

ATTACHMENT M

Options for IDD Services and Supports

The following documents and forms are referenced in this attachment:

- *Explanation of IDD Services and Supports* (Publication No. DADS-245)
(<http://www.dads.state.tx.us/providers/LA/index.cfm#explanation>)
- *Residential Options for Individuals with an Intellectual Disability or Related Condition pamphlet*
(DADS mails the pamphlets to LIDDAs)
- *A Message for Families ...*
(<http://www.dads.state.tx.us/providers/pi/permanency/forms/index.html>)
- *Long Term Services and Supports* (Form 2121)
(<http://www.dads.state.tx.us/forms/2121/>)
- contact list for all LIDDAs, Area Agencies on Aging (AAAs), and DADS community services regional offices
(<http://www.dads.state.tx.us/contact/DADSServicesByCounty.html>)
- *Identification of Preferences* (Form 8648)
(<http://www.dads.state.tx.us/forms/8648/>)

Definitions for this attachment:

Actively involved person – For a consumer who lacks the ability to provide legally adequate consent and who does not have a legally authorized representative (LAR), a person whose significant and ongoing involvement with the consumer is supportive of the consumer as determined by the LIDDA. The LIDDA's determination is based on:

1. Observed interactions between the person and the consumer;
2. the person's knowledge of and sensitivity to the consumer's preferences, values, and beliefs;
3. the person's availability to the consumer for assistance or support; and
4. the person's advocacy for the consumer's preferences, values, and beliefs.

LAR (legally authorized representative) – A person authorized by law to act on behalf of a consumer and who may be:

1. for a minor — a parent, court-appointed guardian, or representative of the entity to which a court has assigned conservatorship (e.g., Child Protective Services); or
2. for an adult — a court-appointed guardian or representative of the entity to which a court has assigned conservatorship (e.g., DADS Guardianship Program).

- I. In response to an inquiry for information about programs and services for a consumer with an intellectual disability:
 - A. The LIDDA will provide an explanation of services and supports to the consumer and LAR or an actively involved person using the *Explanation of IDD Services and Supports* publication. The LIDDA may supplement the *Explanation of IDD Services and Supports* publication by adding a description of services and supports unique to the LIDDA's local service area. The LIDDA

may not delete or modify any information in the *Explanation of IDD Services and Supports*.

- B. If the consumer is seeking residential services, the LIDDA will also provide an explanation of the different type of residential options using the Residential Options pamphlet. If the consumer seeking residential services is under 22 years of age, the LIDDA will further provide an explanation of permanency planning using the *A Message for Families ...* document.

The LIDDA must add its contact information to the *A Message for Families ...* document and the Residential Options pamphlet. The LIDDA may not delete or modify any information in the Residential Options pamphlet.

- C. If an LAR to whom the LIDDA provides an oral explanation of programs and services is not a family member of the consumer, provide an oral explanation to at least one family member of the consumer, if possible.

- D. Provide or mail a copy of:
 1. the *Explanation of IDD Services and Supports* publication;
 2. the *Long Term Services and Supports* (Form 2121);
 3. the current contact list for all LIDDAs, Area Agencies on Aging (AAAs), and DADS community services regional offices; and
 4. if applicable, a copy of the *A Message for Families ...* document and a Residential Options pamphlet; and

- E. Document the following:
 1. Date of the inquiry;
 2. Name of the consumer identified to receive services and supports (if provided);
 3. Name and address of the person making the inquiry (if provided);
 4. Date of the mailing (if applicable); and
 5. Other information, as needed.

- II. When a consumer and LAR or actively involved person is ready to identify a preference for services and supports, the LIDDA will:

- A. Assist the consumer and LAR or actively involved person (face-to-face, if possible) to identify the types of services and supports being requested based on the consumer's interests, needs, and desired outcomes;

- B. Document the identified preferred services and supports on the *Identification of Preferences* (Form 8648), sign and date the form, and request, but not require, that the consumer, LAR, or actively involved person sign and date the form;

- C. Give the consumer, LAR, or actively involved person a copy of the completed *Identification of Preferences* (Form 8648); and

- D. Retain the original *Identification of Preferences* (Form 8648) or an electronic copy in the LIDDA's file for the consumer until after the consumer has enrolled in or received every identified preferred service.
- III. Although the LIDDA is required to provide the individual and LAR or actively involved person an explanation of services and supports described in section I.A. of this attachment, the consumer, LAR, or actively involved person may choose to identify preferred services before receiving the explanation. In such cases, the LIDDA will provide the oral explanation and/or mail the explanation documents after the *Identification of Preferences* (Form 8648) has been completed.
- IV. The LIDDA must inform the person who identified a preference for services and supports on the *Identification of Preferences* (Form 8648) that:
- A. The name and contact information of a primary correspondent, to whom the LIDDA will direct all inquiries, must be provided to the LIDDA and must be updated if the information changes; and
 - B. The services and supports preferences documented in the *Identification of Preferences* (Form 8648) may be changed by the primary correspondent at any time upon request by completing a new *Identification of Preferences* (Form 8648).
- V. If the preferred service or support identified on the *Identification of Preferences* (Form 8648) is:
- A. HCS, the LIDDA must complete the *Questionnaire for HCS/CLASS Interest Lists* (Form 8577) and enter the form's data into CARE, unless the LIDDA determines from the CARE record that the form has already been completed, and record the consumer's name on the HCS Interest List with the begin date being the date HCS was identified as preferred.
 - B. TxHmL, the LIDDA must record the consumer's name on the TxHmL Interest List with the begin date being the date TxHmL was identified as preferred.
 - C. SSLC or ICF/IID, the LIDDA will begin the enrollment or admission process described in DADS rules as appropriate to program (i.e., 40 TAC Chapter 2, Subchapter F, or Chapter 9, Subchapter E).
 - D. LIDDA community services, the LIDDA will begin the eligibility determination process as soon as possible as local resources allow.
- VI. If the primary correspondent requests that the consumer's name be removed from the HCS or TxHmL interest list, the primary correspondent must complete, sign, and date a new *Identification of Preferences* (Form 8648) indicating such. The LIDDA must retain the *Identification of Preferences* (Form 8648) indefinitely in the LIDDA's file for the consumer.