



Office of Children and Family Services

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Informational Letter

Transmittal:	24-OCFS-INF-09
To:	Local Departments of Social Services Commissioners Voluntary Authorized Agencies Executive Directors
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	July 8, 2024
Subject:	Applying for Supports and Services with the Office for People With Developmental Disabilities (OPWDD)
Suggested Distribution:	Local Departments of Social Services Directors Voluntary Authorized Agencies Executive Directors
Contact Person(s):	See section IV.
Attachments:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		14 NYCRR 629.1; 18 NYCRR 441.14 and 18 NYCRR 441.15	Mental Hygiene Law (MHL) section 1.03(22)		www.opwdd.ny.gov

I. Purpose

The purpose of this Informational Letter (INF) is to provide instructions to local departments of social services (LDSSs) and voluntary authorized agencies (VAs) on applying for service eligibility with Office for People With Developmental Disabilities (OPWDD) operated, certified, funded, and/or authorized providers for children in foster care prior to turning 18 years old. Such instructions are in addition to those set forth in 18 NYCRR 441.14 that apply to any child who is

- developmentally disabled (as defined in section 1.03 of the Mental Hygiene Law [MHL]), and
- residing in a New York State Office of Children and Family Services (OCFS) licensed congregate care facility, and
- has attained the age of 18 and will possibly need OPWDD services (including residential) after age 21.

II. Background

The New York State Office of Children and Family Services (OCFS) has partnered with OPWDD to develop guidance for LDSSs and VAs on how to apply for OPWDD services for children in foster care

who may qualify for such services. Children do not need to be of a specific age before applying for OPWDD services. Establishing OPWDD eligibility prior to discharging children from foster care can assist with a more seamless transition from children's services to OPWDD services. OPWDD supports and services include care management and assistance with identifying community-based services for children and families.

III. Program Implications

The following is a guide to establishing OPWDD eligibility:

LDSS/VA contacts either OPWDD Front Door or a care coordination organization to assist with the eligibility process.

Note: More information on the OPWDD Front Door can be found here: <https://opwdd.ny.gov/get-started>

To contact the OPWDD Front Door, call the main OPWDD Infoline number at 1-866-946-9733. The infoline staff will ask the person what county/borough they live in, and then they will transfer the person to the applicable local Front-Door line.

Care Coordination Organizations (CCO) (Each CCO covers different counties in the state.):

- **Advance Care Alliance** - 833-MYACANY (833-692-2269)
Counties served: Bronx, Kings, Nassau, New York, Orange, Queens, Richmond, Rockland, Suffolk, Westchester
- **Care Design NY** - 518-235-1888
Counties served: Albany, Bronx, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, St. Lawrence, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester
- **Tri-County Care** - 844-504-8400
Counties served: Albany, Bronx, Columbia, Dutchess, Fulton, Greene, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester
- **Prime Care Coordination** - 844-347-3168
Counties served: Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Delaware, Erie, Essex, Franklin, Genesee, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Schuyler, Seneca, St. Lawrence, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates
- **Life Plan** - 315-565-2612
Counties served: Albany, Broome, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Orange, Oswego, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, St. Lawrence, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Westchester

- **Person Centered Service - 888-977-7030**
Counties served: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, Yates
- **Southern Tier Connect - 607-376-7526**
Counties served: Broome, Chemung, Chenango, Cortland, Delaware, Fulton, Herkimer, Madison, Montgomery, Oneida, Otsego, Schoharie, Tioga, Tompkins
- **Partners Health Plan - 1-855-747-5483**
Counties served: Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, Westchester

The LDSS/VA will need to provide the following documentation to the CCO to determine OPWDD eligibility (in some cases, additional information will be needed/requested).

- A physical or medical summary (a general medical report completed within the past 12 months).
- Medical or specialty reports (for example, a neurological or genetic testing report), including health status and diagnostic findings, to support a qualifying diagnosis other than intellectual disability.
- A psychological report that includes a comprehensive assessment of intellectual functioning with the reporting of intelligence testing scores (including subscale, index, and full-scale scores) and a standardized assessment of adaptive behavior with reporting of composite, domain, and subdomain/skill area summary scores.
- Social/developmental history, psychosocial report, or other report that shows that the person became disabled before age 22 (unless contained in other reports). A social/developmental information report is still needed if the person is a child or adolescent.
- A social evaluation (completed within the past 12 months). (<https://opwdd.ny.gov/adm-2020-04-social-evaluation-requirements-initial-level-care-eligibility-0>)
- A full report or other summaries of all contemporary diagnoses or classifications of health, including physical, developmental, or psychiatric conditions that are relevant to the determination of eligibility.
- In the case of an autism spectrum disorder (ASD), a report(s) constituting a comprehensive evaluation for the ASD diagnosis is required.

Below is guidance on the accepted IQ and adaptive tests.

Acceptable Measures of Intellectual and Adaptive Behavior

The following measures provide information about an individual's intellectual functioning and adaptive behavior, which is needed for eligibility to be determined. The LDSS/VA may wish to share this information with the child's doctor or clinicians who will conduct these assessments.

Examples of appropriate intellectual measures include current versions of the following:

- The Wechsler Adult Intelligence Scales series.
- The Stanford-Binet Intelligence Scales.
- The Leiter International Performance Scale.
- The Kaufman Assessment Battery for Children series.
- The Woodcock-Johnson Tests of Cognitive Abilities.
- Other intelligence tests may be acceptable if they are comprehensive, structured, standardized, and have up-to-date general population norms.

Considerations for Measures of Intellectual Functioning

- Brief or partial administration of comprehensive intellectual measures may be utilized only in circumstances where standardized administration is impossible due to sensory disability or profound and generalized impairment of activity, and in conformance with the most current edition of the AERA/APA/NCME standards for use and interpretation of individual test results. If a person is determined to have such significant cognitive limitations that they are unable to understand or respond to the administration of comprehensive standardized tests, a clinician may use alternate assessment techniques or measures to document functioning levels and help estimate the severity of an obvious developmental disability. A description of the circumstances and rationale for such an adaptation must be included in the report.
- Findings from abbreviated measures of intelligence (e.g., the Wechsler Adult Intelligence Scale, the Kaufman Brief Intelligence Test or adaptive behavior scales) will not substitute for a comprehensive assessment and will not solely be considered when determining eligibility.
- Tests or instruments assessing nonverbal intelligence (e.g., the Leiter Scale, the Universal Nonverbal Intelligence Test, the Comprehensive Test of Nonverbal Intelligence), in combination with the performance items of a comprehensive IQ test (with directions translated into the examinee's primary language or means of communication), will be considered for people who are limited English proficient, have a hearing impairment, or do not communicate through the use of oral language.
- In all other cases, comprehensive intellectual assessment measures standardized in English that have been administered by translation into another language are not acceptable for eligibility determination purposes.

Examples of appropriate comprehensive measures of adaptive behavior include current versions of the following:

- The Adaptive Behavior Assessment System.
- The Vineland Adaptive Behavior Scales.
- The Scales of Independent Behavior-R (motor skills domain only).
- Other adaptive behavior measures are acceptable if they are comprehensive, structured, standardized, and have up-to-date general population norms.

Adaptive behavior measures must reflect the person's typical or actual behavior, not their best or potential behavior under optimal circumstances or with assistance. In general, a person's self-report should not be the only source of information gathered for the assessment, particularly when the person has a condition(s) that may affect their current cognitive functioning or ability to provide a valid or reliable report about their abilities.

Results from a measurement that is not on this list but was given prior to the person reaching age 22 may be used to establish a history of adaptive deficits during the developmental period.

The submission of a computer-generated report based on the entry of raw scores will not be considered for the purposes of determining eligibility as such reports are not individualized. Any interpretation of the findings is not inclusive of the totality of information obtained throughout the assessment process. Therefore, while these results can be used by clinicians, clinicians must create their own reports.

Note: If eligibility is determined, a care manager is assigned by the CCO and will assist with the process of obtaining services and supports including the following:

- Establishing Medicaid.
- Applying for home and community-based services (HCBS).

For more information visit: <https://opwdd.ny.gov/eligibility>

IV. Contacts

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