

WHAT IS A FAIR HEARING, AND HOW DO I GET ONE?

A fair hearing is a request to change a decision to change or deny services.

The Local Mental Health Authority will notify the child or adolescent, and Legally Authorized Representative, of the right to a fair hearing. The conditions under which the individual or LAR may request a Fair Hearing include, but are not limited to:

- 1) An individual is denied participation in the YES Waiver, unless the reason for the denial is the program participation limit;
- 2) An individual is denied continued participation in the YES Waiver; or
- 3) YES Waiver services for an individual are denied, reduced, suspended, or terminated.

To request a fair hearing, please call or write to the Office of Consumer Services and Rights Protection:

Contact Information:

Texas Department of State Health Services
Office of Consumer Services and Rights
Protection:

Mail Code 2019
P.O. Box 12668
Austin, TX 78711-2668

Toll Free Number: 1-800-252-8154
Local Number: 512-206-5760
Relay Texas, Voice: 1-800-735-2988
Relay Texas, TTY: 1-800-735-2989

What if I have more questions?

DSHS Contact Information:

Website:

<http://www.dshs.state.tx.us/mhsa/yes/>

Please visit our Website for the most up to date information on the YES Waiver

Email:

YESWaiver@dshs.state.tx.us

DSHS Program Staff:

Sharon Newcomb-Kase

(512) 206-5717

Amy Felker

(512) 206-5862

Pecan Valley Centers' Contact Information:

Toll free:
(844) 892-5556

Kate Fischer
kfischer@pecanvalley.org

(Revised 07/16/2015)



Youth Empowerment Services (YES) Waiver

Youth and Family Information

ERATH, HOOD, JOHNSON, PALO PINTO, PARKER & SOMERVELL COUNTIES

June 2017



WHAT IS THE YES WAIVER?

The YES (Youth Empowerment Services) Waiver is a 1915(c) Medicaid Home and Community-Based Services Waiver that allows for more flexibility in the funding of intensive community-based services to assist children and adolescents with severe emotional disturbances to live in the community with their families.

Waiver services are provided in combination with services available through the Medicaid State Plan, other federal, state, and local programs the individual may qualify for, and the natural supports that families and communities provide.

Goals

- 1) Reducing out-of-home placements and inpatient psychiatric treatment by all child-serving agencies;
- 2) Providing a more complete continuum of community-based services and supports;
- 3) Ensuring families have access to parent partners and other flexible non-traditional support services as identified in a family-centered planning process;
- 4) Preventing entry into the foster care system and relinquishment of parental custody; and
- 5) Improving the clinical and functional outcomes of children and adolescents.

Services

- Adaptive Aids & Supports
- Community Living Supports
- Family Supports
- Minor Home Modifications
- Non-Medical Transportation
- Paraprofessional Services
- Professional Services
- *Respite*
- Supportive Family Based Alternatives
- Transitional Services

All YES Waiver participants will also receive benefits to access all Medicaid State Plan Services that are medically necessary.

WHO IS ELIGIBLE FOR YES WAIVER SERVICES?

The Local Mental Health Authority in your service area will assess you for eligibility. See *"Who Do I Contact About Receiving Services?"*

To participate in the YES Waiver, the child or adolescent must meet the following criteria.

Demographic Criteria

- Be between 3-18 years of age;
- Reside in the Counties served; and
- Reside in a non-institutional setting with the child's or adolescent's Legally Authorized Representative; or in the child's or adolescent's own home or apartment, if legally emancipated.

Clinical Criteria

- Have serious functional impairment or acute severe psychiatric symptoms as indicated by:
 - Risk of Self-Harm
 - Disruptive or Aggressive Behavior
 - Family Resources
 - School Behavior
 - Current Diagnosis
- There is a reasonable expectation that, without YES Waiver services, the child or adolescent would qualify for inpatient care.

Financial Criteria

A child or adolescent must be eligible for Medicaid.

- If you are a current Medicaid recipient, you may already meet financial requirements for the YES Waiver or additional information may be required.
- If you are not a current Medicaid recipient, you may qualify to receive Medicaid through the YES Waiver (Special Waiver Income Group).

Financial eligibility is based on standards to determine eligibility for Medicaid in institutions and parental income is not counted.

WHO DO I CONTACT ABOUT RECEIVING SERVICES?

Services are accessed through the Local Mental Health Authority (LMHA, Pecan Valley Centers for Behavioral and Developmental HealthCare.

To obtain more information or to get registered on the Inquiry List for Erath, Hood, Johnson, Palo Pinto, Parker or Somervell County, please call (844) 892-5556.

HOW LONG WILL I HAVE TO WAIT TO SEE IF I AM ELIGIBLE?

WILL THERE BE A WAIT LIST?

The amount of time you may have to wait to see if you are eligible will depend on whether there is a YES Waiver spot currently available and the date you were registered on the Inquiry List.

When a spot is available, the Local Mental Health Authority will contact you by phone and in writing notifying you of an available spot and to schedule an appointment to begin the eligibility determination process.

The YES Waiver may serve up to 100 children and adolescents at a time in each service area.

You may continue to receive other services that you qualify for while on the YES Waiver Inquiry List.