

ELIGIBILITY DEFINITION

BACKGROUND: Consistent with L. 1995, Chap. 234 (Substitute for H.B.2458) persons who are intellectually disabled or otherwise developmentally disabled are those whose condition presents an extreme variation in capabilities from the general population which manifests itself in the developmental years resulting in a need for life long interdisciplinary services. The following identifies those who, among all persons with disabilities, are the most disabled as defined below:

Intellectual Disability means substantial limitations in present functioning that is manifested during the period from birth to age **18 years** and is characterized by significantly sub-average intellectual functioning existing concurrently with deficits in adaptive behavior, including related limitations **in two or more** of the following applicable adaptive skill areas:

1. Communication
2. Self-Care
3. Home Living
4. Social Skills
5. Community Use
6. Self-Direction
7. Health & Safety
8. Functional Academics
9. Leisure
10. Work

Other Developmental Disability means a condition such as autism, cerebral palsy, epilepsy or other similar or mental impairment (or a condition which has received a dual diagnosis of Intellectual Disability and Mental Illness) and is evidence by a severe, chronic disability which:

1. Is attributable to a mental or physical impairment or a combination of mental and physical impairments, **AND**
2. is manifest for the age of 22, **AND**
3. is likely to continue indefinitely, **AND**
4. results in substantial functional limitations in **any three or more** of the following areas of life functioning:

- a. self-care
 - b. understanding and use of language
 - c. learning and adapting
 - d. mobility
 - e. self-direction in setting goals and undertaking activities to accomplish those goals
 - f. living independently
 - g. economic self-sufficiency **AND**
5. It reflects a need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are lifelong, or extended in duration and are individually planned and coordinated, **AND**
 6. **Does not include individuals who are solely severely emotionally disturbed or seriously and persistently mentally ill or have disabilities solely as a result of infirmities of aging.**

For Children under the age of six, developmental disability means a severe, chronic disability that meets all of the following criteria:

1. Is attributable to a mental or physical impairment or a combination of mental and physical impairments, **AND**
2. Is likely to continue indefinitely, **AND**
3. Results in at least three developmental delays as measured by qualified professionals using appropriate diagnostic instruments or procedures, **AND**
4. Reflects a need for a combination and sequence of special, interdisciplinary, or generic care, treatment or other services which are lifelong or extended in duration and are individually planned and coordinated, **AND**
5. Does not include individuals who are solely severely emotionally disturbed or seriously and persistently mentally ill.