

Chapter 4-000 AUTHORIZING SUPPORT

4-001 Notices: Based on eligibility factors, the needs assessment, and available funds, the Department shall select clients for the DPF Support Program. Central Office staff shall notify each applicant in writing when s/he has been determined -

1. Eligible to participate in the program. The notice identifies the type(s) of support for which the individual/family is eligible;
2. Eligible for participation, but placed on a waiting list due to insufficient funds; or
3. Ineligible for participation.

4-002 Payments: The Department and the disabled person or family shall agree whether support payments should be provided directly to the client or family or as vendor payments to qualified providers.

4-002.01 Payment to the Client: If payments are to be made directly to the family or disabled person, s/he shall sign and submit an itemized bill or receipt, signed also by the provider, showing the amount(s) owed or paid to the approved provider(s).

The amount billed by the client must be consistent with the corresponding contract submitted to the Department, if one was required. Regardless of the total disability-related expenses, the Department's payment must not exceed the maximum dollar amount allowed the client.

Note: DPF Support payments made directly to the client might be considered as income by other assistance programs.

4-002.02 Payment to the Provider: If payments are made directly to qualified programs and services, the provider shall submit an itemized statement which -

1. Describes the support provided;
2. Includes the dates of service; and
3. Is signed by the client.

The amount billed by the provider must be consistent with the contract submitted to the Department. Regardless of the total disability-related expenses, the Department's payment shall not exceed the maximum dollar amount allowed the client.

4-002.03 Frequency of Payments: The client and the provider shall determine an appropriate billing schedule which must be stated in the contract.

Department staff shall review the bill/receipt and issue a check in a timely manner.

4-003 Eligibility Periods: The Department shall establish eligibility periods for participants with ongoing needs. (See also 472 NAC 2-003 for non-employed clients who do not reside with caregiver relatives.)

4-003.01 Reporting Changes: Each disabled person or head of a family receiving support under this program shall immediately report any change in income, need, or provider to the Department.

4-003.02 Notice of Adverse Action: The Department shall provide written notice to the client at least ten calendar days in advance of the effective date if support is to be reduced or terminated before the current authorization period ends.

4-004 Right to Appeal: Any disabled person or family who is denied support or whose support is to be reduced or terminated under this program may appeal by requesting a fair hearing in writing within 90 days of the date of the written notice or alleged inaction. This request must

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1. Include a short summary of the Department's action being appealed; and
2. Describe the reason for the appeal; and
3. Be sent to the Director of the Nebraska Department of Social Services.

The Department shall handle the appeal and fair hearing according to the policies in 465 NAC 2-006.