



**JOINT LEGISLATIVE OVERSIGHT COMMITTEE
ON HEALTH AND HUMAN SERVICES -
COMMITTEE ON INTELLECTUAL AND DEVELOPMENTAL
DISABILITIES (IDD)**

Overview of I/DD Population and Programs

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Definition of Intellectual and Other Developmental Disabilities (I/DD)

- DHHS uses a definition that is consistent with federal definitions and defined among the national groups, consistent with the clinically-determined criteria:
 - “Intellectual disability” is a disability characterized by significant limitations both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior, which covers a range of everyday social and practical skills. This disability originates before the age of 18.
 - The term intellectual disability covers the same population of individuals who were diagnosed previously with mental retardation in number, kind, level, type, duration of disability, and the need for individualized services and supports. Every individual who is or was eligible for a diagnosis of mental retardation is eligible for a diagnosis of intellectual disability.
 - “Developmental disability” is defined as severe, chronic disability attributed to a mental/cognitive or physical impairment or combination of mental and physical impairments diagnosed or that become obvious before the age of 22.
 - Likely to continue indefinitely and limits the individual in 3 or more of the following areas: Self-care, Receptive and expressive language, Learning, Mobility, Self-direction, Capacity for independent living, and Economic self-sufficiency.
 - Creates the individual's need for a combination of special, interdisciplinary services, individualized supports and other forms of long-term assistance that are individually planned and coordinated.

SOURCE: https://www.ncleg.net/enactedlegislation/statutes/html/bychapter/chapter_122c.html ; <http://www.aaid.org>

Definition of Intellectual and Other Developmental Disabilities (I/DD)

- **Infants and young children (birth through age 4) who have substantial developmental delays or specific conditions may be considered to have a developmental disability without meeting 3 or more of the criteria if there is a high probability of meeting those criteria later in life.**
- **North Carolina's definition of developmental disabilities includes Traumatic Brain Injury (TBI), which may be acquired after 22 years of age.**

SOURCE: https://www.ncleg.net/enactedlegislation/statutes/html/bychapter/chapter_122c.html ; <http://www.aaid.org>

Target Populations and Eligibility

- **DHHS** has three primary programs serving individuals with I/DD, and each has a different target population.
- **Medicaid:** Individuals qualify for Medicaid based on disability and income, and can qualify for additional target services based on specific needs. Individuals with I/DD who meet the ICF-IDD level of care and medical necessity criteria can receive: ICF care, Innovations Waiver services, or (b)(3) services.
 - Intermediate Care Facilities for individuals with I/DD (ICF-IDD) is a Medicaid benefit that provides comprehensive and individualized health care and rehabilitation services to individuals to promote their functional status and independence.
 - The Innovations Waiver provides services in home and community-based settings instead of an ICF, (see next slide for specific services).
 - (b)(3) services are Medicaid services made available through the savings generated by LME/MCOs.
- **DVRS:** Adults and out-of-school youth with I/DD must meet eligibility criteria, including financial need for some services. Students with disabilities who are potentially eligible can receive pre-employment transition services.
- **DMH/DD/SAS:** Individuals with I/DD must meet criteria for specific service definitions or a specific benefit plan, whichever is strictest.

Services

- **Medicaid Innovations Waiver Services**
 - Assistive technology, community living and support, community navigator, community networking, community transition, crisis services, day supports, respite, financial support, home modification, individual goods and supplies, natural supports education, residential supports, supported living, supported employment, and vehicle modifications.
- **DVRS Core Services**
 - Diagnostic and evaluation services, vocational guidance and counseling, training, job/employment services and assistive/rehabilitation technology (support services).
- **DMH/DD/SAS Services**
 - Diagnostic assessment, crisis services, supported employment, individual and group vocational services, residential support (e.g., family living, group home, supported living, shared living, independent living; supervised living), day supports, day/evening activities, habilitative services, skills development/training, financial supports, individual supports, personal assistance, and respite.

Medicaid: Services that Support Employment

- Adults with a disability can be covered by Medicaid based on income.
- Basic Medicaid coverage includes physical health and standard behavioral health services but does not include supported employment or other employment supports (e.g., ADVP).
- Many individuals with an I/DD qualify for the ICF level of care which means they require comprehensive and individualized health care and rehabilitation services to promote their functional status and independence.
 - In North Carolina, this means they also may qualify for the Innovations Waiver and the services it can include.
- NC Innovations Waiver
 - Individuals with a slot have access to the full array of Medicaid services to meet their needs.
 - Must comply with Home and Community Based Settings Final Rule.
 - Supported Employment (Individual and Group)
 - Focus: Investigates, obtains, and maintains integrated employment.
- Individuals not enrolled in NC Innovations Waiver slot may utilize “In Lieu of” or alternative services and (b)(3) Services to meet needs.
 - Services which have been approved by the state because they are expected to provide the same outcomes to consumers but do not fit another service definition – similar to DMH/DD/SAS Alternative Services.
- Research Based Intensive Treatment for Autism Spectrum Disorders (RBIT-ASD)

SOURCE: <https://www2.ncdhhs.gov/ncinnovations/>

DVRS: Transition & Support Services

Individuals with IDD who have applied and been determined eligible for VR services work with a VR counselor to develop an Individualized Plan Employment including VR transition services (IPE) (34 CFR 361.45, 361.5(c)(55)).

VR programs & services for *VR eligible* students and youth with I/DD which target successful transition from school to postsecondary education or work include*:

Community Rehabilitation Services <ul style="list-style-type: none">• Supported employment• Work adjustment• Brain injury support services• Project SEARCH™• Individual Placement & Supports	Vocational Assessment <ul style="list-style-type: none">• Interest assessments• Assessment of aptitudes, capabilities, work values, and temperaments• Community based assessment
Work-based Learning <ul style="list-style-type: none">• Employer-based training• Internships• On-the-Job Training• Supported Apprenticeships	Postsecondary Training <ul style="list-style-type: none">• Sponsorship of work-based learning in comprehensive transition programs (CTPs) in institutions of higher education• Sponsorship of training expenses for college, vocational, and professional degrees or credentials

*Many other individualized services or interventions may be provided, (e.g., Assistive Technology Equipment or Training)

DVRS: Partnership with Local Education Agencies

- DVRS has 97 Third Party Cooperative Agreements across the state
- VR Transition services provided within our LEA's are defined as:

Transition services means a coordinated set of activities for a student or youth with a disability that:

- (i) is designed within an outcome-oriented process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, competitive integrated employment, supported employment, continuing and adult education, adult services, independent living, or community participation;
- (ii) is based upon the individual student's or youth's preferences and interests;
- (iii) includes instruction, community experiences; the development of employment and other post-school adult living objectives; and, if appropriate, acquisition of daily living skills and functional vocational evaluation;
- (iv) promotes or facilitates the achievement of the employment outcome identified in the student's or youth's individualized plan for employment; and
- (v) includes outreach to and engagement of the parents, or, as appropriate, the representative of such student or youth with a disability.

DVRS: Transition & Support Services

- **Pre-employment transition services (PETS)**
 - Available to students with disabilities, including students with I/DD, ages 14-21 and are either receiving specialized education services under the IDEA or are considered an individual with a disability under Section 504 of the Rehab Act.
 - Students with disabilities may be eligible or *potentially eligible* for VR to receive PETS.
 - 15% of VR federal funds are earmarked for PETS
- **PETS includes five *Required Activities*:**
 1. *Job Exploration Counselor;*
 2. *Workplace Readiness Training;*
 3. *Work-based Learning Experiences;*
 4. *Training in Self-Advocacy; and*
 5. *Counseling on Opportunities for Enrollment in Comprehensive Transition or Postsecondary Educational Programs at Institutions of Higher Education.*

SOURCE: 34 CFR 361.5(c)(42); 34 CFR 361.5(c)(51); 34 CFR 361.48(a)

DMH/DD/SAS: Services that Support Employment

- **DMH/DD/SAS services are available and authorized by the LME/MCOs to help meet the needs of people with an I/DD who:**
 - 1) **Do not qualify for Medicaid;**
(e.g., do not meet the income threshold but cannot pay for services)
 - 2) **Qualify for Medicaid but do not yet have an Innovations Waiver slot; or**
(e.g., Have services needs but cannot benefit from a slot due to availability/waitlist)
 - 3) **Need services that are not provided for by Medicaid.**
(e.g., Employment supports, coverage for residential placement and supports)
- **Integrated Employment Services**
 - **Supported Employment (Individual and Group)**
 - Focus: Investigates, obtains, and maintains integrated employment.
 - **Long Term Vocational Support (Individual and Group)**
 - Focus: Maintains integrated employment.
- **Facility-based Work Services**
 - **Adult Developmental Vocational Program (Group)**
 - Focus Includes: Maintaining segregated employment/sheltered work.
- **LME/MCOs may utilize Alternative Services to meet unique needs.**
 - Services which have been approved by the state because they are expected to provide the same outcomes to consumers but do not fit another service definition – similar to Medicaid “In Lieu of” services.

SOURCE: <https://files.nc.gov/ncdhhs/State-Funded%20MHDDSAS%20Service%20Definitions%202003-2017%20effective%207-1-17.pdf>

DHHS Expenditures State Fiscal Year 2016-17

- **Total Medicaid Spend for I/DD Specialty Services for Adults: \$1.01 Billion**
 - \$675 Million Federal and \$334 Million State
- **Total Medicaid Spend for I/DD Specialty Services for Children: \$106 Million**
 - \$71 Million Federal and \$35 Million State
- **Total DVRS Operating Costs (for Individuals with and without I/DD): \$146 Million**
 - \$108 Million Federal and \$38 Million State
 - \$17.7 Million of the total operating cost is dedicated to direct service delivery for youth with I/DD
- **Total DMH/DD/SAS (Non-Medicaid) Spend for I/DD Specialty Services by LME/MCOs: \$72 Million**
 - \$2.4 Million Federal and \$70 Million State

Challenges

- Currently there is no case management to assist individuals transitioning from school to post-secondary education and employment.
- Individuals on the Innovations Waiver can get care coordination through the LME/MCOs but that benefit is limited.
- Service alignment and coordination is needed to find ways to support people who are utilizing Medicaid services, non-Medicaid state services, and VR services.
 - One challenge is to support individuals as they make transitions from services providers and settings in ways that funding streams work together and there is not duplication of funds or services.