



COMMISSIONER
Adelaide Horn

July 15, 2008

To: Home and Community-Based Services (HCS) Provider
Intermediate Care Facility for Persons with Mental Retardation (ICF/MR) Provider

Subject: Information Letter No. 08-86
Written Notification to an Individual or Legally Authorized Representative (LAR) of the Denial of a Level of Need (LON) Assignment

The purpose of this letter is to advise you that effective July 15, 2008, the Texas Department of Aging and Disability Services (DADS) will send written notification to an individual receiving HCS or ICF/MR services or their legally authorized representative (LAR) when DADS denies a LON assignment for the individual. This notification will be sent to the individual or LAR at the same time the program provider is notified of the denial. As part of this notification process to the individual or LAR, the individual or LAR will be advised that he or she may contact the program provider to discuss the program provider's option of requesting a reconsideration or administrative hearing regarding the denial of the LON. Furthermore, the individual or LAR will be advised that he or she may give the program provider any documentation or other information regarding the denial of the LON. Please discuss your intent to request a reconsideration or administrative hearing with the individual or LAR who inquires about a denial of a LON. In addition, please consider any documentation or other information given to you by the individual or LAR in making such a decision.

If you have any questions about this letter or need additional information, please contact Geneve Monreal, Manager for Program Enrollment/Utilization Review of the Mental Retardation Authorities Section, Access and Intake, at (512) 438-5003 or by e-mail at geneve.monreal@dads.state.tx.us or Geoff Shute, Psychologist for Program Enrollment/Utilization Review of the Mental Retardation Authorities Section, Access and Intake, at (512) 438-5020 or by e-mail at geoff.shute@dads.state.tx.us.

Sincerely,

[signature on file]

David Rollins
Director
Mental Retardation Authorities
Access and Intake

[signature on file]

Michelle Dionne-Vahalik, MSN, RN
Director
Community Services
Provider Services

[signature on file]

Tommy Ford
Director
Institutional Services
Provider Services

c: Susanne Elrod, Texas Council of Community MHMR Centers, Inc.
Carole Smith, Private Provider Association of Texas