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**How do I apply for services from the New York State
Office for People with Developmental Disabilities (OPWDD)?**

OPWDD’S INFORMATION LINE 1-866-946-9733

OPWDD, through its local Developmental Disabilities Services Office (DDSO) in each borough, determines whether a person has a developmental disability and is eligible for OPWDD-funded services. It is important to know that, being eligible for OPWDD services is not the same as being eligible for particular services. For example, an individual can be eligible for OPWDD services generally, but not be found eligible for OPWDD residential services. This fact sheet describes the process of seeking a determination that someone is generally eligible for OPWDD services.

OPWDD ELIGIBILITY DEFINED

OPWDD eligibility requires:

1) Documentation of the presence of a qualifying developmental disability (DD);

AND

2) Onset of the disability before age 22; **AND**

3) Expectation that the disability will continue indefinitely; **AND**

4) Evidence of a substantial handicap to the ability to function, as a result of the disability.

QUALIFYING DISABILITIES

OPWDD qualifying developmental disabilities include: Intellectual Disability (ID) and any condition “closely related” to ID, Autism Spectrum Disorder (ASD), Cerebral Palsy (CP), Epilepsy, a Neurological Impairment, and Dyslexia (although not on basis of the diagnosis alone).

APPLICATION PROCESS STEP 1 (“FRONT DOOR”)

- ❖ Complete an application form which can be found at https://opwdd.ny.gov/sites/default/files/documents/eligibility_transmittal_form_0.pdf

- ❖ All forms and information on the OPWDD website relating to eligibility via the “translate button on the right-hand side of the site”
- ❖ All applications must be submitted to the appropriate OPWDD Developmental Disabilities Regional Office (DDRO).
- ❖ The application can be submitted by the applicant, a family member, the school district, or a professional providing services to the individual.
- ❖ Each application must include documentation of the applicant’s developmental disability.
- ❖ Each application must also include:
 - the results of an Intelligence Quotient (IQ) test;
 - the results of a test of adaptive functioning (usually a Vineland);
 - a psychosocial report; **AND**
 - medical records.

At this step, the DDRO can either find the applicant eligible and send the applicant a notice of the favorable decision or determine that further review is necessary. The DDRO is **not** permitted to deny an application at Step1.

APPLICATION PROCESS STEP 2 (APPLICATION REVIEW)

- ❖ If the DDRO determines the application requires further review, the DDRO must send the applicant written notice that the case has not yet been approved and that it has been sent on for further review by another team within DDRO.
- ❖ Reviewers must accept new information or arguments from the applicant and may request more information from the applicant.
- ❖ The reviewer can then either find the applicant eligible or ineligible. The DDRO must send a letter to notify the applicant of its determination.
- ❖ An applicant who is found to be ineligible at Step 2 may request a face-to-face meeting with the Step 2 reviewers to discuss the reasons for the decision.

APPLICATION PROCESS STEP 3 (WRITTEN APPEAL)

- ❖ A person who is found **not** to be eligible at Step 2 may ask for a Step 3 review. If the application included a request for any Medicaid-funded services, the applicant also has

the right to request a Medicaid fair hearing at this point The notice sent with the Step 2 decision will give information as to how to request a hearing.

- ❖ A Step 3 review is only a review of the information in the file. It does not involve a face-to-face meeting.
- ❖ The applicant can provide additional/new information during the Step 3 appeal and can send in a letter with arguments for eligibility.

APPLICATION PROCESS STEP 4 (DUE PROCESS APPEAL)

- ❖ An applicant has **60 days to request a due process hearing from the New York State Office of Temporary and Disability Assistance (“OTDA”), Office of Administrative Hearings** after being found NOT eligible at Step 3. You can find information and forms at <https://otda.ny.gov/hearings/request/>

FURTHER INFORMATION

Applicants can contact an OPWDD eligibility coordinator in their Region at https://opwdd.ny.gov/opwdd_services_supports/eligibility/documents/eligibility_contacts_ddsos.

To learn more about how the State defines a developmental disability and who can apply for services: https://opwdd.ny.gov/opwdd_services_supports/eligibility/faqs#q5.

TIPS

- ❖ Identify the basis for eligibility (e.g., if the applicant has an IQ that is over 70 but has autism, identify autism as the basis on which eligibility is being sought).
- ❖ Obtain and provide expert reports.
- ❖ If the applicant is still in school: Review the school records to make sure that all necessary testing has been done.
- ❖ Use parent or other reporter’s statement as to the limitations the child is experiencing as a result of the developmental disability.