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2016



A series of webinars providing the tools, information, and ideas for people with developmental disabilities and families to improve quality of life and effect change. *Building the Future, Now!* is a collaboration between the Maryland Developmental Disabilities Council and The Arc Maryland.



- **September 21: Everything You Wanted to Know about DDA, but Were Afraid to Ask.**
- **October 20: So You're Approved for DDA Services – What's Next?**
- **November 10: Employment First: New Opportunities, Dispelling Myths & Misconceptions**

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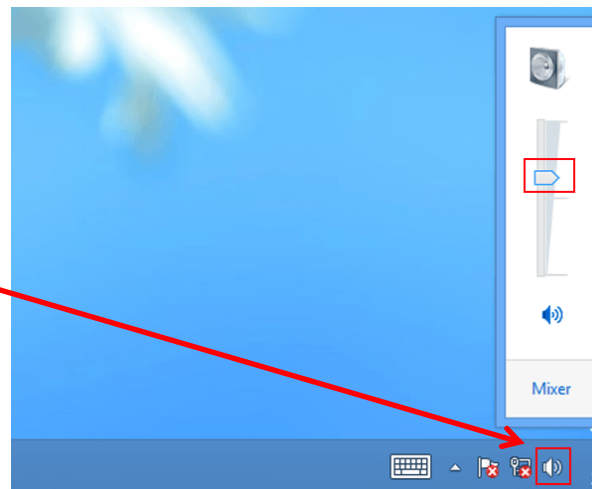
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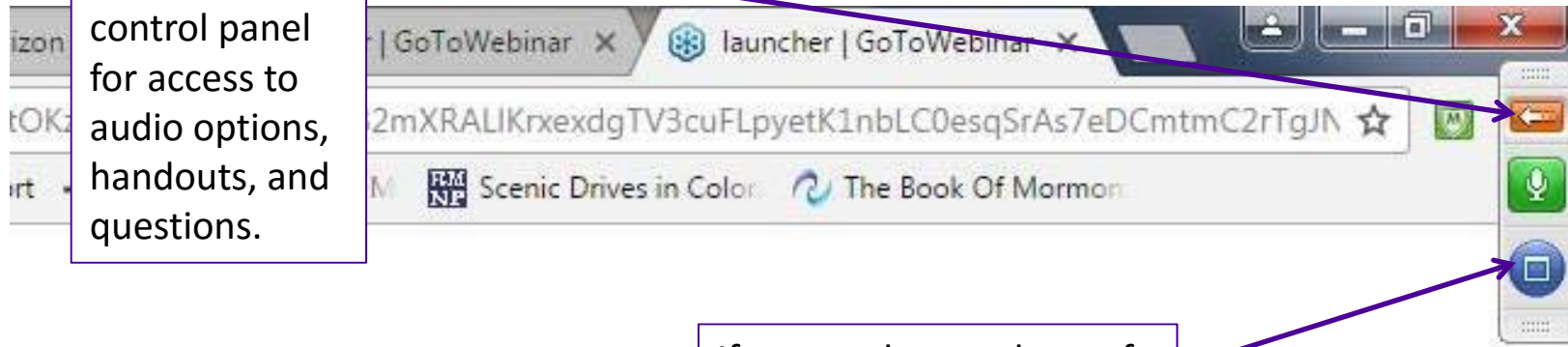
Be sure to turn up the volume on your computer’s microphone.

This slide will hold for 1 minute and is one of 4 scrolling slides for view before the start of the webinar.



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Below is a screen shot of a practice webinar- we added the purple boxes to explain how to participate in the webinar:

Timeline for Transitioning Youth

- **Age 14-16**
 - DDA services/eligibility
- **Age 18**
 - Apply for SSI and MA - r
 - Apply for paratransit ser
- **2 Years Before Exit**
 - Fall – Apply for DORS
 - Spring/Summer – Begin search for service provider
- **Final Year of School**
 - Sep – Look for *Choice Letter* from DDA
 - Oct – Mail or fax *Choice Letter* to CCS
 - Dec-Jan – *Service Funding Plans* developed & subm
 - Mar – Complete the Waiver enrollment process

This is the red button with the arrow that you must click on in order to 1) choose or change your audio options 2) access the Questions panel 3) access the Handouts.

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Once you have clicked on the arrow in the red button, your “control panel” will pop out. Here is where you can type in a question or download handouts.

Your Control Panel



Presenters



Brian Cox

Executive Director of the Maryland Developmental Disabilities Council

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Joyce Sims

Executive Director, Resource Connections

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Robb Doub

Parent of three children, one with a developmental disability



Nancy Pineles

Managing Attorney with Disability Rights Maryland

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You're Approved for DDA Services: What's Next?

AGENDA

- **Introduction**– *Brian Cox*
- **What to expect when you're approved for services: Process, Timelines & Roles** – *Joyce Sims*
- **What families should know: A parent's perspective** – *Robb Doub*
- **How to appeal decisions by DDA** – *Nancy Pineles*
- **How the DDA waiting list is funded & how YOU can advocate for it** – *Brian Cox*
- **Q & A**

What to expect when you're approved for services: Process, Timelines & Roles

Jargon and Acronyms

DDA Services – Community Pathways

Roles - Who Does What?

Authorization of Services

Accessing Services

Transitioning Youth

Process for Funded Services - Traditional

Process for Funded Services - Self-Directed

Jargon and Acronyms

CCS = Coordinator of Community Services

DDA = Developmental Disabilities Administration

EDD = Eligibility & Determination Division of Medicaid

FMS = Fiscal Management Service

HRST = Health Risk Screening Tool

MA = Medical Assistance or Medicaid

SB = Support Broker

SDS = Self-Directed Services

SFP = Service Funding Plan

SSI = Supplemental Security Income

TY = Transitioning Youth

Waiver = Maryland's Community Pathways Waiver

DDA Services – Community Pathways

Day:

- Day Habilitation
- Supported Employment*
- Employment Discovery & Customization*
- Community Learning Services*
- Family & Individual Support Services (F/ISS)*
- Respite*
- Behavioral Support Services
- Environmental Accessibility Adaptations*

Residential:

- Residential Habilitation
- Personal Supports (CSLA)*
- Community Exploration*
- Shared Living
- Live-In Caregiver*
- Environment Assessment*
- Transportation*
- Support Brokerage*
- Medical Day Care*

Roles - Who Does What?

- DDA Regional Office
- Coordinator of Community Services
- Direct Service Provider
- School Transition Coordinator
- Self-Directed-Services:
 - Support Broker
 - Fiscal Management Agency

Authorization of Services

- Eligible is different than funded for services
- Based on availability of funding, people may move from waiting list to approval for services by meeting the criteria for:
 - ✓ Transitioning Youth
 - ✓ Crisis Resolution
 - ✓ Waiting List Equity
 - ✓ Money Follows the Person



Accessing Services

- **Waiting List/Crisis Resolution (WL/CR)**
 - Highest priority for funding when allocated
 - Homeless; temporary housing; at risk of harm
- **Waiting List Equity Fund (WLEF)**
 - Funded with savings by people leaving institutional settings
 - Community-based services based on accrual appropriation
 - Serve people in crisis and not in crises
 - Greatest consideration given to age of caregiver
- **Money Follows the Person (MFP)**
 - DD-eligible persons in institutional settings to move into community-based services
 - Same process as WL/CR; different funding and criteria
- **Transitioning Youth (TY)**
 - Governor's Transitioning Youth Initiative
 - Annual legislative allocation to support employment/day services for eligible students exiting school at age 21

Transitioning Youth

- Employment Discovery & Customization
- Supported Employment
- Day Habilitation
- Medical Day Care
- Community Learning Service
- Self-Directed Options*

*Maryland is an
"Employment First"
State*

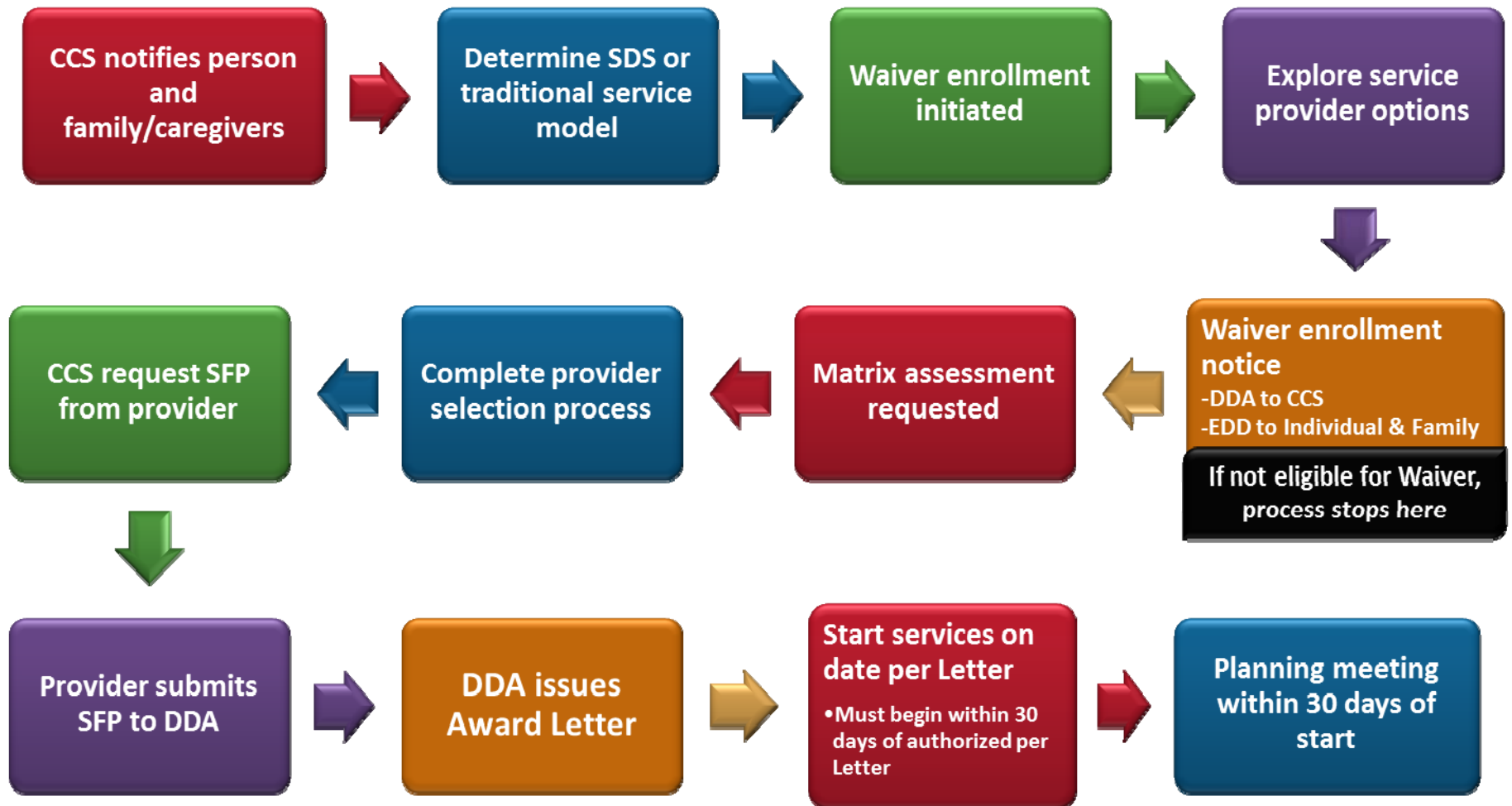


Timeline for Transitioning Youth

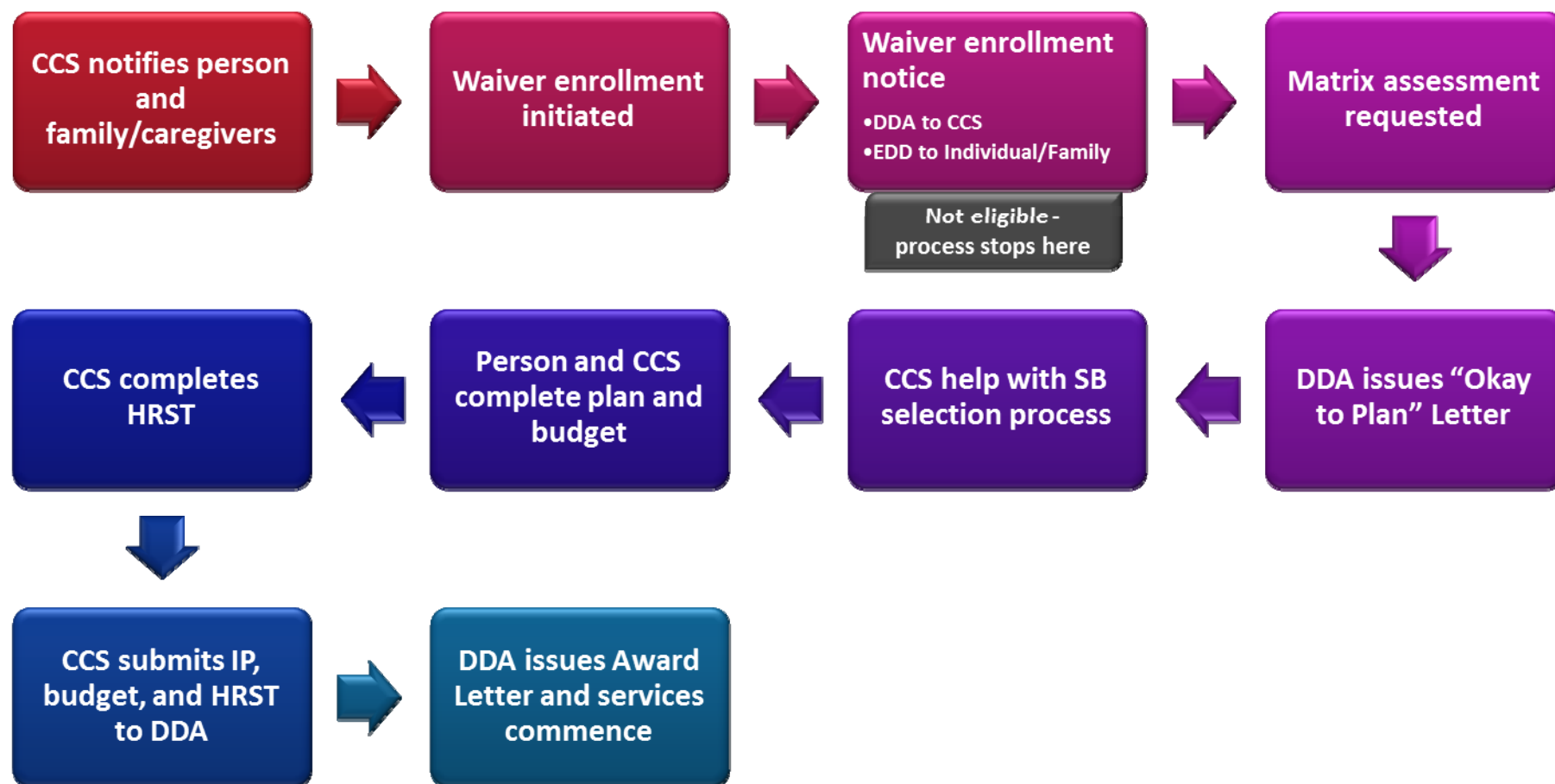
- **Age 14-16**
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Funding for Services is Available - Traditional



Funding for Services is Available - Self Directed



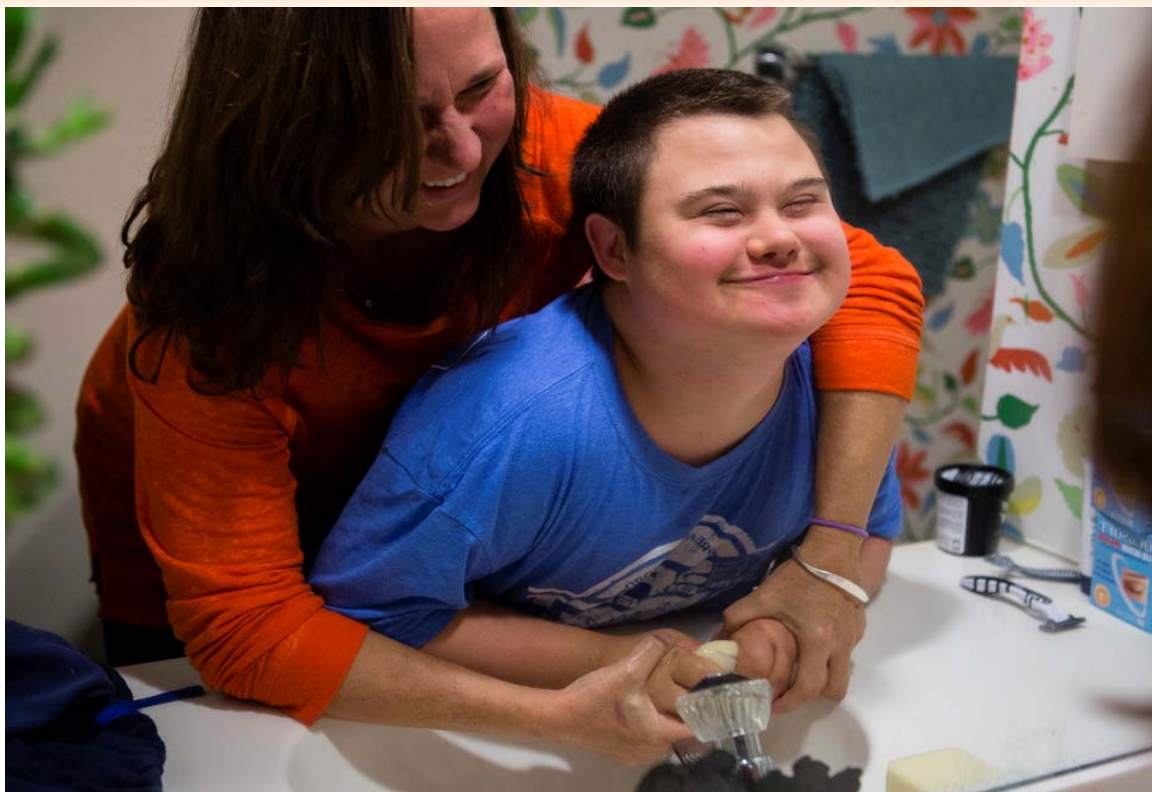
What families should know:

A parent's perspective



Robb Doub

Parent of three children, one with a developmental disability



What families should know:

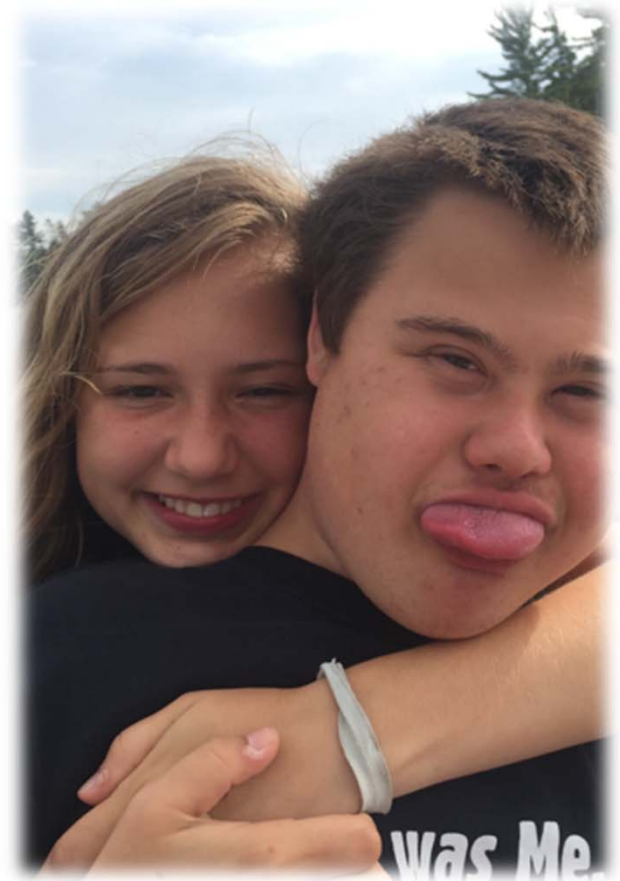
A parent's perspective

“Thanks to funding provided by the legislature in FY 16 for those on the Crisis Resolution Waiting List, we finally have support to keep Robb safe, to work in high gear to strengthen his self-management and communication; and to encourage his maturity into an independent young man who can contribute to society with dignity. With supports in place for Robb—and his own enthusiasm and determination--we can't wait to see his success.” --Robb and Siri Lise Doub

Robb is...



an athlete



an awesome brother



a swimmer



an enthusiastic guy



Developmental Disabilities Administration Appeals

DDA Medicaid Waiver Rights

(Some) Rights of people receiving home and community based Medicaid waiver services

- Person centered planning
- All necessary services with reasonable promptness
- Choice of all available providers
- Written notice of DDA action including reasons
- Appeal/Medicaid Fair Hearing

Person Centered Planning and Services

- Your services are planned by your team
- Your team needs to show why you need the services
- You are entitled to receive services you need

You are entitled to a Medicaid Fair Hearing if:

- DDA denies you are eligible
- DDA places you in the wrong priority category
- DDA denies your request for services
- DDA terminates or reduces your services

When DDA denies eligibility or a request for services, DDA is required to:

- Provide written notice
- Provide reasons
- Explain how you can appeal
- Allow you to continue receiving services pending the outcome of a hearing
- Explain your Medicaid Fair Hearing rights

DDA usually gives you three choices:

- Ask DDA to reconsider its decision
- Have a Case Resolution Conference
- Have a Medicaid Fair Hearing before an administrative law judge

You may have a Case Resolution Conference AND a Hearing. If you ask for a reconsideration you will get a new decision from DDA with appeal rights.

Help with Appeals

People, including your Coordinator of Community Services, can help you request a reconsideration, case resolution conference or an appeal or do this on your behalf.

You may contact DRM to ask who can be an “authorized representative” or see COMAR 10.01.04.12.

Reconsideration

DDA will reconsider its decision if you provide new information.

Example:

When you asked for temporary nursing supports your doctor did not write a strong letter of support. After DDA denied the request, you persuaded your doctor to write a better letter that explains your needs.

Case Resolution Conference

(Remember, you can also ask for a Medicaid Fair Hearing)

- You can expect to meet with DDA regional office staff and headquarters staff with no DDA attorney present
- You have an opportunity to explain why DDA made the wrong decision
- Sometimes case resolution conferences are successful

Medicaid Fair Hearings – Representation

- DDA may have an attorney
- You should have an attorney if possible.
- Other people, but not your CCS, may represent you.

Before the Medicaid Fair Hearing

- You may ask for accommodations
- You may ask to change the hearing location
- It is very difficult to change the date of the hearing after the hearing date is set
- You may ask that witnesses be allowed to testify by telephone
- You may ask to see all DDA records it intends to use at the hearing and for a list of all of its witnesses
- DDA will provide you with a summary of its position

At the Medicaid Fair Hearing

- You may present evidence
- Evidence is usually documents and witnesses
- Witnesses can testify about facts or expert witnesses can give expert opinions
- Bring at least two extra copies of documents

Medicaid Fair Hearing Decision and Judicial Review

- You should receive a written hearing decision within 60 days after you filed the appeal
- If you disagree with the decision you may go to the Board of Review or file a petition for Judicial Review in Circuit Court

Board of Review Circuit Court

- The Circuit Court will almost never find that an Administrative Law Judge's findings of facts are incorrect

For More Information

- Contact Disability Rights Maryland for advice in handling an appeal
- Intake: 410-727-6352 x0

How the DDA Waiting List is Funded

Actions of the Governor & General Assembly

Many needs in the state – but not enough money → PRIORITIES SET

- Governor submits budget to General Assembly – Funds priorities
- Funds for DDA earmarked for different purposes – fund ongoing services & serve new people
- Examples: Emergencies, Crises, Transitioning Youth, Request for Service Change, Rate Increase

How the DDA Waiting List is Funded- *Continued*

- Governor's budget must be approved by the MD Senate & House of Delegates
- Only the Governor can put funding IN the state budget
- Budget Committees hold public hearings – Senate & House hearing focused on DDA
- General Assembly can agree or cut funding the Governor designated for specific purposes
- Negotiations between the Governor & General Assembly may result in the Governor adding funds for specific purposes = Supplemental Budget
- Supplemental Budget requests must also be approved by the General Assembly

How YOU can advocate for DDA Funding

- Influence is critical -- many competing priorities for limited funds
- Points of influence:
- Governor: Summer- early fall develops budget; Submits budget in January
- Legislators up until they approve budget
- Stay informed via list serves; Facebook, twitter – know when to act!

BE INVOLVED – Let YOUR Opinion be Known

We are all responsible to act in ways that we can

Many options:

- Email or call the Governor's office
- Email, call and/or visit your legislators
- Attend DD Day at the Legislature: February 23rd (Hold the Date) 500+ advocates!!
- Attend budget hearings – power in numbers, submit stories/testimony, maybe testify
- Tell your story so policymakers know the impact of their budget decisions!

None of us acts alone -- Stay informed---Act when you can!

Q & A with Presenters

Submit questions via the questions panel

Emails provided below for more specific questions based on your unique circumstance.



Brian Cox

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Joyce Sims

Resource Connections

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Robb Doub

Parent



Nancy Pineles

Disability Rights Maryland

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More Information



Maryland Developmental Disabilities Administration

<http://dda.dhmh.maryland.gov/pages/Home.aspx>

Disability Rights Maryland

<http://disabilityrightsmd.org/>

The Arc Maryland

<http://thearcmd.org/>

Maryland Developmental Disabilities Council

<http://www.md-council.org/>

Resource Connections Inc – Resources

<http://resconnect.org/connections>

Presenter Bios



Brian Cox has served as Director of Public Policy and the Executive Director of the Maryland Developmental Disabilities Council for a combined total of 23 years. He has worked with the administrations of four Governors, elected & state officials, community stakeholders -- and most importantly people with developmental disabilities and their families. In collaboration with a diverse Council, Brian leads the Council's advocacy, capacity building and systemic change activities to advance the inclusion of Marylanders with developmental disabilities in all facets of community life.



Joyce Sims has been the Executive Director for Resource Connections Inc. since 2010, having served as Program Director for the prior 4 years. With over 30 years in human services, she has performed in various capacities starting out in direct support then moving to program management and quality assurance in provider services, before moving to Coordination of Community Services.



Robb Doub works for New Markets Venture Partners, an investment firm that works with education companies helping develop product and services that improve the education system and help more students complete college and find meaningful employment. Robb graduated from the University of Vermont, with a major in History, and received an MBA with Honors from the Georgetown University. Robb is married with three children, one with a developmental disability, and lives in Baltimore County.



Nancy Pineles worked for Maryland Disability Law Center (MDLC) since 2001 and Managing Attorney for MDLC's Developmental Disabilities Unit since 2006. The DD Unit helped advance the civil rights of people with intellectual and developmental disabilities to live integrated in their communities with appropriate support services through individual and systemic advocacy. Prior to working at MDLC, Ms. Pineles worked at the Legal Aid Bureau of Maryland, representing children in foster care and seniors; and was employed by the Federal Trade Commission to litigate consumer fraud cases.