

# Determining Eligibility for Early Start and Lanterman Services

Board of Directors' Training  
July 11, 2019

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# Broad Objective

Overview of eligibility determination for Early Start and Lanterman services

- \* Brief Process Overview

- \* Eligibility Criteria

# Early Start and Lanterman: Overview

	Early Start	Lanterman
Ages	0-3 years	3+ years
Eligibility criteria	Federal	State
Focus	Developmental delays and early intervention	Developmental disability and support
Eligibility determination	Up to 45 days	Up to 120 days
Referrals	300-400/month	50-70/month
Persons served	3,727 persons	6,908 persons (3-18 years old)  11,481 persons (19+ years old)

# Specialists in Health Resource Group

Board Certified Neurologist

Board Certified Clinical Geneticist

Clinical Psychologists (pediatric, child, adult, developmental disabilities forensic, Serious Mental Illness (SMI) specialties)

Clinical Pharmacist

Occupational Therapist

Speech Therapist

Nursing (pediatric and adult specializations)

BCBAs (pediatric and adult specializations)



# Eligibility Approach at RCOC

## Overarching goals

- Follow the law
- Be fair (i.e., use objective measures and criteria)
- Be consistent
- Be thorough

Obtain information from as many sources as possible

# But What's the Harm in Making Everyone Eligible?

- Not legal
- Not ethical (Do no harm!)
- Rosenthal/Pygmalion Effect



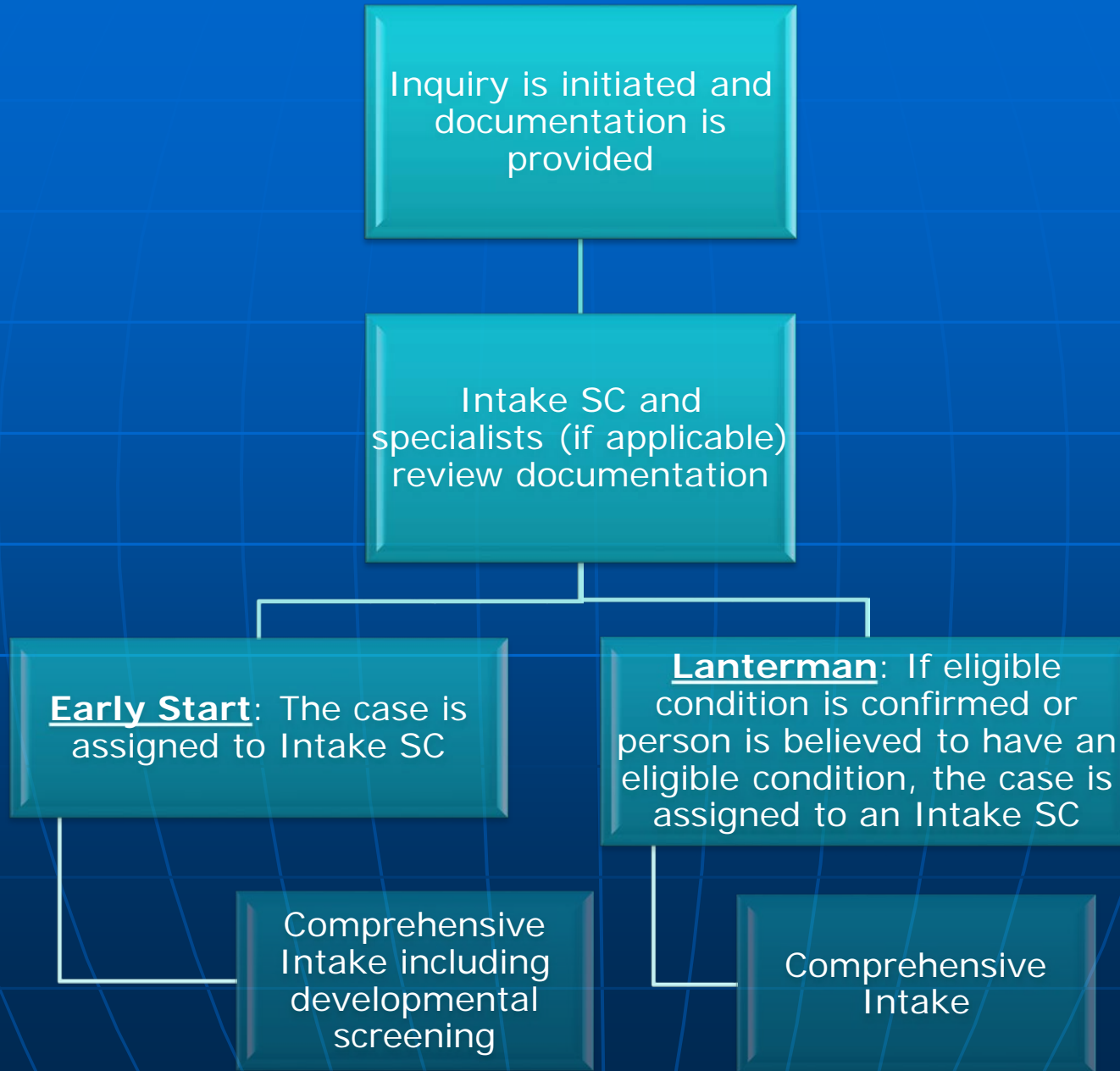
# Eligibility Approach at RCOC (cont'd)

Seek additional information if what is available is inadequate or conflicting

- Direct assessment of applicant by RCOC's MDs and/or psychologists
- Observation of applicant in his/her home, school or the community (or multiple settings)

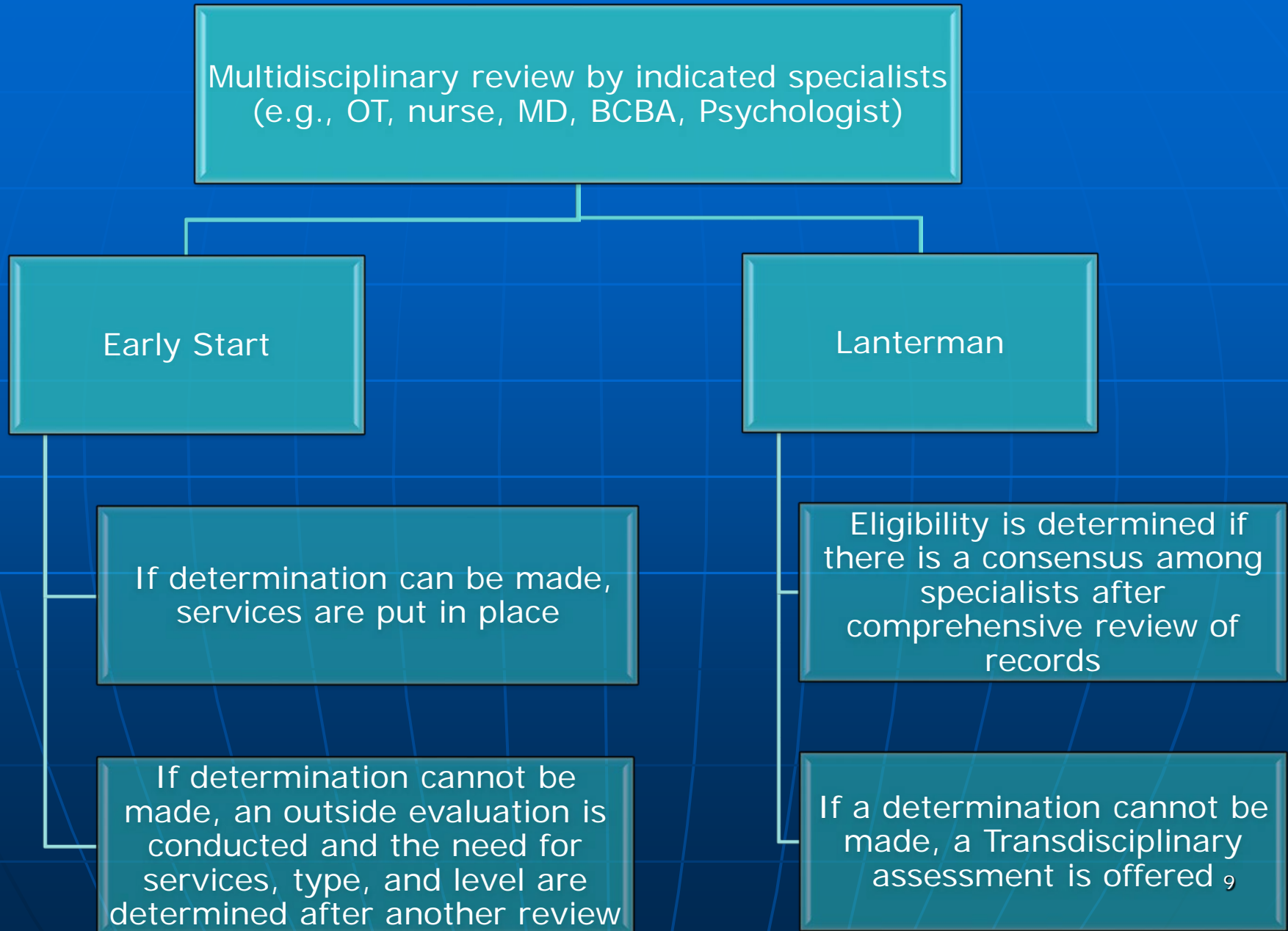
RCOC eligibility is separate and apart from educational, social security, or medical eligibility

# Process Overview





# Process Overview (cont'd)



# When an Applicant Is Found Eligible



Early Start	Lanterman
Early Start service coordinator is assigned	Lanterman service coordinator is assigned
Individual Family Program Plan (IFSP) is developed to determine needed services	Individual Program Plan (IPP) is developed to determine needed services

# What Happens When an Applicant Is Found Ineligible?

Early Start	Lanterman
<p>Applicant or their family can request a Fair Hearing.</p> <ul style="list-style-type: none"><li>• May be offered a Planning Team Meeting</li></ul>	<p>Applicant or their family can request a Fair Hearing.</p> <ul style="list-style-type: none"><li>• May be offered a TDA</li></ul>
<p>Family Resource Center continues to monitor and send out Ages and Stages Questionnaire.</p>	<p>Applicant can reapply in the future if new information is available.</p>
<p>If delays continue, family is encouraged to come back for revaluation.</p>	<p>Family can reapply when their child is older and has not made progress as expected.</p>
<p>Appropriate referral information is provided, when indicated.</p>	<p>Appropriate referral information is provided, when indicated.</p>



# Early Start

## Kids 0-3 Years



# Common Referral Sources for Early Start



- Neonatal Intensive Care Unit (NICU)
- Pediatricians and other medical specialists
- Self-referred
- Daycares
- Outreach (via developmental screening offered in the community)



# Early Start Eligibility Categories Birth-36 months



- Established Risk
- High Risk for Developmental Disability
  - Parent who is a Person Served
    - Developmental Delay



# Established Risk

Conditions that are known to or have a high probability of developmental delay, e.g., Down Syndrome, severe brain bleed, stroke, meningitis

## High Risk



- Children who have two or more medical conditions that puts them at high risk for developmental delays.
- Children who have a parent served through RCOC

Eligibility is determined by Intake RN and MD after reviewing medical records

# Developmental Delay

33% delay in one or more areas of development:

- Cognition
- Gross Motor
- Fine Motor
- Receptive Language
- Expressive language
- Social/Emotional
- Self-help/Adaptive



Eligibility is determined by developmental evaluations completed by therapists (PT, OT, ST, BT, infant teacher) funded by RCOC or through insurance.



# Turning Three

All children who are receiving Early Start services are reviewed by a psychologist and medical doctor for Lanterman eligibility when they turn three years old

- On average, about 180 children turn three each month or approximately 2,160 per year
- On average, 12% of children are eligible for Lanterman at age three each month, or approximately 260 per year

# Lanterman Services

## Age 3-adult



# Lanterman Act Eligibility Requirements

As defined in the  
Lanterman Act and Title 17

What is a  
developmental  
disability?

What are  
ineligible  
conditions?

What  
constitutes an  
eligible  
diagnosis?

What  
constitutes a  
substantial  
disability?

# Developmental Delay vs. Developmental Disability

- The eligibility criteria for Early Start services are different than the criteria for Lanterman Act Services
- Most children who have a developmental delay do NOT have a developmental disability





# Developmental Delay







# What Is a Developmental Disability?

- A disability that is due to intellectual disability, cerebral palsy, epilepsy, autism
  - Must be diagnosed by qualified professional (MD, Psychologist, not the school or neighbor)
- Disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with intellectual disability (5<sup>th</sup> category)

# What Conditions Are NOT Developmental Disabilities?

Solely psychiatric disorders

Solely learning disabilities

Conditions that are solely physical

- Blindness
- Deafness
- Spinal cord injury
- Most muscle diseases such as muscular dystrophy



# Psychiatric Conditions of Particular Note

- Schizophrenia
- Post Traumatic Stress Disorder
- Attention Deficit Hyperactivity Disorder
- Substance Use Disorders
- Selective Mutism
- Social Anxiety Disorder
- Bi-polar Disorder
- Disruptive Mood Dysregulation Disorder

Person served may be eligible due to a developmental disability and have mental illness (dual diagnoses).

# Four Aspects of Eligibility

To be eligible, all of the following criteria must be met

## 1. Eligible diagnosis:

- Intellectual Disability
- Cerebral Palsy
- Epilepsy
- Autism
- Condition like Intellectual Disability



## 2. Time of Onset: Originating < Age 18


## 3. Prognosis: Likely to continue indefinitely

## 4. Severity: Substantially disabled – defined as significant functional limitations areas of $\geq 3$ areas of major life activity



# Eligible Diagnoses: "5<sup>th</sup> Category"

Conditions closely related to intellectual disability, BUT NOT conditions that are solely physical or psychiatric



## Examples:

Some genetic disorders

Traumatic Brain Injury

Fetal Alcohol Syndrome

# Eligible Diagnoses: "5<sup>th</sup> Category"

Genetic conditions that have expected poor developmental outcome:

- ✓ Trisomy 21 (Down Syndrome)
- ✓ Cornelia de Lange Syndrome
- ✓ Cri-du-chat Syndrome (Cat's Cry/5p deletion)
- ✓ Kabuki Syndrome
- ✓ Fragile X (not carrier but with full mutation)





# What Is a Substantial Disability?

Significant functional limitations in three or more areas of major life activity

- Applicant's age is taken into account
- Must differentiate between "can't do" a skill or task and "can do but chooses not to"



# Seven Areas of Major Life Activity

Area	Age		
	Birth to 5	6 to 18	Over 18
Learning	X	X	X
Receptive and Expressive Language	X	X	X
Mobility	X	X	X
Self-Care	X	X	X
Self-Direction	X	X	X
Independent Living		X	X
Economic Self-sufficiency			X

# Assessment for Eligibility: Substantial Disability

Must include, at a minimum,  
service coordinator, physician,  
and psychologist

- The Regional Center professional group shall consult
  - applicant/individual,
  - parents, guardians/conservators,
  - educators,
  - advocates, and other representatives, if appropriate, willing to participate, and consent is obtained







# 1. Learning

Ability to acquire and apply knowledge or skills to new situations is substantially impaired even with special intervention

Consider:

- Intellectual Functioning
- Achievement levels
- Memory



# “John”



## 2. Receptive/Expressive Language

Significant limitations in **both** the **comprehension** and **expression** of verbal and/or nonverbal communication resulting in functional impairments





### 3. Mobility

Significant limitations with independent ambulation

*Note: Mobility does not refer to the ability to operate motor vehicles or use public transportation*



## 4. Self-Care

Significant limitations in the ability to acquire or perform basic self-care skills

Consider:

- Personal hygiene
- Grooming
- Feeding





# “Katie”



Consider:

- 
- A photograph of four children sitting on a green metal playground bench. From left to right: a boy in a red and white plaid shirt, a boy in a blue t-shirt, a girl in a yellow t-shirt, and a girl in a striped shirt with a red bow in her hair. They are all smiling and laughing, looking towards the right. The background is a blurred outdoor setting with other children and greenery.



# “Cole”





## 6. Capacity for Independent Living

Ability to perform age-appropriate independent living skills without the assistance of another person

Consider:

- Household tasks
- Significant difficulty managing multiple-step domestic activities (e.g., grocery shopping, laundry)
- Capacity to be left unsupervised
- Money management and budgeting
- Obtain appropriate health care





## 7. Economic Self-Sufficiency

The capacity to participate in vocational training or to obtain and maintain competitive employment without significant on-going support



# How Are Substantial Disabilities Determined?

- No single test
- Based on available information:
  - History provided by family, caretakers, teachers, therapists, etc.
  - Direct observation
  - Past psycho-educational testing

# In Summary



RCOC's policy is to make decisions that are fair, consistent, thorough, and follow the law



RCOC does a thorough and transdisciplinary review of conditions



Eligibility process is dynamic, ongoing, and areas considered vary by age

# Questions?