

400 INITIAL ELIGIBILITY DETERMINATION PROCESS

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EFFECTIVE DATE: January 15, 1996

REFERENCES: A.R.S. § 36-551; A.R.S. § 36-559; A.R.S. § 36-694; A.R.S. § 46-140-01; A.R.S. §§ 8-548; A.A.C. R6-6-301, et. seq.; A.A.C. R6-6-601.

PURPOSE

This policy outlines the Division of Developmental Disabilities (Division) requirements for determining an Applicant's initial Eligibility for the Division including the process for applying, required documentation, and the Division's process to provide an Eligibility decision.

DEFINITIONS

1. "Applicant" means the Responsible Person as defined in A.R.S. § 36-551 who has applied for Division services as defined in AAC 6-6-101 (11).
2. "Autism" means a condition characterized by severe disorders in communication and behavior resulting in limited ability to

communicate, understand, learn and participate in social relationships as outlined in A.R.S. § 36-551 (7).

3. “Capacity for Independent Living” means the ability to perform necessary daily activities in one’s own residence and community as outlined in AAC R6-6-303(C)(6) to include:
 - a. Completing household chores,
 - b. preparing simple meals,
 - c. operating household equipment such as washing machines, vacuums, and microwaves;
 - d. using public transportation; and
 - e. shopping for food, clothing, and other essentials.
4. “Cerebral Palsy” means a permanently disabling condition resulting from damage to the developing brain that may occur before, after or during birth and that results in loss or impairment of control over voluntary muscles as outlined in A.R.S. § 36-551(10).
5. “Cognitive or Intellectual Disability” means a condition that involves Subaverage General Intellectual Functioning, that exists concurrently with deficits in adaptive behavior manifested before

the age of eighteen and that is sometimes referred to as intellectual disability as outlined in A.R.S.§ 36-551(14).

6. “Completed Application” means for the purpose of this policy, the application for the Division containing each required piece, completed, as described in Section D.3 in this policy.
7. “Developmental Disability” means either a strongly demonstrated potential that a child under six years of age has a Developmental Disability or will develop a Developmental Disability, as determined by a test performed pursuant to A.R.S.§ 36-694 or by other appropriate tests, or a severe, chronic disability that:
 - a. Is attributable to Cognitive Disability, Cerebral Palsy, Epilepsy Down Syndrome or Autism.
 - b. Is manifested before the age of eighteen.
 - c. Is likely to continue indefinitely.
 - d. Results in Substantial Functional Limitations in three or more of the following areas of major life activity:
 - i. Self-Care.
 - ii. Receptive and Expressive Language.
 - iii. Learning.
 - iv. Mobility.

- v. Self-Direction.
 - vi. Capacity for Independent Living.
 - vii. Economic Self-Sufficiency.
- e. Reflects the need for a combination and sequence of individually planned or coordinated special, interdisciplinary or generic care, treatment or other services that are of lifelong or extended duration as outlined in A.R.S. § 36-551(14).
8. “Down Syndrome” means a genetic disorder caused when abnormal cell division results in extra genetic material from chromosome 21, affecting a person’s cognitive and physical abilities and causing developmental issues, as defined in A.R.S. § 36-551(23).
9. “Economic Self-Sufficiency” means the ability to perform the tasks necessary for regular employment as defined in AAC R6-6-303(C)(7).
10. “Eligibility” means the determination or redetermination process completed by the Division to determine that an Applicant is qualified for admission to or continued eligibility for the Division.

11. "Epilepsy" means a neurological condition characterized by abnormal electrical-chemical discharge in the brain. This discharge is manifested in various forms of physical activities called seizures as defined in A.R.S.§ 36-551(12).
12. "Lawful Presence" means that an individual is a citizen or permanent legal Resident of the United States or that the individual's presence in the United States is otherwise authorized under federal law.
13. "Learning" means the ability to acquire, retain, and apply information and skills as defined in AAC R6-6-303(C)(3).
14. "Medical Records" means all communications related to a patient's physical or mental health or condition that are recorded in any form or medium and that are maintained for purposes of evaluation or treatment, including records that are prepared by a health care provider or by other providers, to include psychological records. Records do not include materials that are prepared in connection with utilization review, peer review or quality assurance activities as specified in A.R.S. § 12- 2291.
15. "Member" means the same as "Client" as defined in A.R.S. § 36-551.

16. "Mobility" means the ability to move safely and efficiently from one location to another within the individual's residence, neighborhood, and community as outlined in AAC R6-6-303(C)(4).
17. "Receptive and Expressive Language" means the ability to understand and participate in conversations in the individual's primary language, and express needs and ideas that can be understood by another individual who may not know the individual as outlined in AAC R6-6-303(C)(2).
18. "Resident" means a person who physically resides within the State of Arizona with the intent to remain, except in the case of minors whose residency is deemed to be the same as that of the guardian as outlined in AAC R6-6-301(16).
19. "Responsible Person" means an adult with a developmental disability who is a Member or an applicant for whom no guardian has been appointed, the parent or guardian of a minor with a developmental disability, or the guardian of an adult with a developmental disability.

20. "Self-Care" means the ability to perform personal activities that sustain the health and hygiene of the individual appropriate to the individual's age and culture as outlined in AAC R6-6-303(C)(1).
21. "Self-Direction" means the ability to manage one's life as outlined in AAC R6-6-303(C)(5), including:
- a. Setting goals,
 - b. Making and implementing plans to achieve those goals;
 - c. Making decisions and understanding the consequences of those decisions;
 - d. Managing personal finances,
 - e. Recognizing the need for medical assistance,
 - f. Behaving in a way that does not cause injury to self or others; and
 - g. Recognizing and avoiding safety hazards.
22. "Subaverage General Intellectual Functioning" means measured intelligence on standardized psychometric instruments of two or

more standard deviations below the mean for the tests used as outlined in A.R.S.§ 36-551(42).

23. "Substantial Functional Limitations" means a limitation so severe that extraordinary assistance from other people, programs, services, or mechanical devices are required to assist the individual in performing appropriate major life activities as outlined in A.R.S.§ 36-551(43).
24. "Supporting Documents" means for the purpose of this policy:
 - a. Consent for use of Insurance,
 - b. Medical Records,
 - c. Psychological records,
 - d. Educational records,
 - e. Documentation verifying Arizona Residency, and
 - f. Documentation demonstrating Lawful Presence.

POLICY

- A.** The Division shall accept a Completed Application for the Division if the Applicant:

1. Demonstrates Lawful Presence in the United States
 2. Is a bona fide Resident of the State of Arizona;
 3. Is a person living with a Developmental Disability; and
 4. Provides medical and psychological documentation of such Developmental Disability as required by the Arizona Revised Statutes, Arizona Administrative Code, and Division Policies.
- B.** The Division shall determine Eligibility for the Division for Applicants birth to age six upon receipt of an Applicant’s developmental assessments, educational records, and medical documentation of a strongly demonstrated potential of currently having a Developmental Disability, or being at risk of developing a Developmental Disability.
- C.** The Division shall determine Eligibility for the Division at age six or older, upon receipt of an Applicant’s educational and medical documentation demonstrating the Applicant has a qualifying Developmental Disability.
- D.** The Division shall accept Completed Applications with Supporting Documentation, submitted:
1. For children age birth to age three receiving AzEIP services:
 - a. By the AzEIP Support Coordinator to the Division via email dddeiuintakes@azdes.gov, or
 - b. By the Responsible Person directly to the Division.

2. For all ages, the Completed Application may be accepted from:
 - a. The Responsible Person via:
 - i. Email to the Division’s Eligibility application mailbox at DDDAPPLY@azdes.gov;
 - ii. Mail to a local Division office; or
 - iii. Direct application in a local Division office.
 - b. The AHCCCS program.
3. The Division shall concurrently refer Applicants under age three, applying directly to the Division, to AzEIP.
4. The Division shall make the Eligibility packet available on the Division’s website.
5. The Division shall consider Complete Application if it contains the following:
 - a. A completed DDD Eligibility Checklist (DDD-1991A) “What Is A Complete Packet” guide.
 - b. Completed and signed, handwritten or electronic, pursuant to Section 7.5 of the Electronic and Digital Signature Policy (ADOA P4070, 2017) Application for Eligibility Determination (DDD-1972A).

- c. Evaluation(s) which document that the Applicant has a qualifying diagnosis of Autism, Cerebral Palsy, Down Syndrome, Epilepsy, Cognitive or Intellectual Disability, or is under the age of six and determined to be at-risk of developing a qualifying diagnosis, completed by a qualified provider as required in A.A.C. R6-6-303(A).

- d. Documentation that supports an Applicant over the age of six has Substantial Functional Limitations in at least three areas of major life activities as outlined above and required in A.A.C. R6-6-303(C).

- e. Documentation verifying Lawful Presence in the United States. All Applicants must provide documentation showing that the person seeking Eligibility for the Division has Lawful Presence. Documentation accepted by the Division includes, but is not limited to:
 - i. Birth certificate,

 - ii. Permanent Resident Card,

 - iii. U.S. Passport,

- iv. Valid I-94 or Refugee registry documents,
 - v. Certificates of Naturalization,
 - vi. Deferred Action for Childhood Arrival (DACA) status, or
 - vii. Parole (Humanitarian or Significant Public Benefit Parole .
- f. Documentation verifying that the Applicant is a bona fide Resident of the State of Arizona. Examples of proof of residency include, but are not limited to:
- i. Rent or mortgage receipt, or lease in the Applicant's or Responsible Person's name showing the Residential address,
 - ii. Non-relative landlord statement indicating the Applicant or Responsible Person's name, address, and telephone number as well as the landlord's name, address, and telephone number if available,
 - iii. Applicant or Responsible Person's Arizona driver's license or Arizona motor vehicle registration,

- iv. Certified copy of a school record which indicates the Applicant's current address or the current school year's copy of an Individualized Educational Program (IEP) or 504 Plan showing the Applicant's name and residential address,
- v. Utility bill in the Applicant or Responsible Person's name indicating the Applicant's address,
- vi. United States Post Office records which show the Applicant or Responsible Person's name and address,
- g. Signed affidavit stating:
 - i. Current residency; and
 - ii. Intent to remain in Arizona, which can be met by signing the Division's application document.
- h. Copy of all medical insurance cards, front and back.
- i. Documentation confirming:
 - i. The Responsible Person(s) has legal custody of the person seeking Eligibility for the Division; or

- ii. An Arizona court-appointed Guardianship dated and executed by a judge, accompanied by the current annual report of guardianship if the guardianship order is over one-year-old;
 - iii. Any Guardianship or conservatorship issued outside of Arizona,~~s require~~ accompanied by:
 - 1) A certified copy of the Provisional Order Accepting Transfer to Arizona ; and
 - 2) The Provisional Order Appointing the Guardian to the transferring court.
- E.** The Division shall not require an Applicant’s social security number for a Complete Application.
- F.** A Division Eligibility Specialist shall take the following actions upon receipt of an incomplete application packet:
- 1. Notify the Responsible Person within 10 calendar days of receipt of the incomplete application packet to request the missing information needed to proceed with the Eligibility process.

2. Notify the Responsible Person they have 30 calendar days from the date of notification to provide the requested information or request additional time.
 3. Notify the Responsible Person that the application will be denied if the Responsible Person does not provide the requested information within thirty 30 calendar days from the date of the request for additional information.
- G.** A Division Eligibility Specialist shall process the Completed Application upon receipt and make a determination as to the Applicant's Eligibility for the Division through the following actions:
1. Providing assistance with the Eligibility process if requested from the Applicant's Responsible Person.
 2. Processing the Completed Application within 30 calendar days from receipt of the Completed Application.
- H.** The Division shall complete a review of the application and supporting documents within 30 calendar days of receiving a Complete Application. If additional information, the Eligibility Specialist shall request additional information from the Applicant:

1. The Division shall direct the Applicant to provide the requested information to the Division within 15 calendar days of the request for additional information.
 2. The Division shall deny the application if the information is not received by the Division within 15 calendar days of the additional information request.
- I.** A Division Eligibility Specialist shall elevate a Completed Application involving unclear diagnostic documentation to a second-level review from the Division's Health Care Services.
- J.** A Division Eligibility Specialist shall notify the Applicant of the outcome in writing.
1. Applicants who are determined eligible for the Division receive a letter that includes notification of Eligibility.
 2. Applicants who are determined not eligible for the Division receive a written notice of Denial/Termination of Division Eligibility. This notice shall be issued by certified mail with a return receipt requested. The notice will include all reason(s) for the decision to deny Eligibility and provide information to Applicants on appeals rights.

SUPPLEMENTAL INFORMATION

For more information on the Arizona Long Term Care Services (ALTCS), visit the Arizona Health Care Cost Containment System at www.azahcccs.gov.

For more information on services for children under age 3, visit the Arizona Early Intervention Program (AzEIP) at <https://des.az.gov/azeip>.

Nicolte G Fidel

Signature of Chief Operations Officer

Nicolte G Fidel

Name

2025-11-26

Date