

## DD Waiver Waiting List Navigation

Once someone applies for a Developmental Disability (DD) Medicaid Waiver, they are placed on a waiting list that is shared by anyone who is waiting for a DD Waiver. The list is managed by the local government agency that oversees DD services, the Community Services Board (CSB). The CSB is the same agency that took and processed the application.

### Waiting List Tiers

People on the waiting list are placed on one of three tiers, based upon how urgently they need support. All people in Priority One should be offered a Waiver before services are offered to people with less urgent needs.

1. **Priority One**- actively experiencing some sort of crisis and need services quickly
2. **Priority Two**- experiencing struggles without a Waiver and would benefit from receiving services soon
3. **Priority Three**- stable and well supported through other services or natural supports now

As needs change, people move between the three priority tiers. This should be assessed at least annually when the CSB reaches out to confirm continued interest in the Waiver program, but can be updated anytime by contacting the CSB and explaining the urgency of the situation.

### Advocating for Priority One and a DD Medicaid Waiver

If you feel that you are in the wrong priority and you have an urgent need for a Waiver, you have a right to appeal the decision about your priority in writing to the CSB. People who feel they should be in Priority One or that they are the highest need within the Priority One category can focus their appeal on criteria the Waiver considers in determining urgency. These include:

1. Primary caregiver(s) has a chronic or long-term physical or psychiatric condition and other caregivers are not available
2. The primary caregiver cannot provide care any longer
3. There is a risk of abuse, neglect, or exploitation of the individual with a disability
4. The individual is ready to leave an institutional setting
5. The individual is homeless, or facing homelessness
6. There is an immediate risk to health and safety to someone in the home due to unmet behavioral support, physical care, or other medical needs
7. The individual waiting is no longer eligible for public school services and is transitioning to independent living.
8. The living situation is in poor condition, the primary caregiver has other caretaking responsibilities, or other environmental concerns.

Strong appeals give clear details that speak to these criteria and explain how the DD Medicaid Waiver would help alleviate the challenges the individual is facing. You can also include notes or letters from the family and/or professionals who know the situation well who can speak to the urgency of need. You can call the CSB when there are changes in your situation or relevant news to share about the need for urgent help.

## While On the Waiting List

### Individual and Family Support Program

The state agency that oversees the DD Waiver system is the Department of Behavioral Health and Developmental Services (DBHDS). Each year, they offer an opportunity for people on the DD Waiver Waiting List to apply for between \$500-\$1000 in flexible funding to support the needs of the person with a disability. These funds are often used to pay for things like respite care, summer camps, and adaptive equipment. You can learn more and get on the e-newsletter at <https://dbhds.virginia.gov/developmental-services/ifsp/>.

### Crisis Support

If the individual on the waiting list has a history of mental health or behavioral support needs, it is a good idea to be in touch with REACH, the state crisis response team. They can create a proactive support plan and are available for mobile crisis support. <https://dbhds.virginia.gov/developmental-services/crisis-services/>

### CCC Plus Medicaid Waiver

For people who have significant medical support needs, they can apply for and use the Commonwealth Coordinate Care (CCC) Plus Medicaid Waiver while waiting for a DD Medicaid Waiver. It provides fewer services, but has no waiting list. Learn more at <https://thearcofnova.org/resource-library/#waivers> and <https://www.youtube.com/user/VideosatTheArcofNoVA>

### State Rental Assistance Program

People using DD Waivers and those on the Waiting List are eligible for the State Rental Assistance Program (SRAP) if they are over 18 and are ready to move to a subsidized rental away from family. You can learn more and get help applying by contacting your local CSB. <https://dbhds.virginia.gov/developmental-services/housing/state-rental-assistance-program/>

## Resources:

- Ask us a question anytime at <https://thearcofnova.org/program/info-referral/>
- You can hire a private advocate to help you navigate appeals before the Circuit Court level. Contact [Lucy.Beadnell@TheArcofNOVA.org](mailto:Lucy.Beadnell@TheArcofNOVA.org) to learn about our private advocate or contact Inclusion Consultants, <https://inclusionconsultants.com/>.
- See [Virginia State Code with Waiver regulations](#) for the law on what the Waiver does and does not do to strengthen your argument about how a Waiver can meet the needs of the individual.
- View the [DD Medicaid Waiver manuals](#) for a detailed explanation of the rules of the DD Medicaid Waiver program.
- See a [recorded webinar on Medicaid appeals](#) put on by the disAbility Law Center.