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## MEMORANDUM

**TO:** AAA Executive Directors **NOTICE:** 112202-2-I-LA

**FROM:** Susan M. Tucker, Deputy Secretary

**DATE:** November 21, 2002

**SUBJECT:** Notice of Instruction: Department of Children and Families Form 2515

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Attached is the DCF Form 2515 that has been revised as of October 2002. This form should be distributed to the case managers in each PSA and other appropriate staff and implemented into the process immediately.

The form has been revised to reflect the repeal of the Agency for Health Care Administration's Rule 58G-200.8(6)(b) that required an applicant, in order to be eligible to receive Home and Community Based (HCB) waiver services, to be in receipt of case management services, plus at least one other HCB waiver service.

The new form allows a case manager to forward a request for assistance referral to DCF/Economic Self-Sufficiency Services stating that the applicant will not be enrolled in the Medicaid Waiver as no funding/vacancies are available (See Section III(c) on Form 2515). DCF/ESS would not begin the eligibility determination process for the applicant until the case manager forwards Form 2515 indicating waiver funds are available to serve the applicant (the applicant was enrolled in the Medicaid Waiver. See Section III (a) on Form 2515).

DCF/ESS will notify the client of the denial in writing and provide information regarding their due process right to a fair hearing on the decision. If the client requests a fair hearing, DOEA has agreed to provide litigation support to DCF that may require the person that signed Form 2515 that no funding/vacancies were available to appear and testify at the hearing.

If the client is in receipt of CCE services, the transmittal of Form 2515, even if it indicates no funding/vacancies are available, satisfies the application for waiver services requirement in the Master Contract.

The client may be served through any other programs while waiting for waiver funds to become available. Current procedures that place the client on the waiver waiting list according to their assessment priority will remain in place.

**cc:** Senior Managers, Contract Managers DOEA

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