

VRIS UPDATE

**Eligibility Chapter
Change Regarding Borderline Mental Retardation
Effective: May 23, 2007
Number**

SUMMARY OF UPDATES

Recently we have been advised by RSA that the impairment "Mental Retardation, Borderline" is not a recognized diagnosis according to the DSM-IV.

Quoting from RSA: "Borderline Mental Retardation is listed in the DSM as a "condition that may be a focus of clinic attention" and is identified with a "v" code. As such, it does not constitute a mental impairment for the purposes of determining eligibility for the VR program. An individual whose only disabling condition is Borderline Mental Retardation is not eligible for VR services."

In the Employment Program we have 89 consumers whose only impairment is Borderline MR. We have an additional 76 consumers who have Borderline MR as their primary but also have a secondary impairment. In the Transition Program we have 377 students with an MDT of Mental Handicap: Mild which includes students with IQ's of up to 80 with adaptive behaviors.

Action Being Taken by State Office:

In order to comply with the requirement from RSA to stop making consumers eligible based on Borderline MR we have generated a list of all current consumers and consumers who have been closed this FY (since October 1) who have Borderline MR as their primary impairment. One of the three following actions will occur:

1. For those who had a secondary impairment we will/have changed their secondary impairment to the primary impairment and made Borderline MR their secondary impairment.
2. For those consumers where Borderline MR is the only impairment but we can either tell from the Eligibility Determination, Task notes or the tag line on the Impairment screen that their IQ falls under 75 we will/have changed Borderline to Mild MR.
3. For those consumers where we couldn't tell from the Eligibility Determination, Task notes or the tag line on the Impairments screen if there is a secondary impairment or IQ testing that falls in the Mild MR range we will be in contact with the appropriate staff person to determine the course of action to take in changing the impairment.
4. We will be removing from the Employment Program Impairments List Borderline Mental Retardation. We will also add the IQ ranges for Mild, Moderate, Severe and Profound to the Impairments list for staff guidance.
5. In the Transition Program we have added to the MDT list of Impairments an additional Mental Handicap: Mild category. One will be identified as "Mental Handicap: Mild (IQ under 75)", the other as "Mental Handicap: Mild (IQ 76-80 with other adaptive behaviors)".
6. All students in the Transition Program with "Mental Handicap: Mild" will need to be recoded to one of the two categories identified in #5. We will send a list of those students to you in the next week for re-coding.

7. The Eligibility and Order of Selection Chapter has been updated. A new section has been added "Selected Impairments". In this section is newly added guidance on Alcohol and Drug Abuse and Mental Retardation. The information on visual impairments in the previous chapter was moved into this new section as well.

Action You Need to Take:

1. In reading all the task notes and Eligibility Determinations some of the psychologists we work with regularly diagnosis Borderline MR. Sometimes the IQ was identified with this diagnosis in the task notes or Eligibility determination that was 76-80. Obviously we are not able to accept this diagnosis any longer in order to make the consumer eligible. You will need to talk with the psychologists we use and discuss this with them. Consumers must have another impairment that can be verified as primary in order to make them eligible besides Borderline MR with an IQ between 76-80.
2. Special Education indicates that students with IQ 71-80 with significant behavior/academic deficiencies can be served in Special Education. Students referred to us with IQ 76-80 with significant behavior/academic deficiencies can only be served by VR through the Transition Program.
3. Students who have an MDT of Mental Handicap: Mild (IQ 76-80 with other Adaptive Behaviors) will not be eligible for the Employment Program unless they have another verified impairment that can be considered their primary impairment.
4. Students and their parents will need to be made aware of this change as we assist them in planning for their future.
5. Educating our School Partners of this change will be important. If the student has another impairment that can be identified as the primary impairment then documentation of this impairment will be necessary.

DSM-IV Information:

Mild Mental Retardation IQ Level 50-55 to approximately 70*
Moderate Mental Retardation IQ Level 35-40 to 50-55
Severe Mental Retardation IQ Level 20-25 to 35-40
Profound Mental Retardation IQ Level below 20-25

*Because of test measurement error it is possible for a person to be considered Mild MR with an IQ up to 75.

VRIS POSTING

The Eligibility and Order of Selection Chapter has been updated and posted to VRIS: Program Manual: Employment Program.

MONITORING REQUIREMENTS

Area Administrators and Office Directors must share this information and instruction from RSA with psychologists we work with and with our school partners to assure that they understand that we will not be able to determine eligible consumers who only have Borderline Mental Retardation.

This information should be shared at team meetings to insure all staff understand this new guidance.

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