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Selecting which Eligible Persons will Receive Services
and in Selecting Private Sector Service Providers**

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**Criteria for Determining Eligibility for Services/Criteria used in
Selecting which Eligible Persons will Receive Services and in
Selecting Private Sector Service Providers**

Sec. 17a-212-1. Definitions

For the purposes of Sections 17a-212-1 through 17a-212-5, inclusive, the following definitions shall apply:

- (1) "Authorization" means approval to receive services funded by the department.
 - (2) "Bidders conference" means a forum for regional personnel to present and discuss the service outcomes and service requirements with prospective service providers.
 - (3) "Central office" means the central office of the department.
 - (4) "Central office eligibility unit" means one or more clinical staff or other appropriate staff designated by the commissioner to review and make eligibility determinations.
 - (5) "Commissioner" means the commissioner of the department of mental retardation.
 - (6) "Cost analysis" means a review of the budget submitted by the private sector service provider, including revenue and expense projections, with regard to feasibility for implementing the proposal within the proposed budget and the cost effectiveness of the proposal.
 - (7) "Department" means the department of mental retardation.
 - (8) "Department's determination to deny eligibility" means the commissioner's determination after any informal administrative review which may be available.
 - (9) "Financial stability" means that the financial operations of the private sector service provider conform to legal requirements and sound financial planning including efficient and effective recording, reporting, and control of earnings, expenses, assets and liabilities.
 - (10) "Mental retardation" means mental retardation as defined in section 1-1g of the Connecticut General Statutes and includes persons under the age of five who have substantial developmental delay or a specific diagnosed condition with a high probability of resulting in developmental delay, but for whom a determination of mental retardation is not possible.
 - (11) "Post selection review" means a forum that regional personnel will make available to the private sector service providers to review the selection process for service agreements.
 - (12) "Private sector service provider" means any person, organization or corporation who receives funding from the department for the purpose of providing residential and adult day services to persons with mental retardation. Community training home providers and those providing services for a specific person, including but not limited to paid assistance from neighbors and paid roommates, are not private sector service providers for the purpose of these regulations.
 - (13) "Region" means the geographical subdivision of the state as defined by the department.
 - (14) "Service agreement" means a document or contract which authorizes a private sector service provider to provide appropriate supports and services.
- (Adopted September 27, 1991; amended October 1, 2001)

Sec. 17a-212-2. Eligibility for services

(a) Request for Services

A request for services to the central office may be submitted by any person who is a resident of Connecticut and who is, or believes himself to be a person with mental retardation, or by someone on the person's behalf.

Upon submission of a request for services, the central office eligibility unit shall make an initial determination of eligibility. The person requesting services shall be notified in writing of the determination.

(b) Criteria for Determining Eligibility

A person is eligible for services of the department if he:

- (1) is a resident of the State of Connecticut; and
- (2) has mental retardation.

A person who has not met these criteria may be eligible for such services of the department as are expressly authorized by State or Federal law.

(c) Appeal on Denial of Eligibility

A person who is aggrieved by the department's determination to deny eligibility may, within sixty days after receipt of such determination request a hearing in accordance with Sections 4-176e to 4-184, inclusive, of the Connecticut General Statutes. Such request shall be made in writing to the commissioner.

(Adopted September 27, 1991; amended October 1, 2001)

Sec. 17a-212-3. Identification of service and support needs

Each person who is determined eligible for services and supports pursuant to Sec. 17a-212-2 of the Regulations of Connecticut state agencies shall have the opportunity to:

- (a) be provided with information on services and supports, policies and procedures,
- (b) participate in the identification of his service and support needs,
- (c) participate in the development of strategies to achieve desired outcomes based upon identified service and support needs, and
- (d) make or have application made on his behalf for authorization for funding of such department services and supports as are identified.

(Adopted September 27, 1991; amended October 1, 2001)

Sec. 17a-212-4. Authorization for services and supports

(a) Criteria for Authorizing Services and Supports

The department shall determine, and redetermine when necessary, which if any services and supports to authorize for an eligible person through an assessment of:

- (1) the identified service and support needs of the person,
- (2) available community services and supports,
- (3) the person's personal resources and preferences, and
- (4) the resources available to the department.

(b) Procedures for Authorizing Services and Supports

(1) Central Office Responsibilities

The department's central office shall:

(A) annually determine the nature and distribution of available resources among the regions, and

(B) develop an authorization format for the regions to prepare a written protocol, using the criteria identified in subsection (a) of this section to determine which eligible persons shall be authorized to receive services and supports.

(2) Regional Responsibilities:

Each region shall:

(A) develop a written protocol, consistent with the format developed by the central office, and using the criteria identified in subsection (a) of this section, to determine which eligible persons shall be authorized to receive services and supports,

(B) with community input, develop the regional protocol, considering any unique or peculiar local and geographic needs and resources applicable to the given region and its population,

(C) submit their written protocol for approval by the commissioner. Any modification to an approved protocol shall be submitted for the approval of the commissioner,

(D) make the approved protocol available to the community, and

(E) at least annually, consistent with a format developed by the central office, issue a report to the commissioner, which summarizes service and support authorization decisions and adherence to the approved protocol.

(Adopted September 27, 1991; amended October 1, 2001)

Sec. 17a-212-5. Selection of private sector service providers

(a) Criteria for Selection of Private Sector Service Providers.

Service agreements will be issued to private sector service providers using the following criteria:

(1) Proposed methods to achieve outcomes based upon:

(A) strategies to address the person's identified service and support needs,

(B) ability to provide services based on the needs of the person,

(C) description of outcome measurements, and

(D) assessment and plan for integration of community resources and services.

(2) Cost analysis

(3) Performance

(A) demonstrated ability to achieve outcomes,

(B) previous performance, and

(C) financial stability.

(b) Procedures for Selection of Private Sector Service Providers

(1) Central Office Responsibilities

The department's central office shall:

(A) annually determine the nature and distribution of available resources among the regions, and

(B) develop a selection format for the regions to use in preparing a written protocol using the criteria identified in subsection (a) of this section in selecting which private sector services providers will receive service agreements. The format shall address, but not be limited to, a bidders conference and a post selection review process.

(2) Regional Responsibilities

Each region shall:

(A) with community input, develop a written protocol, consistent with the format developed by the central office, and using the criteria identified in subsection (a) of this section for determining which private sector service providers shall receive services agreements,

(B) submit their written protocol for approval by the commissioner. Any modification to an approved protocol shall be submitted for approval of the commissioner,

(C) make the approved protocol available to the community, and

(D) at least annually, consistent with a format developed by the central office, issue a report to the commissioner summarizing selection decisions and adherence to the approved protocol.

(Adopted September 27, 1991; amended October 1, 2001)