



MENTAL RETARDATION BULLETIN

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

DATE OF ISSUE

May 10, 2004

EFFECTIVE DATE

Immediately

NUMBER

00-04-08

SUBJECT:

Determining Medical Assistance Eligibility for Individuals Age Three and Older Who Apply for Supports and Services Authorized by a County Mental Health/Mental Retardation Program

BY:

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Deputy Secretary for Mental Retardation

SCOPE:

County Mental Health/Mental Retardation Administrators
Base Service Units

PURPOSE:

The purpose of this bulletin is to communicate procedures requiring individuals age three and older who apply for or are receiving supports and services authorized by a County Mental Health/Mental Retardation (MH/MR) Program to be assessed for Medical Assistance (MA) eligibility in order to maximize federal financial participation.

BACKGROUND:

The Mental Health and Mental Retardation Act of 1966 states neither the State nor a county shall be required to expend public funds under the act on behalf of a mentally disabled person until such a person, who has been admitted or committed or is receiving services or benefits under this act, shall have exhausted his eligibility and receipt of benefits under all other existing or future, private, public, local, State or Federal programs.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

The Appropriate Regional Program Office

PROCEDURES:

This bulletin establishes the Office of Mental Retardation (OMR) procedures for County MH/MR Programs to follow for ensuring that individuals age three and older who apply for or who are currently receiving supports and services authorized by the county program are assessed for MA eligibility. It is the intention of OMR to implement these procedures in a manner that does not compromise the requirements established in any Federal and State statute or regulation or confuse families with regard to their rights.

This bulletin will become effective July 1, 2004. The requirement for an assessment for MA eligibility shall occur following the development of the individual's Individual Support Plan (ISP) and only if the individual's plan costs exceed \$8,000.

Support Coordinators shall assist in the application and enrollment process when necessary. This assistance shall include, but may not be limited to, assistance in contacting the County Assistance Office (CAO), assistance in compiling the needed documentation and assistance with the completion of the MA application.

MA eligibility is determined through the Department of Public Welfare CAOs. There is at least one CAO in each of Pennsylvania's 67 counties. An application can be obtained through one of the CAOs or accessed through the Commonwealth of Pennsylvania Access to Social Services (COMPASS) at www.compass.state.pa.us.

The Department's notices regarding an individual's MA eligibility are issued by the CAO and are subject to right to fair hearing and appeal before the Department's Bureau of Hearings and Appeals. Individuals and/or families will be advised by the CAO regarding any conditions of MA eligibility including third party liability.

Funding through traditional MA may support those services that are authorized on the ISP. The MA eligibility determination process must not delay development of the ISP or jeopardize compliance with any Federal or State statutes or regulations. County MH/MR Programs are responsible to assure that any delays in service delivery resulting from procedures contained in this bulletin are immediately corrected and reported to the regional OMR.

If an individual is determined eligible for MA, all applicable supports and services listed on the ISP shall be accessed through MA. If an individual or a family refuses to be assessed for MA eligibility, supports and services shall not be provided until the assessment is completed.