed with regard to having an immediate need and/or having a current need or an individual's status date has changed, SCBDD will update the individual's record in the department's web-based waiting list management system.

IV. Order for Enrolling Individual's in Locally-Funded Home and Community-Based Waivers

A. SCBDD will select individuals for enrollment in Locally-funded home and community-based service waivers in this order:

1. Individuals with immediate need who require waiver funding to address the immediate need.
2. Individuals who have met multiple criteria for current need for twelve or more consecutive months and who were not offered enrollment in a home and community-based services waiver in the prior calendar year. When two or more individuals meet the same number of criteria for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.
3. Individuals who have met multiple criteria for current need for less than twelve consecutive months. When two or more individuals meet the same number of

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criteria for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.

4. Individuals who have met a single criterion for current need. When two or more individuals meet a single criterion for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.
 - B. Individuals with immediate need and individuals with current need may be enrolled in locally-funded home and community-based services waivers concurrently.
 - C. Meeting the criteria for immediate need and/or current need does not guarantee enrollment in a locally-funded home and community-based services waiver within a specific timeframe.
 - D. When an individual is identified as next to be enrolled in a locally-funded home and community-based services waiver, SCBDD shall determine the individual's eligibility for enrollment in a home and community-based services waiver. When the SCBDD determines an individual is eligible for enrollment in a home and community-based services waiver, SCBDD shall determine which type of locally-funded home and community-based services waiver is sufficient to meet the individual's needs in the most cost-effective manner.
 - E. SCBDD will respond to DODD within 10 calendar days when Department of Developmental Disabilities (DODD) requests additional information regarding an individual on the waiting list who was past over for the enrollment in a locally-funded home and community-based services waiver despite a higher placement on the waiting list. SCBDD will collaborate with DODD to address any impediments to meeting the individual's needs.
- V. Order for Enrolling Individuals in State-Funded Home and Community-Based Services Waivers
- A. Ohio Department of Developmental Disabilities (DODD) shall determine the order for enrolling individuals in state-funded home and community-based services waivers.
 - B. Meeting the criteria for immediate need and/or current need does not guarantee enrollment in a state-funded home and community-based services waiver within a specific timeframe.
- VI. Change in an Individual's County of Residence

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When an individual on the waiting list for home and community-based services moves to Stark County from another Ohio county and the individual or the individual's guardian, as applicable, notifies SCBDD, SCBDD will within ninety calendar days of receiving notice, review the individual's waiting list assessment tool.

- A. When SCBDD determines that the individual has a current need which cannot be met by community-based alternative services in Stark County (including a situation in which an individual has a current need despite the individual's enrollment in a home and community-based services waiver), SCBDD shall update the individual's county of residence in the department's web-based waiting list management system without changing the status date or date of request assigned by the previous County Board.
- B. When SCBDD determines that the individual has a current need which can be met by community-based alternative services in Stark County, SCBDD shall assist the individual or the individual's guardian, as applicable, in identifying and accessing those services.

VII. Removal From Waiting List

SCBDD shall remove an individual's name from the waiting list for home and community-based services:

- A. When SCBDD determines that the individual no longer has a condition as described in III. A. 1.
- B. When SCBDD determines that the individual no longer has a current need;
- C. Upon request of the individual or the individual's guardian, as applicable;
- D. If the Individual or the individual's guardian, as applicable, refuses to secure Medicaid eligibility.
- E. If the individual or the individual's guardian, as applicable, refuses or withdraws consent for service and support administration.
- F. Upon Enrollment of the individual in a home and community-based services waiver that meets the individual's needs.

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- G. If the Individual or the individual's guardian, as applicable, declines enrollment in a home and community-based services waiver or community-based alternative services that are sufficient to meet the individual's needs.
- H. If the Individual or the individual's guardian, as applicable, fails to respond to attempts by SCBDD to contact the individual or the individual's guardian by at least two different methods from the following list to the last known address of the individual or the individual's guardian.
 - 1. Electronic mail
 - 2. Traceable delivery services; or
 - 3. Personal service
- I. When SCBDD determines the individual does not have a developmental disabilities level of care in accordance with rule 5123:2-8-01 of the Administrative Code.
- J. When the individual is no longer a resident of Ohio.
- K. Upon the individual's death.

VIII. Due Process

- A. Due process will be afforded to an individual when SCBDD takes action related to placement on, denial of placement on, or removal from the waiting list for home and community-based services.
- B. SCBDD will issue and explain due process to the individual or the individual's guardian, as applicable, using the form approved by the Ohio Department of Job and family Services (available at odjfs.state.oh.us/forms/).
- C. Due process will be provided in accordance with section 5160.31 of the Ohio Revised Code and Chapters 5101:6-1 and 5101:6-9 of Administrative Code.