

# Evaluations for Eligibility for Home & Community Based Waivers

AEA school psychologists are occasionally asked by parents and outside agencies to evaluate children's qualifications for Medicaid waiver services. Medicaid waiver services, administered through the Department of Human Services, are designed to assist parents with vital services required in order for them to keep their child with a disability in the home environment.

## Home and Community Based Services-Intellectual Disability Waiver (ID Waiver)

There are several categories of eligibility for Medicaid waivers. The most common request received by school psychologists is to provide information relative to a student's eligibility for the "Home and Community Based Services Intellectual Disability Waiver" (ID Waivers).

The school psychologist is asked to write a letter describing the child's level of functioning that will be used by the parent as part of the documentation they will submit to the Iowa Foundation for Medical Care, the entity that determines eligibility.

### Responding to Waiver Requests

AEA school psychologists will respond to waiver requests. However, AEA's in Iowa are responsible for providing educational assessments for the purpose of instructional planning, intervention, and monitoring of progress. The AEA's employ a problem-solving approach to the design, implementation, and monitoring of interventions, therefore many of the tests used to make clinical or medical determinations are seldom used, if at all.

New assessment information will be generated only if there is a need to answer educationally related questions or for educational decision-making.

AEA school psychologists do not conduct evaluations to answer questions for other agencies as they relate to clinical or medical diagnoses such as intellectual disability.

In cases where current records do not provide the information necessary to determine that the child meets the criteria for intellectual disability, the school psychologist will not be able to write a statement of disability. To do so would be unprofessional and unethical practice.

In situations where available information will not allow a judgment to be made about a child's level of functioning, or there is insufficient information to justify a label of intellectual disability, parents may choose to seek private sources for the needed information at their own discretion.

## Criteria for Determining Intellectual Disability

Home and Community Based Services Intellectual Disability Waiver (ID waivers) require data for the purpose of making the classification of intellectual disability. The information needed to make a determination of intellectual disability comes from multiple sources and should be considered thoughtfully and professionally.

According to the American Association on Intellectual and Developmental Disabilities (AAIDD), intellectual disability is defined as:

“a disability characterized by significant limitations both in intellectual functioning and in adaptive behavior, which covers many everyday social and practical skills. This disability originates before the age of 18.”

With regard to intellectual functioning, AAIDD indicates:

“One criterion to measure intellectual functioning is an IQ test. Generally, an IQ test score of around 70 or as high as 75 indicates a limitation in intellectual functioning.”

According to AAIDD adaptive behavior comprises three skill types:

- Conceptual skills—language and literacy; money, time, and number concepts; and self-direction.
- Social skills—interpersonal skills, social responsibility, self-esteem, gullibility, naïveté (i.e., wariness), social problem solving, and the ability to follow rules/obey laws and to avoid being victimized.

- Practical skills—activities of daily living (personal care), occupational skills, healthcare, travel/transportation, schedules/routines, safety, use of money, use of the telephone

Appropriate standardized measures should reflect the individual's social, linguistic, and cultural background and proper adaptations must be made for any motor or sensory limitations.

Psychometric instruments that assess intelligence are more subject to measurement error for those individuals scoring in either extreme beyond three standard deviations of the mean. The potential error must be considered for individuals who are already identified or suspected of having significant delay or impairment such that the validity of intellectual assessments would immediately be called into question.

The standard for determination of intellectual disability is based on the consideration of both significant cognitive and adaptive skill deficits. Babies with diagnoses such as Down's Syndrome, with a high likelihood of delayed development, must still meet the criteria for intellectual disability by showing actual significant delay in multiple areas. Children considered for a diagnosis of developmental disability will also need to meet the criteria for intellectual disability as well.

## **Procedures for Responding to ID Waiver Requests**

When a request for an ID Waiver letter is received, an AEA professional assigned to the school or service handles the request in a timely fashion and consults with other professionals who are knowledgeable about the student and/or have completed assessments on the student. It is important that the school psychologist has access to and knowledge of all pertinent records regarding the child's levels of performance.

Upon receiving a request, the AEA professional will:

1. Explain to the parent or requesting agency the course of events that will take place.
2. Review the "Request For ID Waiver Form"
  - a. The school psychologist uses this form to guide his/her review of information in order to determine the sufficiency of information to make a decision.
  - b. The more information that is provided on the "Request For ID Waiver Letter" form, the clearer picture the school psychologist will have of the entire child.

3. Complete the "ID Waiver Letter Checklist" (see form below) to document the review and guide decision making. This may include reviewing pertinent information and interviewing knowledgeable individuals including the parent(s.)
4. Send a letter (examples below) to the parents indicating one of the following:
  - sufficient information existed to determine that the child met the criteria for intellectual disability,
  - insufficient information to make that determination, or
  - sufficient information to determine that the child did not meet the standard for having an intellectual disability.

## ID Waiver Letter Checklist

Student Name:

1. \_\_\_\_ Have you received the Request for ID Waiver Letter form indicating what information is available from other agencies, team members, etc.?
2. \_\_\_\_ Is there a report of a standardized measure of cognitive functioning in the child's file?
3. \_\_\_\_ Is there a report of a standardized measure of adaptive functioning in the child's file?
4. \_\_\_\_ Have you interviewed the child's parent(s) regarding the child's skills across pertinent domains?
5. \_\_\_\_ Have you interviewed the child's teacher(s) regarding the child's skills across pertinent domains?
6. \_\_\_\_ Have you interviewed the child's support personnel?
7. \_\_\_\_ Does the information available to you from the records review and interviews enable you to make a confident judgment about the child's level of functioning? In part, the information should inform you about the child's level of functioning, the discrepancy from typical expectations of children the same age, and the rate of progress the child is making across several domains.

## ID Waiver Sample Letters

Date

Dear Mr. and Mrs. Parent:

Recently you requested a letter regarding your child's disability status to assist you in your application for an ID Waiver. Area Education Agency (AEA) school psychologists review records and interview parents and IEP teams for information regarding your child's current level of functioning. AEA school psychologists do not typically make diagnoses such as intellectual disability, as assessments are specifically designed for the purposes of making instructional decisions regarding your child's educational needs. Historically, we have been able to provide a statement about intellectual disability if the existing records of assessment data provide sufficient information to make such a determination.

Based on the information available, a report regarding the child's status follows.

(Summary of information obtained from record reviews and interviews- address both intellectual functioning & adaptive behavior.)

A summary statement indicating one of the following:

- (a) there was sufficient information existed to determine that the child met the criteria for intellectual disability;
- (b) there was insufficient information to make the determination that the child met the criteria for intellectual disability; or
- (c) there was sufficient information to determine that the child did not meet the standard for having an intellectual disability

Closing,

Practitioner Name

Title

Agency

## Examples:

### ***Sufficient information existed to determine that the child met the criteria for intellectual disability;***

Based on the information available, a report regarding Sam Parent's status follows.

Sam is 12 years old and currently receiving the majority of his special education services in a special education classroom. Sam's IEP goals consist of functional living skills, such as eating, dressing, toileting, recreations/leisure, and communication skills. Sam is ambulatory, but has no verbal communications skills and receptively responds to intonation and situational conditions, instead of to specific words. Sam is very active, has no awareness of dangerous situations, and requires constant adult supervision to provide a safe environment. At this time, due to Sam's behavior, lack of language, and lack of imitation skills, Sam is unable to be tested by standardized intelligence tests. Therefore an IQ score is not available. Sam's current level of functioning in the areas of intellectual functioning and adaptive behavior places him within the severe to profound range of intellectual disability.

### ***Insufficient information to make the determination that the child met the criteria for intellectual disability***

Based on the information available, a report regarding Joey Student's status follows.

Joey is currently receiving special education services at Sunshine School. Joey has a diagnosis of Down's Syndrome and has received early intervention and special education services since infancy. He receives various special education services, including speech therapy. Joey's recent three-year reevaluation for special education focused on his functional skills within the school environment. Joey continues to need direct instruction either individually or in small groups for academics. According to Joey's teacher his skills are approximately at a beginning first-grade level, however, Joey does not generalize skills to new settings. His strength is in rote learning for reading and written work. He responds well to the structure of his special education class. Joey is also integrated into 2nd grade for social opportunities with same-age peers. Joey's IEP goals are to recognize letters and develop letter-sound correspondence, recognize numerals 1-20, and develop number concepts, increase basic concepts and name common objects and their function. At this time, there is insufficient information to make the determination that Joey meets or does not meet the criteria for intellectual disability.

***Sufficient information to determine that the child did not meet the standard for having an intellectual disability***

Based on the information available, a report regarding Betty Little's status follows.

Betty is currently receiving early intervention services through an Individualized Family Service Plan. Betty was a premature baby, born at 28 weeks. Areas of concern were her prematurity, low birth weight, grade 3 ventricular bleed, feeding tube, heart monitor, and development of sensory-motor skills. Helen Smith, the home intervention teacher administered the Carolina Curriculum for Handicapped Infants and Infants at Risk, 7/1/2005. Betty obtained the following results: She is beginning to explore objects with fingers at an emerging level. Betty turns her head to sound. Betty is beginning to mouth objects and shake and bang them. She repeats actions to produce the desired result and persists in her efforts. She also responds when vocalized to (turns to name, stops the activity, beginning to vocalize). Overall, Betty's social, communication, cognitive and motor skills are at a 3-6 month level, with many skills emerging along that continuum. Betty is displaying the skills expected of an infant her age; she does not meet the criteria for intellectual disability.