

<b>Topic:</b>	ODDS D&E Eligibility Consultation Worker Guide & Protocols	
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## Overview

**Description:** This worker guide provides step-by-step directions for CDDP Eligibility Specialists (ES) to submit a case for consultation with the Office of Developmental Disabilities Services (ODDS) Diagnosis and Evaluation (D&E) Coordinator.

**Purpose/Rationale:** The purpose of this guide is to create a formal statewide case consultation process for ODDS eligibility consultations. Standard operating procedures outlined in this guide should be used when an ES is requesting formal verbal or written recommendations on specific cases.

### **What prompts a formal case consult?**

1. When an ES has not completed and demonstrated core competency, and is required to staff all cases prior to sending a decision and another ES is unavailable, or
2. When an ES has a unique case situation and local resources and peer consultation have not provided sufficient guidance, or
3. Diagnoses, or next steps in the determination process is unclear based on Oregon Administrative Rule (OAR), policy and core competency training, or
4. Diagnosis is not listed in the eXPRS eligibility drop down menu and must be approved by ODDS for all determinations, which may prompt a formal case consultation at the request of ODDS, or
5. Use of Other Genetic Conditions (OGC) and Other Health Impairment (OHI) for eligibility requires the genetic report submitted for review and ODDS approval for all determinations.

## Procedure(s) that apply:

**Standard eligibility procedures prior to a formal consultation.** An ES should complete the following when processing eligibility determinations to identify if a formal consultation is necessary:

1. **For OGC/OHI diagnosis confirmation only:** Skip below steps and submit all “Other Genetic Condition” *and* genetic report, or “Other Health Impairment” cases directly to ODDS D&E Coordinator for review prior to issuing a determination notice.
2. **Review Oregon Administrative Rule (OAR) [411-320](#):** Does the documentation you have meet the OAR for eligibility or denial? What information is missing for you to make an eligibility decision? Have these questions clearly written out for the D&E.
3. **Review ODDS eligibility policies, [transmittals](#) and worker guides:** Is the information available in current ODDS materials posted on the ODDS [Staff Tools Page](#) or related links?
4. **Review core competency and other training materials:** Do training materials and resources provide clarification? Can the information be found in statewide eligibility meeting notes?
5. **Eligibility Peer Consults:** For questions unrelated OGC/OHI approvals:
  - a. Consult with an ES who has 3+ years’ experience and consistently meets core competency, as measured and identified by ODDS, about the eligibility question (commonly referred to in core competency training as an “ES mentor”).
  - b. Contact ODDS for Eligibility Specialists who have consistently met core competency and agreed to be provide consultation to other eligibility specialists;
  - c. To assure inclusive eligibility data is considered in the consultation, ODDS recommends including all eligibility information in an internal eligibility statement (provided during core comp trainings) with an inclusive summary of all records, tests, diagnoses and previous determinations.
  - d. Consultation for the coordination of services is allowed under HIPPA without a release, privacy protocols should still be considered.
  - e. An Eligibility Specialist consultation should be recorded in progress notes; the ES consultants written recommendations (such as email guidance to order an exam) should be placed in the file.

**Formal D&E Case Consultation:** Having exhausted the resources above, the ES needs a formal consultation from a D&E Coordinator as follows:

- When there continue to be outstanding consultation or eligibility questions; Sample questions and scenarios are at the end of this guide.
- Formal requests without a signed application may be declined.
  - Special circumstances may apply, such as an out-of-state courtesy review, or Interstate Compact Coordination request.
  - ODDS recommends providing general information as indicated on the ODDS website when inquiries about qualifying conditions are received without an application.
- Formal case consultation requests must be submitted to the D&E Email Inbox: [ODDS.DE@dhsosha.state.or.us](mailto:ODDS.DE@dhsosha.state.or.us)

**Documents to include in a case consult:** CDDP's must follow the below guidance and submit documents using the State of Oregon secure email system unless the CDDP has a TLS auto-encryption system. However, ODDS is unable to access individual county email systems, and may still require a secure email. If a CC is required, request the D&E to CC specific parties in all responses. Instructions on the Oregon Department of Human Services/Oregon Health Authority secure email system setup are [here](#); the [State Secure Email](#) will allow you send a message and attach your protected documents.

Submit below eligibility documents **at least 1 week prior to any required deadline** (i.e. 90-day deadline, 10-day deadline):

1. ODDS D&E Consultation Request form
2. Genetic reports for all genetic conditions, which must be approved by ODDS in writing; OGC/OHI cases only require records related to the condition, but additional information may be requested.
3. Application (Signed and dated by the applicant/representative)
  - a. If a redetermination, send the 5101 and all previous decision notices (including previous CDDP's)
4. Completed Internal Eligibility Statement (summary) sheet
5. Eligibility Documentation, such as:
  - a. Clinical records (Only include records that pertain to your eligibility efforts, such as psychological assessments, genetic tests, neurological imaging and assessments and medical diagnoses. Do not include items such as dental records, general healthcare visits like for a cold, etc.)
  - b. Developmental History: Early Childhood Education or School records (if available)

6. Progress notes detailing the eligibility process, due diligence in obtaining all pertinent records and efforts to-date, and ES efforts to research the issue in existing OAR/Policy, and consultations with other eligibility specialists as indicated in this guide.

**What to expect with formal case consultation:** ODDS will acknowledge receipt of consultation requests by email. In some cases, additional questions may be emailed or discussed in a call.

All formal response recommending a decision, testing or next steps will be issued within one business week of receipt; Formal ODDS D&E Consultation response will be noted in an additional page on the submitted consultation form, returned to the ES.

**After D&E Consultation:**

1. Progress note the results of the consultation
2. Place a copy of the ODDS formal consultation response in the file
3. Save the all email communications (inclusive string of responses) in the file (This will be helpful documentation for any auditing or hearing requests)
4. Complete required eligibility actions within timelines as indicated in rule, policy or training

**Example D&E Consultation Questions/Scenarios:**

Q: Does this individual meet the citizen status requirements?

A: Please resubmit your request with Citizen status documentation:

1. Obtain front/back of card
2. Send to ODDS AFTER signed/dated intake form and releases.

Q: Can I have a verbal consultation?

A: A written consultation is required if it will result in a determination/decision notice. While the D&E Coordinators may be able to provide informal phone consultations verbally, this may result in a request for a formal consultation to be submitted.

Q: Who may sign the intake application and release forms for a person?

A: Please see the OAR definition for “completed application” and who can sign. In general, release forms are signed by the individual (ages 14 and older), the parent (under age 14) or the legal guardian or court appointed representative.

Q: Is the attached documentation sufficient for eligibility under ID/DD criteria?

A: Please resubmit your D&E Consultation request and include:

1. Documentation of due diligence in collecting all relevant records occurred;

2. You have reviewed OAR 411-320, eligibility worker guides and policy and training materials without finding guidance;
3. You have staffed the question with an ES mentor and
4. What area in rule or the records is not met for a determination?

Q: I've reviewed the rule on when an informal adaptive assessment may be used, and I'm not sure what type of assessment to use and if this case really qualifies for an informal?

A: Please call your D&E Coordinator discuss templates for informal adaptive assessments, and clarity in rule for informal adaptives in school-age to adult redeterminations.

Q: After ordering and reviewing records our office is undecided if we should order an Admin Exam based on our review of policy and rule, please advise?

A: Please review Admin Exam training materials, the Admin Exam Worker Guide, and review all records and developmental history for reasonable suspicion, and provide a more direct specific question about what in the case may deem an admin exam necessary? Is testing too old? Are there conflicting current clinical opinions?

Q: Attached is the eligibility statement/summary sheet and genetic report for an applicant; please confirm if this genetic disorder considered an other developmental disability by ODDS.

A: Thank you for submitting the genetic report for this condition, it is (considered/not considered) an other developmental disability as defined in rule.

Q: This 6-year-old applicant has an adaptive in range that is 2 years old and a physician's statement by a licensed medical practitioner that is 11 months old, how should I proceed?

A: The early childhood and school age rule has guidance based on the specific test type, evaluator type, current documentation, and the eligibility flow chart provided in core competency training may be of help. If you are not able to locate the answer in rule or the eligibility flow chart, please call your D&E Coordinator.

Q: The individual had a previous DD determination; the CDDP has new information that contradicts the previous records, how shall we resolve conflicting evaluations?

A: Was eligibility terminated and a NOPA sent, and a new application is occurring in the new CDDP? Or is this a county transfer? Which sections of rule point you to specific actions when information exists that contradicts eligibility?

Q: Previous denial due to no significant impairment with a GAC of 72 at age 4; new GAC of 69 at age 10

A: Please provide specific questions around what areas in rule are needing clarification. How long ago was the previous denial? What is the clinical rationale for why the more current adaptive score is slightly different? What do the additional records provide for supportive information that may help your eligibility rationale?

Q: A current ADOS by a Ph.D. indicates no Autism but a physician's statement indicates ASD; how do we resolve conflicting records?

A: Please submit the file with all records for ODDS D&E review.

Q: A community partner is asking about referring an individual and is asking if an other health impairment/genetic condition not listed in rule is a qualifying DD condition, please verify?

A: Please refer informal inquiries to existing information, invite referrals and applications for formal determinations.

### **Form(s) that apply:**

ODDS Eligibility Consultation Form

### **Reference(s):**

State secure email instructions:

<https://www.oregon.gov/oha/PH/HEALTHYPEOPLEFAMILIES/WIC/Documents/collaborate/data-sharing-email-process.pdf>

State secure email login:

<https://secureemail.dhsoha.state.or.us/securereader/init.jsf?brand=d0c67197>

### **Contact(s):**

ODDS D&E inbox: [ODDS.DE@dhsoha.state.or.us](mailto:ODDS.DE@dhsoha.state.or.us)

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