

4.0	Division Eligibility Review Committee	Pages 2
Issue date: 08/16	Revision date:	Division Staff
Form(s): None	Authorizing Utah Code:	

Directive Purpose:

The purpose of this Directive is to establish rules governing the structure of the Division of Services for People with Disabilities Eligibility Review Committee (ERC). In addition, this directive sets forth the operating procedures for the ERC. The intent of the ERC is to recommend the appropriate state eligibility for individuals applying for services through the Community Supports, Acquired Brain Injury, or the Physical Disabilities waivers according to the Division’s governing statutes, rules, and mission statement. Additionally, the ERC assists in the confirmation of ongoing eligibility determination process for individuals already in services when needed.

Definitions:

Present - for purposes of establishing a quorum includes physical presence, in person, at the location in which the meeting is being held, as well as live participation telephonically and/or electronically from a remote location.

Policy:

62A-5-101 (11). "Eligible to receive division services" or "eligibility" means qualification, based on criteria established by the division in accordance with Subsection 62A-5-102(4), to receive services that are administered by the division.

62A-5-103. Responsibility and authority of division.

- (1) For purposes of this section "administer" means to:
 - (a) plan;
 - (b) develop;
 - (c) manage;
 - (d) monitor; and
 - (e) conduct certification reviews.

I. Procedure:

- A. The Function of the ERC shall be:
 - 1. To review and recommend the appropriate eligibility status of individuals to receive State services.
 - 2. Upon request, review and make a recommendation regarding eligibility status to assist in the ongoing eligibility determination process for individuals receiving waiver services through any of the Medicaid waiver programs or for individuals receiving state-only funded services. Please see directive 1.3

"Intake and Eligibility Determination Process (ABI)" Section II and directive 1.2
"Eligibility and Intake (ID.RC)" for details of this process.

II. Composition:

- A. The ERC shall be comprised of the following members:
 - 1. The program manager of the intake and waitlist team (as chair);
 - 2. The program administrator of the DSPD services team (or designee);
 - 3. An eligibility specialist from DSPD, having a minimum of one year experience working on the intake and waitlist team; and
 - 4. An administrative case manager, licensed as a Registered Nurse in the State of Utah on a PRN "as needed" basis.
- B. For ID.RC case reviews:
 - 1. The program administrator of the Community Supports Waiver; and
 - 2. A psychologist licensed by the Utah Division of Occupational and Professional Licensing (DOPL) as a Psychologist pursuant to Utah Code Title 58 Chapter 61, Psychologist Licensing Act, holding a Doctorate in Psychology from an American or Canadian accredited college or university.
- C. For brain injury case reviews:
 - 1. The program administrator of the Acquired Brain Injury Waiver; and
 - 2. A physician licensed by DOPL as a Physician, MD; and/or Osteopathic Physician, DO.
- D. For physical disability case reviews:
 - 1. The program administrator of the Physical Disabilities Waiver; and
 - 2. An administrative case manager licensed in the State of Utah as an RN for cases pertaining to the physical disabilities program.

III. Member Basic Knowledge Criteria:

- A. For ID/RC eligibility reviews, an ERC member shall have reviewed the following areas for decision making:
 - 1. ID/RC eligibility criteria as outlined in:
 - a. Utah Administrative Rule R539-1-4 *Non Waiver Services for People with Intellectual Disabilities and Related Conditions*; and
 - b. CSW Waiver State Implementation Plan;
 - 2. Content of the *Inventory for Client and Agency Planning (ICAP)*;
 - 3. Psychological Assessments;
 - 4. Social History; and
 - 5. Content of Division Directive 1.2.
- B. For brain injury eligibility reviews, members shall have reviewed the following areas for decision making:
 - 1. ABI eligibility criteria as outlined in:
 - a. Utah Administrative Rule R539-1-8 *Non-Waiver Services for People with brain injury*; and
 - b. ABI Waiver State implementation Plan;
 - 2. Content of Division Internal Directive 1.40, *Qualifying Brain Injury Diagnoses*;
 - 3. Content of the *Comprehensive Brain Injury Assessment (CBIA)*;
 - 4. Social History; and

5. . Content of Division Directive *1.3 Intake and Eligibility Determination Process (ABI)*
- C. For physical disability reviews, members shall have reviewed the following areas for decision making:
 1. PD eligibility criteria as outlined in:
 - a. Utah Administrative Rule R539-1-6 *Non-Waiver Services for People with Physical Disabilities*; and
 - b. PD Waiver State Implementation Plan; and
 2. Content of the Minimum Data Set - Home Care (MDS-HC), specifically Part B "To be Completed by the Physician."
 - D. Reviews will be completed within 60 calendar days of the request and:
 1. Eligibility determinations and/or follow up recommendations, or additional data gathering/documentation requirements, will be determined by the close of the committee meeting; and
 2. The recommendations of the committee will be documented in USTEPS within five business days of the review meeting.