

## **ATTACHMENT O**

### **Guidelines for Determining and Changing Designated LIDDA**

- I. For a consumer enrolled in the HCS or TxHmL Program, the consumer's designated LIDDA is the LIDDA for the local service area in which the consumer resides.
- II. For a consumer determined eligible for, enrolling in, or enrolled in Community First Choice (CFC) services provided through a Medicaid Managed Care Organization (MCO), the consumer's designated LIDDA is the LIDDA for the local service area in which the consumer resides.
- III. For a consumer who is NOT described in Section I or II of this attachment, the following guidelines are used to determine the consumer's designated LIDDA.
  - A. If an adult consumer does not have a legally authorized representative (LAR), the consumer's designated LIDDA is the LIDDA for the local service area in which the consumer resides.
  - B. If an adult consumer does not have an LAR and resides in a state supported living center (SSLC), the consumer's designated LIDDA is the LIDDA that recommended his or her admission to the SSLC.
  - C. If an adult or minor consumer has an LAR, then the designated LIDDA is the LIDDA for the local service area in which the LAR resides.
  - D. If an adult or minor consumer has an LAR who does not live in Texas, then the designated LIDDA is the LIDDA for the local service area in which the consumer resides.
  - E. If an adult consumer's LAR is DADS, then the designated LIDDA is the LIDDA for the local service area in which the county court of jurisdiction for the guardianship is located.
  - F. If a minor consumer's LAR is the Department of Family and Protective Services (DFPS), then the designated LIDDA is:
    1. the LIDDA for the local service area in which the minor consumer resides, if the minor consumer is receiving DFPS services and residing with a kin caregiver or in a foster family home or foster group home in which the primary caregiver is a foster parent living in the home; or
    2. the LIDDA for the local service area in which DFPS obtained conservatorship, if the minor consumer is receiving DFPS institutional services.
  - G. At its discretion, DADS may determine the designated LIDDA for any consumer or assign an LIDDA the duties of the designated LIDDA for any

consumer for the purpose of expediting a consumer's admission or enrollment in services or ensuring permanency planning is conducted in accordance with state law.

IV. Unique situations involving a designated LIDDA.

- A. A non-designated LIDDA is not prohibited from serving a consumer who is currently being served by his/her designated LIDDA. In such a situation the designated LIDDA must enter into an agreement (e.g., contract, memorandum of agreement) with the non-designated LIDDA to provide the service. The designated LIDDA reports all service encounters for the consumer.
- B. The determination of the designated LIDDA (for IDD services) is not relevant to a consumer's admission to a state mental health facility. The DSHS rule governing determining county of residence (25 TAC, §412.162) provides direction for identifying a consumer's local mental health authority (LMHA).