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Disability Rights Ohio Frequently Asked Questions:

Eligibility for services through a county board of developmental disabilities

Each county in Ohio has a county board of developmental disabilities, which both provides and coordinates services for eligible county residents, both adults and children, who have a developmental disability. This Questions and Answers document provides information on the criteria for becoming eligible for services through a county board of developmental disabilities as well as the services which may be available to an eligible person.

Notably, the eligibility criteria and the services described in this document are separate from those involved in Medicaid home and community-based services waivers, such as the Individual Options waiver, SELF waiver, or Level One waiver. More information on these Medicaid programs is available at disabilityrightsohio.org/medicaid-waivers and disabilityrightsohio.org/frequently-asked-questions-about-medicaid.

How does one become eligible for services through a county board of developmental disabilities?

To be eligible for services from a county board of developmental disabilities, a person must have a developmental disability, which is defined under Ohio law as a “severe, chronic disability” that

- is “attributable to a mental or physical impairment or a combination of mental and physical impairments,” other than one caused solely by mental illness;
- is manifested before age 22; and
- is likely to continue indefinitely.

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Furthermore, for a person who is age 6 or older, the disability must result in a “substantial functional limitation” in at least three of the following areas of major life activity:

- self-care,
- receptive and expressive language,
- learning,
- mobility,
- self-direction,
- capacity for independent living, and
- capacity for economic self-sufficiency, if the person is at least age sixteen.

For a person at least age 3 but under age 6, the disability must result in at least two developmental delays or an established risk of acquiring a developmental delay. For a person under age 3, the disability must result in at least one developmental delay or an established risk of acquiring a developmental delay.

To apply for eligibility for services, one should contact his or her county board of developmental disabilities. Contact information for each county board of developmental disabilities in Ohio is available at www.oacbdd.org/main/member-directory.

How is it determined whether a person age 6 or older has a substantial functional limitation in an area of major life activity?

For a person who is at least age 16, the county board of developmental disabilities will complete the “Ohio Eligibility Determination Instrument,” which is commonly referred to as the “OEDI,” to assess his or her functional abilities. For a child age 6 through 15, it will complete the “Children’s Ohio Eligibility Determination Instrument,” or “COEDI.”

The User’s Guide for the OEDI and the COEDI is a very helpful document which explains in detail how both instruments are administered. The assessor will complete the OEDI or COEDI by interviewing the person and others who know him or her well, reviewing documents, and making direct observations to determine the individual’s current functional abilities.

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How is a developmental delay or an established risk of acquiring a developmental delay defined?

A “developmental delay” means that a child has not reach developmental milestones as expected for his or her age “as measured by qualified professionals using appropriate diagnostic instrument or procedures.” A delay must be demonstrated in one or more of the following developmental areas:

- adaptive behavior;
- physical development or maturation (fine and gross motor skills, growth);
- cognition;
- communication;
- social or emotional development; and
- sensory development.

Also, a child under the age of 6 will be eligible for services if he or she has an established risk of acquiring a developmental delay. An established risk involves “early aberrant development related to diagnosed medical disorders” (such as an infant or toddler who is on a ventilator, is adversely affected by drug exposure, or has a diagnosed medical disorder or physical or mental condition known to result in developmental delay, such as Down syndrome).

A county board of developmental disabilities may also serve a child who has a condition which has a high probability of resulting in developmental delay if early intervention services are not provided, including the following two categories:

- a biological risk (“history of prenatal, neonatal, and early developmental events suggestive of biological insult or insults to the developing nervous system”) of acquiring a developmental delay, or
- environmental risk (“at risk for delayed development because of limiting early environmental experiences”) of acquiring a developmental delay.

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What types of services are available to a person who is found eligible for services through a county board of developmental disabilities?

Generally, a person determined eligible for its services is entitled to a service and support administrator (SSA), who acts as the single point of accountability for the person in determining and pursuing his or her goals and in facilitating the coordination of services to achieve these goals.

The SSA must complete an assessment of the person's need for services, which may include the following:

- supported living services, which may include, among other things, the provision of housing, food, clothing, habilitation, and homemaker and personal care services, thereby enabling a person with a developmental disability to remain in the residence of his or her choice and avoid unnecessary institutionalization;
- adult services, which include adult day habilitation services, adult day care, prevocational services, community employment and supported employment services, and sheltered employment;
- early childhood services, meaning a planned program of habilitation designed to meet the needs of a person with a developmental disability who has not yet attained compulsory school age;
- habilitative services, which assist a person with a developmental disability in acquiring and maintaining life skills that allow him or her to cope more effectively with the demands of his or her own life;
- environmental modifications (widening doorways in one's home to achieve accessibility); and
- assistive technology.

The SSA also develops and revises the person's individual service plan (ISP), establishes a budget for services, assists the person in choosing providers, ensures that the person's services are effectively coordinated and provided by appropriate providers, and monitors the implementation of the person's ISP.

Is eligibility for services through a county board of developmental disabilities a guarantee that one will receive the services he or she needs or desires?

Unfortunately, no. County boards of developmental disabilities in Ohio have discretion in deciding how to use their non-Medicaid funding. In virtually all cases, it is preferable to access Medicaid services if possible, including services through a home and community-based services waiver. However, there are long waiting

lists for enrollment on these Medicaid waivers in every county, which means services through a county board of developmental disabilities can be very important.

Can a person challenge a decision that he or she is ineligible for services from a county board of developmental disabilities?

Yes. See Disability Rights Ohio's Frequently Asked Questions document regarding filing a complaint with a county board of developmental disabilities to challenge a determination of ineligibility.

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