

Ohio Department of Developmental Disabilities

Comprehensive Guidance

Ohio's Waiting List for HCBS Waivers and Assessment for Immediate Need and Current Need

Effective September 1, 2018

Rev. January 4, 2019

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About

Changes to Ohio's Waiting List for Home and Community-Based Services Waivers effective September 1, 2018, make it easier to identify a person's needs and arrange needed services.

The changes to the Waiting List include a new statewide assessment tool, the [Ohio Assessment for Immediate Need and Current Need](#), used to better understand a person's need for services, including any current and immediate needs they may have.

Read more in the [Home and Community-Based Services Waivers Waiting List Rule, OAC 5123-9-04](#), effective September 1, 2018. References in this document to "as defined in rule" refer to OAC 5123-9-04 unless otherwise specified.

Ohio Assessment for Immediate Need and Current Need

Beginning September 1, 2018, every county board of developmental disabilities will use the Ohio Assessment for Immediate Need and Current Need to determine a person's eligibility for placement on the Waiting List. The assessment will help determine if there is a need for services that is not being met. The assessment may be completed during an initial intake visit with the county board, as part of the annual planning process, or when a person experiences a change in status.¹

Based on the results of this assessment, a person may or may not be placed on the Waiting List.

A person is placed on the Waiting List only if the assessment shows they

- have a qualifying condition,
- **and** are assessed to have unmet needs for home and community-based services within the next 12 months.

A person is not placed on the Waiting List if the assessment shows they

- have an immediate need,
- do not have a qualifying condition,
- or do not to have a current need.

Immediate need and current need are defined in [Home and Community-Based Services Waivers Waiting List Rule, OAC 5123-9-04](#).

Any time a person's needs change, the person may request a new Assessment for Immediate Need and Current Need.

The rule does not include a specific timeframe between reassessments. When asked for a reassessment, county boards of developmental disabilities staff should review the current assessment with the person and their family to see if anything has changed. If there are no changes, a new assessment would not be required.

¹ Revision September 1, 2018, to clarify the Ohio Assessment for Immediate Need and Current Need is to determine Waiting List placement eligibility and is not necessarily required for all people served by the county board.

Other Assessments

County boards may choose to complete additional assessments, such as the Children's Ohio Eligibility Determination Instrument and the Ohio Eligibility Determination Instrument (collectively known as the C/OEDI) or the Level of Care (LOC) assessment in conjunction with the Ohio Assessment for Immediate Need and Current Need.

However, people who are not eligible for county board services may still meet criteria for placement on the Waiting List and may still meet a level of care (LOC) for enrollment in a waiver.

The same applies to county boards who choose to use the LOC as the county board eligibility instrument. County boards cannot administer the LOC tool solely as a means to determine eligibility for placement on the Waiting List.

Assessment Training

Web-based training is available for the Waiting List, C/OEDI, and LOC assessments through [DODD MyLearning](#). Continuing Professional Development credits, or CPDs, are not available for those trainings.

Anyone who completes the training provided by DODD may complete the Ohio Assessment for Immediate Need and Current Need.

Training hosted in DODD MyLearning is available to all audiences who create a user account.

Transition

People Currently on the Waiting List

Every person on a Waiting List with a county board of developmental disabilities prior to September 1, 2018, will move to the Transitional List. The order of placement on the Transitional List will be based on the initial date of request for home and community-based services.

County boards will administer the Ohio Assessment for Immediate Need and Current Need to people currently receiving services as part of the annual planning process. County boards will administer the Ohio Assessment for Immediate Need and Current Need to each person in their county whose name is included on the Transitional List by December 31, 2020.

People who currently have a waiver but are on the Waiting List for another type of waiver must be added to the Transitional List and will require an assessment to determine if there are immediate or current needs not being addressed through their current waiver.

A person on the Transitional List may experience a change in needs before their scheduled assessment. County boards will update a person's Ohio Assessment for Immediate Need and Current Need whenever a change occurs that may affect the number and types of immediate or current needs a person has. That may include a change in the person's or caregiver's condition or a change in the services that are available to meet the person's needs.²

The Waiting List rule includes provisions for when a person's name is removed from the Waiting List. Paragraph (H)(4) of the rule specifies that a person's name will be removed upon enrollment in a waiver that meets the person's needs.

Prior to September 1, 2018, county boards of developmental disabilities submitted requests for waiver allocations for people with developmental disabilities who they intended to enroll in waivers in the third (July to September) and fourth (October to December) quarters. Waiting List assessments were not completed for those people, as they were selected for enrollment prior to the assessment being effective. Upon enrollment in a waiver, the names of those people will be removed from the Transitional List.

² Revision September 1, 2018, to clarify precisely when a county board will update a person's Ohio Assessment for Immediate Need and Current Need.

Any person whose name is removed from the Waiting List or the Transitional List for any reason shall receive notice of due process and will have the opportunity to appeal the removal.

If the county board has determined the original waiver requested is no longer sufficient to address the person's needs, an allocation request for a different waiver type can be submitted to the Ohio Department of Developmental Disabilities. Otherwise, enrollment may proceed, as planned, and a new assessment will be completed if the person's needs change in the future.

At this time, there is no notification or alert for county boards when a person's name is added or deleted from the Transitional List. Ideally, county boards will discuss with one another when a transfer occurs to share relevant information about the person and to minimize disruption through the transition.⁵

The department is exploring the possibility of noting on the individual transfer request (ITR) notification if the person transferring is on the Transitional List. That would allow the new county to be aware of the Transitional List record at the time of transfer.

In the meantime, county boards are able to run reports to detect changes on the Transitional List, which can help in identifying changes for people who were historically categorized as "Waiting List only" and who were not assigned to a service and support administrator, or SSA.

For people who require assignment of an SSA, the presence of a Transitional List record would be identified during the planning process as the SSA initiates the process of reviewing and completing the Ohio Assessment for Immediate Need and Current Need.

⁵ Revision January 4, 2019, to clarify how county boards know about a county-to-county transfer of a person who is being added to or removed from the Transitional List.

Contacting People on Transitional Lists

The county board in the person's legal county of residence is responsible for completing the Ohio Assessment for Immediate Need and Current Need. This is usually the county where the person lives. For children, this county may also be the county where the legal custodian or guardian lives.

Two attempts must be made to contact a person on the Transitional List to schedule an Ohio Assessment for Immediate Need and Current Need. DODD has not prescribed a timeline for when the two attempts must be made.

County boards may notify DODD about any person they require assistance in locating or about any person for whom they would like DODD's assistance in completing their assessment.

It is important to let the county board know of any change in address, phone number, and/or email address. The county board will update information in DODD's systems to ensure notices are sent to the proper location.

Coordinating Needed Services

County boards may find it beneficial to have procedures in place to address local funding caps. County boards should establish priorities for available funding in accordance with their strategic plan.

County boards should follow a process of ruling out Level One and Self-Empowered Life Funding (SELF) waivers, prior to authorizing Individual Options (IO) waivers. In order to do so, it will be important to identify the person's specific needs, the array of resources available to meet those needs, and whether the person is interested in or capable of self-directing, with or without supports.

For example, a person who only requires waiver-funded supports for employment and/or day services should not be enrolled in the SELF Waiver, as a person must exercise employer or budget authority for at least one waiver service to be enrolled.

When considering the array of supports available, county boards must consider only viable options.

For example, a person who requires assistance with personal care and respite may have those needs addressed through a combination of state plan home health and Level One Waiver services. However, if the county board is aware that no home health agencies are

accepting new clients at this time, the county board may need to consider enrolling the person in a different waiver.

Because a determination of having a current need is based on the resources available in the county, as well as the person's needs, it is expected that someone assessed to have a current need in one county may have a different outcome in a different county.

Whenever a person is determined not to have a current need and is removed from the Waiting List, the county board must provide due process. The person with a developmental disability will then be able to request a state hearing to appeal his or her removal from the list, if desired.

People who have no personal care needs may still be identified as having a current need if they require employment and/or day supports that cannot be provided through other resources.

Order of Enrollment

The changes to the Waiting List rule are not associated with any proposed increase in funding to DODD or to county boards. As a result, the expectation is that a Waiting List for waiver funding will continue to be needed.

In accordance with ORC 5126.04 and [OAC 5123:2-1-02](#), county boards are required to assess the service needs of people with developmental disabilities in their county. County boards will enroll people in the most cost-effective waiver that will address assessed needs.

ORC 5126.054 requires county boards to determine the source of funds available to pay the nonfederal share for waiver services. Combined, that means county boards must identify the needs of people in their community and the funding available for existing and new waiver enrollment.

With that information, county boards will project the number of IO, Level One, and SELF waivers they will require in order to address the needs of people they can afford to enroll in the upcoming year.

For example, based on assessed needs of people in their community and available funds to cover the non-federal share, the county board requests 10- IO Waivers, 15- SELF Waivers, and 50- Level One Waivers.

If the first 11 people on the Waiting List require enrollment in IO to address assessed needs, the person who is currently number 11 may not be enrolled this year.

In this scenario, the county board has Level One and SELF waivers available, but those will not address the person's needs. As a result, other people who are lower on the Waiting List whose needs can be addressed through enrollment in Level One or SELF will have the opportunity to enroll based upon the order of enrollment criteria specified in rule.

The order of enrollment specified in the rule is designed to ensure people with the greatest need are enrolled before people with lesser needs.

Under the rule, people will be enrolled in waivers based upon their level of need, whether they are children or adults.

If a county board is not able to address the person's needs through community-based alternative services or locally funded supported living, the person will be determined to have a current need.

DODD Apps

The department made the web-based Ohio Assessment for Immediate Need and Current Need tool and updated waiver allocation available June 11, 2018.

The following systems were retired June 11, 2018

- The Waiting List portion of the Individual Data System (IDS)
- Preliminary Implementation Component Tool (PICT)
- Waiver Management System (WMS)

The new waiver allocation application was launched on the same day.

While the new Waiting List application is visible to users, assessments cannot be initiated until September 1, 2018.

Submitting Assessments

The online application allows users to enter information from an assessment and immediately submit it.

County boards using the paper assessment tool can send a scanned copy of the tool to the department at WLA@dodd.ohio.gov. County boards have ten calendar days from the time the paper assessment is completed to submit them to DODD.

DODD will enter the assessment information within two business days. Also, all Ohio Assessments for Immediate Need and Current Need sent to DODD need to be in the same format as the department's [fillable form](#).

County boards must send assessments individually and should send them as they are completed rather than in a batch. If county boards send, for example, a week's worth of assessments on Friday, then they may take longer to enter.

The fastest way to get assessments into the system is for county boards to enter them directly.

County boards can opt to directly enter only those assessments that show a resulting immediate need and only send in those with current need results.

Otherwise, they may be sent to WLA@dodd.ohio.gov with using a specific naming convention: *CountyName-Immediate*.

For example, the assessment sent WLA@dodd.ohio.gov from Pickaway county for Ann Jones who has an immediate need would have "Pickaway Jones – Immediate" as the email's subject line.

By sending the scanned copies of the paper tool to the designated email and using a special naming convention, immediate need assessments will be prioritized over current need assessments.

As assessments are entered into DODD's system, the "CB waiting list/allocation" dashboard is updated.

The roles that can see this dashboard are

- county board assessors,
- county board customer guide/eligibility specialists,
- county board eligibility specialists,
- county board service and support administrators,
- county board service and support administrator supervisors and directors,
- county board waiver/budget specialists,
- and county board assessment specialists.

The dashboard displays assessments with the status of "Draft," "Completed," "Approved," and "Not Approved." To see only assessments that are approved, county boards can pop out that section of the dashboard and use the filter on the Waiting List Assessment Status to select "Approved" to see all those that are approved.³

Reports will be available shortly after the launch of the new Waiting List application to enable county boards to monitor progress with the Transitional List.

³ Revision September 1, 2018, to clarify how county boards can view approved assessments in the Waiting List dashboard.

Assessment Questions

The [paper tool](#) for the Ohio Assessment for Immediate Needs and Current Needs is available on the department's website.

Assessment questions that ask about characteristics of the person should reflect their support needs.⁴

Question 1

Questions 1a through 1h discuss the characteristics of the person. For example, question 1b asks about behavioral, physical care, and/or medical needs. If the answer to 1bi, 1bii, and/or 1biii are "yes," the person has significant needs in the identified area(s).

Questions 1bv and 1e focus on the types of supports, continuous or intermittent, that a person requires to address identified behavioral, physical care, and/or medical needs. Someone who is assessed to have needs in these areas is presumed to require either continuous or intermittent supports of some kind. Those supports may be provided by unpaid caregivers or staff funded through local resources, the Ohio Medicaid State Plan, and/or home and community-based services.

See [Table 1: Responses Reflect](#).

⁴ Revision October 18, 2018, to clarify the intent of questions and how a combination of responses may reflect needs when using the paper tool.

If the response to one or more of these questions is “yes”	Possible responses to questions about level of support	The combination of responses reflects...
<ul style="list-style-type: none"> • 1bi – behavioral needs • 1bii – physical care needs • 1bii – medical needs 	+ “Yes” to 1bv	<p>The person requires continuous support from one or more sources to address his/her behavioral, physical care, and/or medical needs. These supports may be paid or unpaid.</p> <p>This combination of responses does not imply a person requires continuous “waiver” support.</p>
	+ “Yes” to 1ei	<p>The person will have a need for limited or intermittent supports to address behavioral, physical care, and/or medical needs of some kind within the next 12 months. These supports may be paid or unpaid.</p> <p>Please note: It is possible for someone without a “yes” response to 1b to have a “yes” response in 1ei. This would occur when the person’s behavioral, physical care, and/or medical needs are not as intense or severe as those identified in 1b.</p>
	+ “No” to 1bv or 1be	<p>The person has significant needs and requires NO continuous or intermittent supports of any kind to address those needs. This scenario is not likely to occur.</p>

Table 1: Responses Reflect

Question 2

Identifies whether or not the person has an immediate need.

Question 3

Identifies two things.

- Whether or not a need has been identified; AND
- Whether any of these needs will be unmet by existing resources within the next 12 months

Question 4

Identifies whether or not enrollment in a waiver will be required to address any unmet needs.

At this time, question 4 includes two potential reasons why a person may not require enrollment in a waiver.

- No needs were identified; OR
- The needs identified can be addressed by community-based alternative services.

If the response to question 4 is "no," the assessment requires text to be entered. This may include an "N/A" for people with no assessed needs. Otherwise, a description of the alternative services available to address the assessed needs is required.