
ELIGIBILITY AND INTAKE

Intellectual Disability and Related Conditions (ID/RC)

Directive 1.2

Authorizing Code: [26B-6-403](#)

Rule: R539-1-4

Version Date: January 2024

Next Review: January 2026

Forms: 1-1 Intake and Referral Form; 19 or 19C Eligibility for ID/RC Services; 824-I Social History

Purpose

The purpose of this directive is to establish a procedure with DSPD (the division) for the intake and eligibility determination of people with Intellectual Disabilities or Related Conditions (ID/RC) for non-waiver services.

Definitions

Applicant — the individual applying for services, including the individual with a disability and their legal representative

Caseworker — DSPD certified Qualified Intellectual Disability Professional (QIDP)

Eligibility Review Committee — the committee within the division that recommends eligibility of persons with intellectual disabilities or a closely related condition for initial or ongoing eligibility.

Policy

As per Utah Code Annotated, UCA 26B-6-403, the division has the authority and responsibility to establish eligibility criteria for services and supports. Utah Administrative Rule R539-1-4 describes eligibility criteria for services for people with intellectual disabilities and related conditions. Eligibility decisions shall be determined by a QIDP.

Procedure:

1. An applicant can apply through any of the following four ways:
 - a. call 1-844-ASK-DSPD or 1-844-275-3773, or the intake line at 1-877-568-0084, by choosing the apply for services option to speak with an intake worker;

- b. email an intake packet to dspdintake@utah.gov;
 - c. mail an intake packet; or
 - d. online through MySTEPS.
2. If the applicant contacts intake by phone, email, or mail:
 - a. The caseworkers staffing the intake line shall enter the applicant's contact information into the USTEPS Contact Screen.
 - b. Within 5 business days of the initial contact, the caseworker shall mail, email, or fax a Form 1-1 to the applicant. The applicant must complete and return the Form 1-1 to the division.
 - c. After a completed Form 1-1 is returned, the caseworker shall enter the return date into the USTEPS Contact Decision Screen. The Form 1-1 return date is the 90-day intake period start date.
 - d. The intake and referral program manager assigns the applicant's case to a caseworker located nearest to the applicant's physical address, or by another method that the intake and referral program manager deems appropriate.
 - e. The assigned caseworker sends out an intake packet to the applicant within 5 business days of being assigned the case. Send the intake packet based on the applicant's preference: via email, mail, fax, or downloaded from the DSPD website.
3. If the applicant applies through MySTEPS:
 - a. Any caseworker staffing the intake line that day shall regularly review the following:
 - i. Pending help requests, applications, and documents; and
 - ii. Chat windows.
 - b. The applicant must complete and submit the social history and application.
 - c. The applicant must upload any documents necessary to make an eligibility decision.
4. It is the responsibility of the applicant to provide the information and supporting documents necessary to make an eligibility decision. Eligibility documents must include a qualifying diagnosis as described in Section R539-1-4 and 42 C.F.R. § 435.1010. Information and supporting documents needed to determine eligibility include but are not limited to:
 - a. Social History: must be completed by or for the applicant within one year of the date of application.
 - b. Psychological Evaluation: a formal diagnosis that is backed by observation and appropriate testing.
 - i. The diagnosis must be provided by a licensed psychologist, a certified school psychologist, or a medical doctor.

- A. Individual Education Plan (IEP) classifications do not qualify as a diagnosis.
 - ii. Testing must include assessments of intellectual and adaptive functioning. If the applicant is deemed “untestable”, a narrative must be included to explain why.
 - iii. For children under seven years of age, a developmental assessment may be used as an alternative to a psychological evaluation.
 - A. Examples include but are not limited to: Batelle, Denver, Help Strands, Mullen, Developmental Profile, etc.
 - iv. If the evaluation is a consultation initiated by the division to determine or solidify a diagnosis, additional testing or observations may not be required.
 - c. Substantial Functional Limitation Supporting Documents: all substantial functional limitations defined in Section R539-1-4 must be documented in a medical record or other supporting document.
 - d. Needs Assessment Questionnaire (NAQ): administered and completed by the caseworker.
 - e. Residency Verification:
 - i. The applicant or legal guardian must be a resident of Utah, meaning the applicant or legal guardian must be physically present within the state of Utah.
 - ii. Residency may be declared on the first day of arrival.
 - f. Confirmation of a related condition through a Form 18.
5. The assigned caseworker will assist the applicant as needed.
6. If all necessary eligibility information and documents are not received within the 90-day intake period, the caseworker will send a written notification letter to the applicant indicating:
- a. That the case is being placed in inactive status;
 - b. What information or documents are missing; and
 - c. That the applicant may reactivate the application at any time by providing the remaining required information or documents.
7. A caseworker may make an eligibility decision at any time during the 90-day intake period. A caseworker must review all required eligibility documents before making a decision. Eligibility decisions will be made within 10 business days of receipt of all required eligibility documents, unless eligibility remains in question. (See 7(c).)
- a. If the applicant is determined eligible for division non-waiver services, the caseworker will document that decision in the eligibility screen in USTEPS.

- i. Change the applicant's status in USTEPS to 'Waiting List'.
 - ii. Mail a Notice of Agency Action that indicates the eligibility determination to the applicant within two (2) business days of the determination.
 - b. If the applicant is determined ineligible for division non-waiver services, the caseworker will document that decision in the eligibility screen in USTEPS.
 - i. Change the applicant's status in USTEPS to 'Ineligible'. After the 90-day intake period ends, the applicant's USTEPS status will automatically change to 'Episode Closed'.
 - ii. Mail a Notice of Agency Action that indicates the eligibility determination to the applicant within two (2) business days of the determination.
 - A. The applicant may challenge the decision by completing the attached Hearing Request Form and returning it within 30 days of the date postmarked.
 - c. If the applicant's eligibility is in question, the caseworker will, prior to the 90-day intake deadline:
 - i. Request additional information from the applicant;
 - ii. Consult with the intake and referral program manager;
 - iii. Forward the applicant's information to the Eligibility Review Committee for review and recommendation; or
 - iv. Request a psychological consultation or evaluation with a contracted psychologist, if division funding is available.
8. The applicant may choose to receive services in an intermediate care facility for persons with intellectual disabilities (ICF) and wait for division services.
 - a. The division will include the ICF fact sheet in the intake packet sent to the applicant. The fact sheet contains information about ICFs.
 - b. If the applicant is on the waiting list, and subsequently becomes a resident of an ICF, the applicant should notify the division representative.
9. The caseworker will administer an annual waiting list survey to document the applicant's continued intent to wait for services, per the guidelines contained in division directive 1.5 "Updating and Reporting Waiting List Information."