

## TRANSITION TO ADULT SERVICES IN OREGON

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At the age of 18 your young adult with a disability (or you) will transition into adult services. This is a very busy time for families and it is important to understand important timelines as you make this transition. I wanted to share some things I have learned from going through the process with my adult son that might be helpful to you. This is a brief overview, but there are links provided for more in depth information. This article does not address transition services through the school district, however there have been recent issues with students having service hours cut through the public school transition program and mistakenly being told to use their brokerage services to make up for the service reduction. If you are told this please contact your brokerage case manager and Disability Rights Oregon (DRO) immediately.

Here is a link to the DRO website about people ages 18-21 not receiving a full day of school through transition services. DRO, a publicly funded watch dog group, wants to hear from you if this is the case:

***Parents of Special Education Students Ages 18—21: Is Your Child Receiving Less Than a Full School Day of Services?***

<http://www.disabilityrightsoregon.org/news/parents-of-special-education-students-ages-18201421-is-your-child-receiving-less-than-a-full-school-day-of-services>

This is a time when you will want to organize all your young adult's records in advance, including both educational and medical evaluations, testing, work samples and past IEP documents.

To help understand the whole process there is an excellent publication called the ***Roadmap to Support Services in Oregon***. You will be given this at some point in the process, but you can download it here from DRO's website: <http://www.disabilityrightsoregon.org/resources/5-publications-1/developmental-disabilities-services/a-roadmap-to-support-services-2nd-edition/view>.

Some of the big transitions you will face are:

- **Determining eligibility for adult services through the state/county**
- **Transition into the state brokerage system**
- **Applying for SSI**
- **If eligible for SSI, your child will also be eligible for health care (including mental health services) through the Medicaid system. In Oregon that is through the Oregon Health Plan. You need to apply for Medicaid separately as soon as you turn 18.**
- **Making a decision about guardianship and estate planning (special needs**

trusts) for your young adult.

### **Determining eligibility for adult services through the state/county & Brokerage Services**

You will want to contact your child's county developmental disabilities case manager well in advance of your child's 18th birthday to check in and ask about the timelines the county goes by to determine adult eligibility. If you do not hear from your case manager, be proactive and contact them. Delays in determining adult eligibility can mean gaps in services. If your child is under 18 and not currently connected with the county developmental disability office you will want to contact them now and get the process started.

Oregon DHS: Developmental Disabilities - Adults

<http://www.oregon.gov/DHS/dd/adults/eligibility.shtml>

You may be asked to complete some type of adaptive functioning testing for your child during the adult eligibility process. Typically the parent or care provider completes a rating of ability to function in multiple settings using different skills. It is important to remember when you are completing this that if your child needs any prompts or supervision to complete these tasks they are not able to complete them independently. Just imagine your child living alone with no supports and their ability to function using these skills when answering these questions. This is not the time to brag about your child's accomplishments even though you may be very proud of them and you both have worked hard to help them accomplish life skills.

There have instances where parents have mistakenly rated their child too high on these tasks and they have been told they were not eligible for adult services. Please ask as many questions of your child's case manager or the tester when completing this testing so you understand how to complete it accurately. If you have any recent evaluations/testing the school has completed that you agree reflect your child's abilities you can submit those also, including IQ/cognitive testing. The county may refer you to a provider for evaluation at no cost including some of the above testing. You may also elect to have your young adult evaluated by a provider of your choice at your own cost and submit the results to the county case manager.

This provides information about the different categories of eligibility for adult services through the state. At this time it includes Mental Retardation or Developmental Disability other than Mental Retardation.

Developmental Disabilities Eligibility

<http://www.oregon.gov/DHS/dd/eligibility/home.shtml>.

For your child to qualify as an adult under the Mental Retardation category they will need to have IQ testing done BEFORE their 18th birthday or very soon afterward. If you feel they might qualify under that category as well as having a developmental

disability keep track of the timing of testing to make sure it is completed before age 18. Talk to your county caseworker to make sure the testing is being completed in the timeline needed. Your county caseworker can explain the difference in services that can be provided if your child qualifies under both categories.

When your child receives the adult eligibility through county developmental disability, your county case manager will be the person who facilitates your child transferring into the state brokerage system. This ideally should be a seamless transition with no gap in benefits for your child. Your child's brokerage will be chosen by the county DD Services. After that if you are not happy with that particular brokerage you will be able to request another brokerage or another caseworker within the brokerage (if more than one is serving your area). See the list of available brokerages in Oregon. Please note that some brokerages are at full capacity, so you may be placed on a waiting list for that brokerage.

<http://www.oregon.gov/DHS/dd/adults/brokerages.pdf>

For more information on how and why the brokerages were established in Oregon you can read more about the Staley Agreement here:

Self Directed Support Services for Adults  
<http://www.arcoregon.org/uapc.htm>

Effective 10/11 you need to be receiving Medicaid to receive brokerage services, so it is especially important to apply for both Social Security and Medicaid when you turn age 18 to receive all services available. Please contact your case manager through your county developmental disability agency to make sure everything is being done on their end to facilitate your transfer to the brokerage when your Medicaid application is approved. This article explains the situation in more depth.

[Non-Medicaid Customers Dropped from Brokerages October 1st | independence | northwest | blog](#)

<http://independencenw.wordpress.com/2011/07/25/not-on-medicaid-here-are-some-very-compelling-reasons-you-should-be/>

Medicaid in Oregon is administered through the Oregon Health Plan. Here is a link with information on how to apply.  
[Oregon DHS: OHP application & benefits, FAQs](#)

[http://www.oregon.gov/OHA/healthplan/data\\_pubs/faqs/faqapply.shtml](http://www.oregon.gov/OHA/healthplan/data_pubs/faqs/faqapply.shtml)

### **Applying for SSI-Social Security Income**

Applying For SSI-Qualifying for SSI is REALLY IMPORTANT in the level of adult services that are provided by the state. First locate the Social Security office that is most convenient for you. Social Security Online - Seattle Region  
<http://www.ssa.gov/seattle/>

You can phone in to start the application process at or very close to the 18th birthday. It can take several months to qualify.

\*Please note that when your child applies for SSI benefits they will most likely be required to have IQ testing done to qualify if it has not been completed already. If it has not been done it can hold up the qualification process until it is completed and reviewed.

Some tips from parents experiences, including my own:

You can provide your child's school records, including testing, evaluations, past IEP's to the Social Security case worker to have them make copies. This can speed up the process a bit since otherwise they need to request the school district to provide copies to them. To apply for SSI you will need copies of medical records, original or certified copy of the birth certificate, any employment and wage information if your child has worked, any investments checking or saving account information. This is where having your records organized can really help!

\*\*Remember that there is a dollar limit on how much in assets your child can have to still qualify for SSI benefits. At the time of this writing it was \$2000, but check with Social Security for the current limit. Carefully examine your child's assets; including bank accounts and investments well BEFORE they turn 18 to help plan for their transition to adult services. This is very important. Ask other family members if they have any assets placed in your child's name well in advance of turning 18. Some things that may be considered assets are: cash, life insurance cash surrender value, stocks, bonds, bank accounts and other real property.

\*\*Remember that if your child is living at home when applying for SSI, if you do not charge them rent after age 18 and they are applying for/ receiving SSI it will reduce their monthly Social Security benefits. Example: charging a rent of \$450 a month will mean no reduction in the benefits paid. It helps to ask the Social Security caseworker for more information about this. You will be asked how much rent you are charging your young adult during the application process so it helps to give it some thought beforehand.

One of the parents/or a community representative can be appointed a Representative Payee, (Rep Payee) giving them responsibility for distributing the

SSI money received. This is usually done if the person receiving SSI would have difficulty managing the money. After reviewing the application information, Social Security will make a decision about requiring this. If there is any question about the need for a Rep Payee it helps to fill out the paperwork for it during the initial appointment. A new bank account needs to be established for the automatic monthly deposit of the social security check.

The Rep Payee needs to fill out a brief report each year for Social Security showing how the money was spent.

SSA Guide For Rep Payees

<http://www.ssa.gov/pubs/10076.html>

There are free resources for benefit planning for people receiving SSI in Oregon. There are special programs for college students receiving SSI as well as for people who want to work without having their SSI payments reduced. See the links below. Disability Rights Oregon has free SSI benefit planning services available.

Passage to Independence Program (PIP)

Benefits planning and assistance for individuals receiving SSI, SSDI

Disability Rights Oregon

503-243-2081

620 SW Fifth Ave, 5th floor

Portland, OR 97204-1428

<http://www.disabilityrightsoregon.org/need-help>

Social Security Work Incentive Programs

<http://www.ssa.gov/disabilityresearch/wi/generalinfo.htm>

You can start the initial application for SSI on line.

Social Security Online - The Official Website of the U.S. Social Security Administration

<http://www.ssa.gov/>

## **Guardianship & Estate Planning**

Making the decision for guardianship is a big decision and is best made after careful consideration. There are several attorneys on the ASO Resource list, [www.oregonautism.com](http://www.oregonautism.com), who handle guardianship cases. There are also attorneys listed that can help with Estate Planning as well as drawing up Special Needs Trusts. Please keep in mind each county in Oregon has different procedures for legal guardianship so you want to have an attorney who understands the procedures in your county. Disability Rights Oregon and The ARC have very good information on guardianship (see links below)

Guardianship — Disability Rights Oregon

<http://www.disabilityrightsoregon.org/need-help/guardianship>

ARC of OR Guardianship Info

The GAPS Program: Guardianship, Advocacy & Planning Services

<http://www.arcoregon.org/gapsbooklet2.htm>

### **More Resources**

This is just a brief overview of the process to adult services on Oregon. More links are below to some legal resources that might be helpful to you if you have further questions.

Complete list of Social Security Benefit publications that may be downloaded or requested at no cost-

<http://www.ssa.gov/pubs/index.html#SSI>

Disability Rights Oregon (DRO)

503-243-2081

620 SW Fifth Ave, 5th floor

Portland, OR 97204-1428

<http://www.disabilityrightsoregon.org/need-help>

Oregon State Bar Lawyer Referral Service-

Provides an initial consultation with an OSB attorney for \$35

Lawyer Referral Services

**Hours:** 8 am to noon and 1 pm to 5 pm Monday-Friday

**Phone:** 503-684-3763 or toll-free in Oregon at 800-452-7636.

<http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help-all areas

A guide to free and low-cost legal aid, assistance and services in Oregon

<http://www.oregonlawhelp.org/OR/index.cfm>

UCP provides advocacy services for adults with disabilities

UCP of Oregon & SW Washington: Adult Advocacy

[http://www.ucp.org/ucp\\_localsub.cfm/129/9325/11095](http://www.ucp.org/ucp_localsub.cfm/129/9325/11095)

Independence NW Turning 18 With a Family Support Plan

<http://www.independencenw.org/documents/Turning18v2.0.pdf>