

ASSISTIVE TECHNOLOGY AND SERVICES

I. APPLICABILITY

A. This policy applies to:

1. People receiving Developmental Disabilities Administration (DDA) funded services through its traditional or self-directed services delivery model;
2. Their families and/or legal representatives; and
3. Coordinators of Community Services (CCS); Self-Directed staff, vendors, Support Brokers; Financial Management and Counseling Services Providers; DDA providers; and DDA staff.

II. IMPLEMENTATION DATE

- A. This policy begins 30 days after posting and overrides any other policies or guidance related to Assistive Technology and Services.
- B. In the event of a public health or state of emergency, this policy can be overruled by any and all federal authorities.

III. PURPOSE

The purpose of this policy is to set forth applicable requirements and guidance for Assistive Technology and Services, funded through a DDA operated Medicaid Waiver program (*i.e.*, Community Pathways Waiver, Community Supports Waiver, or Family Supports Waiver) or State funds.

IV. DEFINITIONS

- A. “Assistive Technology” is an item, piece of equipment, or product system that maintains or improves a participant’s functional ability and promotes the

participant's ability to live independently and meaningfully participate in their community setting.

- B. "Assistive Technology Assessment" is an assessment of a participant's functional abilities and whether and how Assistive Technology can improve the participants's functional abilities.
- C. "Assistive Technology Professional" is an individual that provides Assistive Technology Services to a participant, as outlined in this policy.
- D. "Assistive Technology Services" are services that directly assist an individual in the selection, acquisition, use, or maintenance of an assistive technology device.
- E. "Coordination of Community Services" are targeted case management services provided pursuant to, and in accordance with, [COMAR 10.09.48](#), assisting participants in requesting DDA-funded services.
- F. "Coordinator of Community Services" or "CCS" is an individual who provides Coordination of Community Services either as an employee or contractor of a DDA provider of Coordination of Community Services.
- G. "DDA Medicaid Waiver program" refers to the three Medicaid Home and Community-Based Waiver programs operated by the Developmental Disabilities Administration (DDA) that serve eligible children and adults with intellectual and developmental disabilities. These programs are approved by the Centers for Medicare & Medicaid Services and include the:
 - 1. Community Pathways Waiver;
 - 2. Community Supports Waiver; and
 - 3. Family Supports Waiver.
- H. "DDA Provider" is an individual or entity that is licensed or certified and/or approved by the Maryland Department of Health to provide DDA-funded services to participant(s) in accordance with the DDA's requirements.
- I. "Department" is the Maryland Department of Health, or its authorized agent acting on behalf of the Department.

- J. "Direct Support Services" are services provided directly to a participant by direct support staff, including support for skill development, community integration and engagement, and addressing personal, behavioral, communication, or other needs.
- K. "Direct Support Staff" or "Direct Support Professional" (DSP) are people who are paid by a Waiver program to provide direct support services to a participant.
- L. "Environmental Modifications" are physical modifications to the participant's home, based on an assessment, designed to support the participant's efforts to function with greater independence or to create a safer, healthier environment.
- M. "Financial Management and Counseling Services" or "FMCS" [formerly called Fiscal Management Services or FMS] are services provided to support a participant using the DDA self-directed services delivery model in using their budget authority and, if applicable, employer authority. FMCS services include, but are not limited to:
 - 1. Processing claims for payment for Waiver program services in accordance with the participant's self-directed budget allocation; and
 - 2. Verifying that the DDA provider, vendor, or direct support staff meet all qualifications to provide the Waiver program service.
- N. Processing claims for payment for Waiver program services in accordance with the participant's self-directed budget allocation; and
- O. Verifying that the DDA provider, vendor, or direct support staff meet all qualifications to provide the Waiver program service.
- P. "Legal guardian" is either:
 - 1. A natural or adoptive parent of an applicant or participant under the age of 18; or
 - 2. A person who has been appointed as guardian of the person or property of an applicant or participant by an order of a court of competent jurisdiction.
- Q. "Legally Responsible Person" is an individual who has a legal obligation under the provisions of Maryland law to care for another individual. This includes:
 - 1. A parent (either natural or adoptive), legal guardian; or

2. An individual otherwise legally responsible for the care of a minor (e.g., foster parent or relative appointed by court).
- R. “LTSSMaryland” is an electronic information system, developed and supported by the Department. It is used by the DDA, the CCS, and DDA Providers to create, review, and maintain records about:
1. An individual’s eligibility status for DDA-funded services; and
 2. The individual’s person-centered plan, and services and funding authorized by the DDA.
- S. “Occupational Therapist” is a medical professional licensed by the Board of Occupational Therapy to practice occupational therapy, in accordance with the Health Occupations Article of the Maryland Annotated Code and the Code of Maryland Regulations.
- T. "Organized Health Care Delivery System (OHCDS)" is a public or private organization that delivers health services. OHCDS are approved by the Department of Health to provide Waiver program services to participants, in accordance with, [COMAR 10.22.20](#).
- U. “Participant” is an individual who receives DDA-funded services.
- V. “Person-Centered Plan” or “PCP” is a written plan that is developed by a planning process driven by the individual with a developmental disability in order to:
1. Identify the goals and preferences of the individual with a developmental disability;
 2. Identify services to support the individual in pursuing the individual’s personally defined outcomes in the most integrated community setting;
 3. Direct the delivery of services that reflect the individual’s personal preferences and choice; and
 4. Identify the individual’s specific needs that must be addressed to ensure the individual’s health and welfare.

W. “Regional Office” or (RO) refers to one of the DDA’s four local offices. ROs are the point of contact for applicants, participants, families and DDA providers living and working in the counties they serve. Each RO has the authority to review individual Person-Centered Plans and approve funding for services. The Regional Offices include the:

1. Central Maryland Regional Office, serving Anne Arundel, Baltimore, Howard, and Harford Counties and Baltimore City;
2. Eastern Shore Regional Office, serving Caroline, Cecil, Dorchester, Kent, Queen Anne’s, Somerset, Talbot, Wicomico, and Worcester Counties;
3. Southern Maryland Regional Office, serving Calvert, Charles, Montgomery, Prince George’s, and St. Mary’s Counties; and
4. Western Maryland Regional Office, serving Allegany, Carroll, Frederick, Garrett, and Washington Counties.

X. “Relative” means a natural or adoptive parent, or sibling of an applicant or participant who is not also a legally responsible person.

Y. “Self-directed services delivery model” means the method for delivery of Waiver program services to the participant that is an alternative to the traditional services delivery model, whereby the participant or the participant’s designated representative manages aspects of service delivery.

Z. “Speech-Language Pathologist” means a medical professional licensed by the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists to practice speech-language pathology, in accordance with the Health Occupations Article of the Maryland Annotated Code and the Code of Maryland Regulations.

AA. “Team” is a group of people, chosen by a participant or their legal guardian, who participate in development of the participant’s person-centered plan along with the participant and the CCS.

BB. “Traditional Services Delivery Model” is a service delivery model that the DDA provides through its Waiver programs. In the Traditional model the

participant chooses a DDA Provider who is responsible for overseeing, coordinating, and providing their approved services.

CC. "Waiver Program Service" is a service funded by a DDA Medicaid Waiver program.

DD. "Vehicle Modifications" are physical adaptations to a vehicle to make the vehicle accessible to the participant.

V. POLICY

A. Assistive Technology and Services include an array of technologies and services to assist participants in maintaining or improving their functional abilities, enhance interactions, support meaningful relationships, and promote their ability to live independently, and meaningfully participate in the community.

B. Assistive Technology and Services includes:

1. Assistive technology assessment;
2. Acquisition of assistive technology;
3. Installation and instruction on use of assistive technology; and
4. Maintenance of assistive technology.

C. Assistive Technology and Services are available to participants who demonstrate in their person-centered plan an assessed need for this service, as further described in this policy.

VI. STANDARDS

A. Assistive Technology

Assistive Technology only includes:

1. Speech and communication devices, also known as augmentative and alternative communication devices (AAC), such as speech generating devices, text-to-speech devices and voice amplification devices;
2. Blind and low vision devices, such as video magnifiers, devices with optical character recognizer (OCR), and Braille note takers;

3. Deaf and hard of hearing devices, such as alerting devices, alarms, and assistive listening devices;
4. Devices for computers and telephone use, such as alternative mice and keyboards or hands-free phones;
5. Environmental control devices, such as voice activated lights, lights, fans, and door openers;
6. Aids for daily living, such as weighted utensils, adapted writing implements, dressing aids;
7. Cognitive support devices and items, such as computer applications, task analysis applications, or reminder systems;
8. Remote support devices, such as assistive technology health monitoring (e.g., blood pressure bands and oximeter) and personal emergency response systems; and
9. Adapted toys and specialized equipment, such as specialized car seats and adapted bikes.

B. Assistive Technology Services only include:

1. Assistive Technology assessment;
2. Training or technical assistance for the individual and individuals supporting the participant (e.g., relatives and direct support staff), as applicable, including provision or development of program materials and assistance in development of adaptive materials;
3. Repair and maintenance of assistive technology;
4. Programming and configuration of assistive technology;
5. Coordination and use of assistive technology with other necessary therapies, interventions, or services set forth in the person-centered plan; and
6. Acquisition of assistive technology, including purchasing or leasing.

C. Exclusions

Assistive Technology and Services do not include:

1. Wheelchairs;
2. Environmental modifications;
3. Vehicle modifications, including adaptive driving;
4. Assistive technology or services that are experimental or not authorized by federal or State law; or
5. Smartphone devices and associated monthly service costs.

D. Assistive Technology Assessment

1. An Assistive Technology Assessment is required prior to the acquisition of the Assistive Technology when the Assistive Technology requested for the participant has a cost that equals or exceeds \$1,000.
2. If the cost does not equal or exceed \$1,000, an Assistive Technology Assessment is not required prior to acquisition, provided however, that the participant may still request an Assistive Technology Assessment.
3. The Assistive Technology Assessment shall include:
 - a. A description of the participant's needs and goals;
 - b. A description of the participant's functional abilities without Assistive Technology;
 - c. A description of whether and how Assistive Technology will meet the participant's needs and goals; and
 - d. A list of all Assistive technology, and other Waiver program services (including a combination of any of the elements listed) that would be most effective to meet the technology needs of the participant.
4. The Assistive Technology Assessment must be shared with the Coordinator of Community Services who will upload it in the participant's *LTSSMaryland* Client Attachments.
 - a. The Assistive Technology Assessment shall be saved as follows:

(Insert Participant's First.Last Name)-AT Assessment - (insert date)

b. Example: John.Smith - AT Assessment - 09/05/2021.

5. If an Assistive Technology Assessment was completed by a professional and not through this waiver service, it should be included in the participant's LTSS Maryland Client Attachments.

E. Acquisition of Assistive Technology and Services

1. Prior to acquiring Assistive Technology and Services that equal or exceed \$1,000, the following documentation shall be submitted to the DDA:
 - a. The Assistive Technology Assessment which includes the requested Assistive Technology and Services;
 - b. Three cost estimates; and
 - c. If the Assistive Technology and Services option requested for the participant is over \$1,000 and not the most cost effective option, the participant will submit to the DDA an explanation of why the chosen option is the most effective.
2. The DDA Regional Office shall review the above documentation and ensure:
 - a. The requested Assistive Technology and Services addresses an assessed need documented in the participant's person-centered plan; and
 - b. Select the most cost effective Assistive Technology and Services option that best meets the participant's assessed needs.

F. Installation and Instruction on Use of Assistive Technology

1. Upon delivery of the Assistive Technology to the participant, the DDA Provider shall install the device and ensure it is in good operating condition and repair in accordance with applicable specifications.

2. If specified in the approved person-centered plan, the DDA provider shall provide training to the participant, their direct support staff, their caretaker(s), and their family members on the proper use and maintenance of the device.

G. Maintenance of Assistive Technology

1. If specified in the approved person-centered plan, the DDA provider shall provide maintenance and repair of the Assistive Technology in accordance with the applicable specifications.
2. Upon performance of any maintenance, the Assistive Technology must be in good operating condition and repair in accordance with the applicable specifications.
3. If a device needs to be removed from home for repair, a similar device that meets the participant's needs may be leased while the permanent device is being repaired.

H. Criteria to be Eligible

1. A participant may be eligible to receive funding for Assistive Technology and Services if:
 - a. The participant:
 - i. Is enrolled in either the self-directed services delivery model or the traditional services model;
 - ii. Has an assessed need for this service, which is documented in the approved person-centered plan; and
 - b. All other available and appropriate funding sources have been explored, exhausted, and documented in the participant's file prior to accessing DDA funding for this service, including, but not limited to, the following non-exhaustive list of examples:
 - i. Maryland Medicaid State Plan;

- ii. Maryland Department of Disabilities Technology Assistance Program;
 - iii. Division of Rehabilitation Services (“DORS”);
 - iv. State Department of Education; and
 - v. Department of Human Services; and
 - c. The request for funding of this Waiver program service meets all applicable requirements as set forth in this applicable laws and regulations, this policy, and the DDA Medicaid Waiver program application.
- 2. If the requested Assistive Technology and Services are covered under the Medicaid State Plan, the Assistive Technology or Services provided under the DDA Medicaid Waiver program would be limited to additional technology or services not otherwise covered under the Medicaid State Plan, but consistent with the DDA Medicaid Waiver program’s objectives of avoiding institutionalization.

I. Special Service Requirements and Limitations

Assistive Technology and Services shall be provided in the most cost-efficient option available that meets the needs of the participant, unless otherwise authorized by the DDA.

J. Requirements to be Paid for Services

- 1. The DDA Provider must be appropriately licensed or certified by the Department for provision of Assistive Technology and Services, including;
 - a. Organized Health Care Delivery Services provider; or
 - b. Assistive Technology Professional.
- 2. Organized Health Care Delivery Services providers must:

- a. Meet the criteria outlined in [COMAR 10.22.20](#) and the [Organized Health Care Delivery System Policy](#);
 - b. Verify the licenses, credentials, and experience of all Assistive Technology professionals with whom they contract or employ;
 - c. Maintain a copy of the licenses, credentials, and documented experience of all Assistive Technology professionals; and
 - d. Present a copy of the licenses, credentials, and documented experience of all Assistive Technology professionals to the DDA, upon request.
3. An individual Assistive Technology professional providing this service shall be licensed as a:
- a. Speech-Language Pathologist by the Maryland Board of Audiologists, Hearing Aid Dispensers & Speech-Language Pathologists license for; or
 - b. Occupational Therapist by the Maryland Board of Occupational Therapy Practice license.
4. Assistive Technology Professional credentialing, licensing, or certification requirements:
- a. An Assistive Technology Professional performing Assistive Technology Assessments, with the exception of services related to Speech Generating Devices, shall meet the following requirements:
 - i. Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) Assistive Technology Practitioner (ATP); or
 - ii. Have one of the following certifications:
 1. California State University Northridge (CSUN) Assistive Technology Applications Certificate; or
 2. Certificate of Clinical Competence in Speech Language Pathology (CCC-SLP).

- b. An Assistive Technology Professional performing an Assistive Technology Assessment for any Speech Generating Devices shall meet the following credentialing, licensing, and certification requirements:
 - i. Speech Generating Devices Needs Assessments and recommendations must be completed by a licensed Speech Therapist;
 - ii. Program and training for Speech Generating Devices must be conducted by:
 - 1. RESNA Assistive Technology Practitioner (ATP);
or
 - 2. California State University Northridge (CSUN) Assistive Technology Applications Certificate professional.
- c. An entity designated by the Division of Rehabilitation Services (DORS) providing this service and approved as a DDA Assistive Technology service vendor.

K. Rates/Billing

- 1. Rates shall be reasonable, customary, and necessary, as determined for the participant's needs and recommended by their team.
- 2. The DDA provider providing this service, whether under the traditional services delivery model or self-directed services delivery model, must maintain documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, guidance, and DDA Medicaid Waiver program application. .
- 3. Assistive Technology and Services rendered under the traditional service delivery model are billed in accordance with the [DDA Guidelines for Service Authorization and Provider Billing Documentation](#).

4. Assistive Technology and Services rendered under the self-directed service delivery model shall be billed through the invoicing process outlined by the participant's Fiscal Management Services provider.

L. Legally Responsible Individuals, Legal Guardians, or Relatives Requirements

A legally responsible person, relative, or legal guardian of the participant cannot be paid by the Waiver program, either directly or indirectly, to provide this Waiver program service.

VII. LEGAL REFERENCES

- A. [Community Pathways Waiver](#)
- B. [Community Supports Waiver](#)
- C. [Family Supports Waiver](#)
- D. [COMAR 10.22.20](#)
- E. [COMAR 10.41.03](#)
- F. [COMAR 10.46.01](#)

VIII. REFERENCE MATERIALS

- A. [DDA - Service Authorization and Provider Billing Documentation Guidelines - Revised 3.29.2022](#)
- B. [Maryland Medicaid DME/DMS/Oxygen Approved List of Items](#)
- C. [Maryland Department of Disabilities Assistive Technology Program](#)

IX. RELATED POLICIES

- A. [Organized Health Care Delivery System](#)

X. ATTACHMENTS

A. At A Glance - Assistive Technology and Services