



Medical Policy Update/Clarification

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Initiated By: Pam Smith

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Update Clarification:

The following definitions of Developmental Delay and Developmental Disability will be implemented immediately in the Level of Care and Service review for members requesting Michelle P. Waiver level of care (LOC) and services. Level of Care shall not be approved for members who have a diagnosis of Developmental Delay versus a Developmental Disability or Intellectual Disability (IQ of seventy (70) or below).

Specific definitions of Developmental Delay and Disability are as follows:

Definition of Developmental Delay

A Developmental Delay is the slowed or impaired development of a child who is under 5 years old and who is at risk of having a developmental disability.

This delay does not refer to a condition in which a child is slightly or momentarily lagging in development. The presence of Developmental Delay is an indication that the process of development is significantly affected. Developmental Delay means that a child has not acquired skills, or achieved commensurate with recognized performance expectations for his or her age in one of the following developmental areas: cognition, communication, motor development, social-emotional development, or self-help-adaptive behavior. This includes a child who demonstrates a measurable, verifiable discrepancy between expected performance for the child's chronological age and current level of performance.

Definition of Developmental Disability

A developmental disability is a severe, chronic disability that is attributable to Cerebral Palsy or epilepsy or any other condition, excluding mental illness, closely related to an intellectual disability resulting in impairment of general intellectual functioning or adaptive behavior similar to that of an individual with intellectual disability and which requires treatment or services similar to those required by persons with intellectual disability. It is manifested prior to the individual's 22nd birthday and is likely to continue indefinitely; and results in substantial functional limitations in three (3) or more of the following areas of major life activity:

- Self-Care defined as the ability to perform basic activities such as eating, toileting, bathing, dressing/undressing and grooming in the individual's usual living environment in a manner appropriate to age, person, place and setting



- Understanding and use of language defined as the ability to effectively communicate basic wants and needs, follow basic instructions, and or understand communication from another in a manner appropriate to age, person, place and setting,
- Learning defined as the ability to acquire, retain and modify basic functional skills and information that are appropriate to age, person, place and setting
- Mobility defined as the ability to engage in purposeful and self-directed movement within the individual's usual environments in a manner appropriate to age, person, place and setting,
- Self-direction defined as the ability to make and follow through with decisions of major consequence and significance to the individual, using the capacity to exercise judgment, set realistic goals, initiate common activities, plan and execute related actions, complete tasks, seek assistance when needed and evaluate results in a manner, appropriate to age, person, place and setting, or
- Capacity for independent living defined as the capacity to effectively plan and engage in routine activities of daily living in each of the individual's usual environments in a manner appropriate to age, person, place and setting.

According to regulation 907 KAR 1:022 Section 4 (5) (a) An individual shall meet ICF-ID-DD patient status if the individual has significant developmental disabilities or significantly sub-average intellectual functioning and requires a planned program of active treatment to attain or maintain the individual's optimal level of functioning.

This planned program which would be provided in absence of the waiver due to a member's age does not include age appropriate care or care that is typically provided by a legally responsible adult. This planned program should be individually planned and coordinated. Applicants seeking LOC or services for a Developmental Disability, supported by documentation from a licensed professional evaluation, who do not meet the above definition of Developmental Disability and require a planned program to overcome his/her disabilities shall not be approved for admittance or recertification in the Michelle P. Waiver program. This denial of LOC or services in Michelle P. does not exclude the member from seeking services in one of the other Home and Community Based Waiver programs if he or she meets the LOC and program requirements for that waiver.



DMS Response:

Approved

Laura Martin

4-17-13

Signature:

Date: