



COMMISSIONER
Jon Weizenbaum

December 9, 2015

To: Community Living Assistance and Support Services Direct Services Agencies
(CLASS DSAs)
Deaf Blind with Multiple Disabilities Program Providers (DBMD)

Subject: Information Letter No. 15-74
Discontinuing Use of Purpose Code E for Reinstatement of Lapsed Diagnostic
Eligibility

The purpose of this Information Letter (IL) is to inform CLASS DSAs and DBMD program providers of a change in the procedure to request reinstatement of an individual's diagnostic and functional eligibility that has lapsed. The Texas Department of Aging and Disability Services (DADS) does not pay for CLASS or DBMD program services provided during a period of time in which DADS has not approved an individual's diagnostic/functional eligibility unless a request from a DSA or DBMD program provider for reinstatement is approved by DADS.

For the CLASS Program, Title 40, Texas Administrative Code (TAC) §45.221(a) requires a DSA to complete an Intellectual Disability/Related Condition (ID/RC) Assessment. [Form 8578, Intellectual Disability/Related Condition Assessment](#) provides information DADS uses to determine if an individual meets diagnostic/functional eligibility criteria. The ID/RC must be submitted to (DADS) at least 60 calendar days before the expiration of an individual plan of care (IPC) period for a DADS decision regarding the individual's continuation of eligibility.

For the DBMD Program, 40 TAC §42.223(b) requires the service planning team (SPT), to complete an ID/RC Assessment, Form 8578 annually, and requires the case manager to submit a copy of the ID/RC Assessment to DADS within 10 business days after the date of the annual SPT meeting, but at least 30 days before the end of the current IPC period. The ID/RC Assessment establishes that the individual meets the diagnostic/functional eligibility criteria for DBMD services.

DADS considers an individual's diagnostic/functional eligibility to be lapsed if the program provider does not submit a completed Form 8578 before the end of the IPC period. Currently, to reinstate lapsed diagnostic/functional eligibility and be reimbursed for CLASS or DBMD services provided to an individual during the lapse, a DSA or DBMD program provider must submit an additional Form 8578 using Purpose Code E to DADS.

Effective November 15, 2015, a DSA or DBMD program provider submits Form 8578 using Purpose Code 3 to renew diagnostic/functional eligibility for the IPC year and to request reinstatement of lapsed diagnostic/functional eligibility. A DSA or DBMD program provider will no longer be required to submit a second Form 8578 using Purpose Code E to request reinstatement of the lapse.

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In accordance with 40 TAC §45.221(h) and 40 TAC §42.222(b)(5), if DADS approves the request for reinstatement and the individual is otherwise eligible for CLASS or DBMD services during the period of lapsed diagnostic/functional eligibility, the program provider will be reimbursed for a period of not more than 180 calendar days before the date DADS receives the completed Form 8578.

If you have questions about implementation of the process described in this letter, please call the Program Enrollment/Utilization Review unit at (512) 438-4896.

If you have any questions regarding the policy decision described in this letter, you may contact the CLASS program policy mailbox at class@dads.state.tx.us or the DBMD program policy mailbox at dbmd@dads.state.tx.us.

Sincerely,

[signature on file]

S. Michelle Martin
Director
Center for Policy and Innovation

[signature on file]

Elisa J. Garza
Assistant Commissioner
Access and Intake