

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 8.0

ELIGIBILITY DETERMINATIONS

Purpose:

This policy sets forth the eligibility requirements for children and adults in order to receive services from the Trumbull County Board of Developmental Disabilities ("the Board") pursuant to. OAC 5123-4-01

Definitions:

1. **"Department"** means the Ohio department of Developmental Disabilities.
2. **"Developmental delay"** means that a child has not reached developmental milestones expected for the child's chronological age as measured by qualified professionals using appropriate diagnostic instruments and/or procedures.
3. **"Developmental disability"** means a severe, chronic disability that is characterized by all of the following:
 - a. It is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness as defined in division (A) of section 5122.01 of the Revised Code;
 - b. It is manifested before age twenty-two;
 - c. It is likely to continue indefinitely;
 - d. It results in one of the following:
 - i. In the case of a person birth through age two, at least one developmental delay or a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay;
 - ii. In the case of a person age three through age five, at least two developmental delays in one or more of the following areas of development; physical development, cognitive development, communication development, social or emotional development, and adaptive development; or
 - iii. In the case of a person age six or older, a substantial functional limitation in at least three of the following areas of major life activity, as appropriate for the person's age: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and, if the person is age sixteen or older, capacity for economic self-sufficiency; and
 - e. It causes the person to need a combination and sequence of special, interdisciplinary, or other type of care, treatment, or provision of services for an extended period of time that is individually planned and coordinated for the person.
4. **"Early intervention services"** means developmental services selected in collaboration with the parents of a child birth through age two who is eligible for services under part C, and designed to meet the developmental needs of the child and the needs of the child's family to assist appropriately in the child's development as identified in the individualized family service plan.

Policy:

- A. The Trumbull County Board of Developmental Disabilities will make eligibility determinations for county board services in accordance with the definition of "developmental disability" as noted in this policy.
- B. For persons age sixteen or older, a substantial functional limitation in a major life area is determined through completion of the Ohio eligibility determination instrument.
- C. For persons age six through age fifteen, a substantial functional limitation in a major life area is determined through completion of the children's Ohio eligibility determination instrument. The children's Ohio eligibility determination instrument or an alternative instrument issued by the department for use in determining eligibility for county board services is used in the eligibility determination process for the county board for all services and supports other than special education services.
- D. The Ohio eligibility determination instrument, the children's Ohio eligibility determination instrument, and any alternative instrument issued by the department for use in determining eligibility for county board services will be administered by designated and trained employees of the Board.
- E. A county board may establish eligibility for county board services for any preschool child with a disability eligible for services under section 3323.02 of the Revised Code whose disability is not attributable solely to mental illness as defined in section 5122.01 of the Revised Code.
- F. The Board will complete eligibility determination within forty-five calendar days of the request for services or after all necessary information has been received from the referring party or applicant except that:
 1. For children birth through age two, the eligibility report completed by or for the early intervention system will be used for eligibility determination; and
 2. For children age three through age five, the evaluation completed by an evaluation team comprised of the child's parents and a group of qualified professionals or the individual education program team and other qualified professionals may be used for eligibility determination.
- G. The Board will keep on file the documents used to determine eligibility for county board services of all persons who apply after July 1, 1991, whether or not such persons are found to be eligible. Information on persons found to be ineligible will be maintained for five years after such determination is made.
- H. When a person who has been determined eligible for county board services after July 1, 1991 moves into Trumbull County, that person will retain eligibility. However, the Board may review the person's eligibility at its discretion. During such a review, the person will continue to be eligible to receive services. Trumbull County will assign a service and support administrator to a person who is enrolled in a home and community-based services waiver within thirty calendar days after becoming aware that the person has moved into their county.
- I. All persons who were eligible for county board services and receiving county board services pursuant to Chapter 5126 of the Revised Code on or before July 1, 1991, will continue to be eligible for those services and to receive services as long as they are in need of services.
- J. All persons who were eligible for case management services and receiving case management services pursuant to Chapter 5126 of the Revised Code on or

before January 10, 1992, will continue to be eligible for those services and to receive services as long as they are in need of services.

- K. When the Board determines an individual is not eligible for county board services they will be referred, with their consent, to other agencies or other community-based resources for services.
- L. All persons determined ineligible for county board services will be informed of the process for resolution of complaints and appeals of adverse action in accordance with rule 5123-4-04 and Board Policy 8.34.


Board President


Superintendent

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Applicability: Board Policy Manual

Reference: OAC 5123-4-01