

---

# ELIGIBILITY REVIEW COMMITTEE

---

## Directive 1.63

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

Rule: n/a

Version Date: January 2024

Next Review: January 2026

Forms: n/a

---

## Purpose

This directive describes the structure and operating procedure for the Division of Services for People with Disabilities (DSPD, “the division”) Eligibility Review Committee (ERC).

## Definitions

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

**Eligibility Specialist** — A DSPD certified Qualified Intellectual Disability Professional (QIDP) and ABI Support Coordinator (ABISC).

**Person** — an individual who is in services, or who is eligible for services with DSPD.

## Policy

1. The ERC provides an eligibility recommendation for an individual that does not clearly meet state eligibility for intellectual disability and related conditions, acquired brain injury, or physical disability services. Eligibility is described in Section 26B-6, Directive 1.2 Eligibility and Intake (ID/RC), and Directive 1.3 Eligibility and Intake (ABI).
2. When requested, the ERC shall:
  - a. review the eligibility information available for an applicant or a person receiving services; and
  - b. recommend the appropriate eligibility status.
3. Except for previously reviewed brain injury cases with CBIA scores between 36 and 46 points, or 126 and 136 points. The ERC may decide if another review is needed.

## Composition

1. The ERC shall consist of the following members:
  - a. The program manager of the intake and waiting list team (committee chair);
  - b. The program administrator of the DSPD services team, or designee; and
  - c. An eligibility specialist with at least one year experience working on the intake and waiting list team.
2. For intellectual disability and related conditions (ID/RC) case reviews, the ERC shall include:
  - a. The program administrator of the Community Supports Waiver (CSW); and
  - b. A psychologist licensed by the Utah Division of Occupational and Professional Licensing (DOPL).
3. For brain injury (ABI) case reviews, the ERC shall include:
  - a. The program administrator of the Acquired Brain Injury Waiver (ABIW); and
  - b. A physician licensed by DOPL. A licensed physician is a medical doctor (MD) or a doctor of osteopathic medicine (DO).
4. For physical disability (PD) case reviews, the ERC shall include:
  - a. The program administrator of the Physical Disabilities Waiver (PDW); and
  - b. An administrative case manager licensed as a Registered Nurse by DOPL.

## Procedure

1. For ID/RC eligibility cases, each member must review the following information:
  - a. ID/RC eligibility criteria as described in Utah Administrative Rule R539-1-4 and the CSW State Implementation Plan;
  - b. Needs Assessment Questionnaire;
  - c. Psychological Evaluation or Developmental Assessment;
  - d. Substantial Functional Limitation Supporting Documents;
  - e. Social History; and
  - f. Division Directive 1.2.

2. For brain injury eligibility reviews, each member must review the following information:
  - a. ABI eligibility criteria as outlined in Utah Administrative Rule R539-1-6 and ABIW State Implementation Plan;
  - b. Division Directive 1.40 Qualifying Brain Injury Diagnoses;
  - c. Comprehensive Brain Injury Assessment (CBIA);
  - d. Social History;
  - e. Documentation of medical diagnoses;
  - f. Substantial Functional Limitation Supporting Documents; and
  - g. Division Directive 1.3.
3. For brain injury eligibility reviews, the ERC must validate the CBIA score.
  - a. The ERC must confirm:
    - i. an ABISC administered the CBIA; and
    - ii. the ABISC followed the following procedure:
      - A. Used the CBIA manual and handouts during the participant's interview,
      - B. Considered feedback from all caregivers, natural and service based,
      - C. Reviewed the medical documentation and diagnosis found in the participant's file,
      - D. Completed all sections of the CBIA, and
      - E. Correctly computed the scores of each section and the total score.
  - b. The ERC must communicate with the ABISC that administered the CBIA and the participant's SCE; and consider any impression of:
    - i. the participant during the administration of the CBIA;
    - ii. the participant's overall functioning; and
    - iii. how (i) and (ii) impact the CBIA scores.
4. For physical disability reviews, each member must review the following information:
  - a. PD eligibility criteria as outlined in Utah Administrative Rule R539-1-5 and PDW State Implementation Plan; and

- b. Minimum Data Set - Home Care (MDS-HC), specifically Part B 'To be completed by the Physician'.
5. The ERC shall complete a review within 60 calendar days from the date of request.
6. Any recommendations must be identified by the close of the committee meeting, including:
  - a. eligibility determination;
  - b. additional documents needed; or
  - c. any other follow-up requests.
7. The program manager of the intake and waiting list team shall document in USTEPS any committee recommendations within five business days of the committee meeting.