



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Developmental Disabilities Services

**Division of Developmental Disabilities Services (DDDS)
Policy
Restrictions on the Use of State Funds for DDDS Services**

April 1, 2020



**Division of Developmental Disabilities Services (DDDS)
Policy
Restrictions on the Use of State Funds for DDDS Services**

Revision Date	Sections Revised	Description of Revision
		Origination date: April 1, 2020
Director's Signature/Date:  4/1/2020		<i>Live signature is located in the Office of the Director</i> Effective: April 1, 2020
Marie Nonnenmacher, DDDS Director		



**Division of Developmental Disabilities Services (DDDS)
Policy
Restrictions on the Use of State Funds for DDDS Services**

1. Purpose

The purpose of this policy is to articulate how the Division of Developmental Disabilities Services (DDDS) restricts the use of state funds for services for DDDS eligible individuals while maximizing Medicaid funding for client services.

2. Definitions

DDDS Lifespan Waiver

The DDDS Lifespan Waiver is a Home and Community Based Services (HCBS) waiver, authorized under section 1915 (c) of the Social Security Act. The waiver furnishes an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. Services funded under the waiver are provided in lieu of institutional services.

Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID)

This is an institutional Medicaid-funded service for individuals with intellectual and developmental disabilities authorized under Section 1905(a)(15) of the Social Security Act. DDDS operates a public ICF-IID institution.

Medicaid

Medicaid is authorized under Title XIX of the Social Security act to provide health care coverage, including long term home and community-based services and supports, to low income Americans, including children, adults, pregnant women, elderly adults and people with disabilities. The program is jointly funded by the state and the federal government.

Pathways to Employment

Pathways to Employment is an optional State Plan Home and Community Based Medicaid authority under section 1915(i) of the Social Security Act. This program covers employment-related supports to enable individuals with Intellectual and Developmental Disabilities/Autism, Physical Disabilities or Visual Impairment to seek and maintain competitive employment.

State Funds

Funds include General Funds and Appropriated Special Fund spending authority that have been appropriated to DDDS in the annual operating budget.

State Plan Rehabilitative Services Option Day Services

This Medicaid State Plan optional service is authorized under section 1905(a)(13) and enables DDDS to cover Day Habilitation and Prevocational Services.

Targeted Case Management

Targeted Case Management is a Medicaid State Plan optional service authorized under Section 1915(g)(1) of the Social Security Act. DDDS offers Targeted Case Management to all DDDS eligible individuals.

3. Scope

DDDS-eligible individuals seeking a good or service that can be covered by Medicaid

4. Standards

- 4.1 DDDS uses all available Medicaid authorities to cover DDDS services including: the DDDS Lifespan Waiver, State Plan Rehabilitative Services Option Day Services, Pathways to Employment, Targeted Case Management and State Plan Intermediate Care Facility services for Individuals with Intellectual Disabilities (ICF-IID).
- 4.2 DDDS reserves state funds for services that cannot be covered by Medicaid or individuals who cannot be covered by Medicaid.
- 4.3 Individuals seeking DDDS services that can be covered by Medicaid must take all necessary and available actions to become eligible for Medicaid. For individuals seeking a home and community-based service, this may include establishing a Miller Trust into which income above Medicaid HCBS income limits must be deposited and a qualifying special needs trust or ABLE account into which resources above \$2,000 must be deposited, as applicable.
- 4.4 DDDS may consider requests to pay for services with state funds for services that can be covered by Medicaid or for individuals who can be covered by Medicaid on a case by case basis when extenuating circumstances are present.