

# Chronological Overview of Medically Fragile Waiver Services

## Table of Contents

Chronological Overview of Medically Fragile Waiver Services .....	1
• 1984 .....	1
• 1985 .....	1
• 1986 .....	1
• 1987 .....	2
• 1988 .....	2
• 1990 .....	2
• 1991 .....	2
• 1992 .....	2
• 1993 .....	2
• 1994 .....	3
• 2005 .....	3

The following is a chronological overview of services provided to persons with developmental disabilities and who are also medically fragile.

- **1984** – The Developmental Disabilities (DD) Community Services Act was passed. This Act gave priority to community services requiring the development of a State DD Plan and established a process for early childhood evaluations. The Medically Fragile Waiver was developed to provide specialized home-based services to 25 children who otherwise would have been served in hospitals or state institutions. Legislative mandate passed requiring the State Department of Education to apply for Public Law 94-142 funds (Education for All Handicapped Children Act) adding \$13 million to special education programs.
- **1985** – Legislative mandate passed requiring all 3- and 4-year-old children with developmental disabilities to be served in the public schools by 1987.
- **1986** – The Developmental Disabilities Planning Council (DDPC) Statewide Residential Services Plan was published. The Medicaid Waiver was transferred to the Human Services Department. The Developmental Disabilities Bureau initiated supported employment services in a contract with New Mexico Highlands University. United States Congress passed Public Law 99-457 amending Public Law 94-142 to include additional provisions for early childhood special education programs. Rights under Public Law 94-142 were extended to include children beginning at age three. In addition, incentives were provided to entitle eligible children birth through age two and their families to comprehensive early intervention services. The Secretary of HED created an Office of Institutional Services to administer the state institutions.

- **1987** – Jackson versus State of New Mexico lawsuit was filed to address inadequate and/or inappropriate services for residents of Fort Stanton and LLH & TS and the state’s lack of community services for individuals in need of these services to prevent inappropriate institutionalization. The Developmental Disabilities Bureau of Health and Environment Department was designated as lead agency to implement Part H of Public Law 99-457. The five-year grant requires New Mexico to develop a coordinated interagency early intervention system for all eligible children birth through age two.
- **1988** – The Family Infant Toddler Interagency Coordinating Council (ICC) was appointed by the Governor to assist in the planning of Part H of Public Law 99-457. The Office of Institutional Services was relocated within Behavioral Health Services Division (BHSD) and renamed Office of Facility-Based Services. The Developmental Disabilities Bureau announced a mandate that all DD community programs must be accredited by CARF by June 30, 1991 as part of an overall community program quality assurance initiative. The Developmental Disabilities Bureau established integrated service options as its top funding priority. The Developmental Disabilities Bureau with funding assistance from DDPC established 16 Regional Councils comprised of agencies, advocates, parents and service recipients to assist the state in a grass roots needs assessment and state plan process. The Developmental Disabilities Bureau through a Joint Powers Agreement transferred state matching funds for Human Services Department to maximize the DD Medicaid Waiver.
- **1989** – The Statewide Adult Services Task Force was established by the Developmental Disabilities Bureau to provide advisory counsel to the Bureau with regard to the needs of adults with developmental disabilities. The Developmental Disabilities Bureau revised the Program Standards for Developmental Disabilities Community Agencies to mirror CARF Standards. The Developmental Disabilities Bureau completed the 1989-1991 State Plan through assistance of 16 Regional Advisory Councils, the newly established Statewide Adult Services Task Force and the Family Infant Toddler Interagency Coordinating Council.
- **1990** – Developmental Disabilities Bureau reorganized into a Division of the Department of Health. Establishment of Centralized Services Team for single-point of entry into the DD Service System including centralized waiting list. Adult Targeted Case Management system is initiated and implemented. Jackson v. Fort Stanton litigation results in Parker Decision. State of New Mexico must implement corrective actions at Fort Stanton and Los Lunas and place people with community recommendations into community service system. PASAAR—The nursing home reform initiative becomes the responsibility of the DD Division.
- **1991** – Completion of Systemic Plan and Jackson Management Manual for transitioning individuals from institutions to community settings. Decision to close Fort Stanton to DD Services and transition to Long Term Care facility by July 31, 1995.
- **1992** – Establishment DD and MF Waiver transfer to DOH/DDD from HSD/SSD. Establishment of the DDD Office of Quality Assurance. First community placement of a Jackson Class Member into community services occurs.
- **1993** – Early Childhood becomes a statewide entitled program for children birth to three years of age. Establishment of the DDD Office of Administrative Support. HCFA approved major expansion and re-financing of DD Medicaid Waiver, doubling resources and allowing the Division to serve 2,089 individuals in the community. \$3 million appropriated to reduce the DD waiting

list. New DD Services Act passes Legislature. Act promotes inclusive services for individuals with developmental disabilities.

- [1994](#) – Creation of Regional Offices and de-centralization initiatives in Taos, Las Cruces, Albuquerque, Roswell, and Gallup. Expansion of community provider system and resources development initiatives. Providers now include 160 for-profit, state general fund, and Medicaid waiver providers funded at approximately \$40 million. July 1994 – 130 Jackson Class Members have moved into community placement.
- [2005](#) – Long Term Services Division reorganizes and changes name to Developmental Disabilities Supports Division.

The current Medically Fragile Waiver was renewed effective July 1, 2016. The approval for the renewal was received by the New Mexico Department of Human Services in February 2017.