

VEHICLE MODIFICATIONS

I. APPLICABILITY

This policy applies to

- A. People receiving DDA-funded services through its Traditional or Self-Directed Services Delivery Model;
- B. Their families and/or legal representatives; and
- C. Coordinators of Community Services; Self-Directed staff, vendors, Support Brokers, Financial Management and Counseling Services agencies; DDA providers; and DDA staff.

II. IMPLEMENTATION DATE

- A. This policy begins 30 days after posting and overrides all other policies or guidance related to Vehicle Modifications.
- B. In the event of a public health or state of emergency, this policy can be overruled by any and all federal authorities.

III. PURPOSE

This policy describes the requirements and guidance for Vehicle Modifications funded through a DDA-operated Medicaid Waiver Program or State funds.

IV. DEFINITIONS

- A. "Coordination of Community Services" are targeted case management services to help people receiving and/or requesting services funded by the DDA. Targeted case management services are provided in accordance with [COMAR 10.09.48](#).
- B. "Coordinator of Community Services" or "CCS" is an individual who provides Coordination of Community Services. They can be either an employee or contractor of a DDA provider of Coordination of Community Services.

- C. "DDA Medicaid Waiver Program" is one of three Medicaid Home and Community-Based Waiver Programs operated by the Developmental Disabilities Administration that serve eligible children and adults with intellectual and developmental disabilities. These programs are approved by the Centers for Medicare & Medicaid Services and include the:
1. Family Supports Waiver;
 2. Community Pathways Waiver; and
 3. Community Supports Waiver.
- D. "DDA Provider" is an individual or entity, licensed or certified by the Maryland Department of Health, that provides DDA-funded services to people in accordance with the DDA's requirements.
- E. "Department" is the Maryland Department of Health
- F. "Division of Rehabilitation Services" or "DORS" is a unit within The Maryland State Department of Education that offers programs and services that help people with disabilities go to work.
- G. "Legal guardian" is either:
1. A natural or adoptive parent of a person under the age of 18; or
 2. An individual who has been appointed by a court order as guardian of the person.
- H. "Legally responsible individual" is an individual who has a legal obligation under the provisions of Maryland law to care for another individual. This includes:
1. A parent of a minor (either natural or adoptive), legal guardian; or
 2. An individual otherwise legally responsible for the care of a minor (e.g., foster parent or relative appointed by court).

- I. "Meaningful Day Services" are habilitative services that support a person in accessing community based employment and day habilitation services.
- J. "Organized Health Care Delivery System" or "OHCDS" is a public or private organization that delivers health services. OHCDS are approved by the Department of Health to provide Waiver Program services to a person in accordance with [COMAR 10.22.20](#)
- K. "Person" is an individual receiving DDA-funded services.
- L. "Person-Centered Plan" or "PCP" is a written plan, developed through a planning process, driven by the person with a developmental disability to:
 - 1. Identify their goals and preferences;
 - 2. Identify services to support them to pursue their personally defined outcomes in the most integrated community setting;
 - 3. Direct the delivery of services that reflect their personal preferences and choice; and
 - 4. Identify their specific needs that must be addressed to ensure their health and welfare.
- M. "Relative" is a natural or adoptive parent, step parent, child, stepchild or sibling of a person, who is not also a legal guardian or legally responsible individual.
- N. "Self-Directed Services Delivery Model" or "SDS Delivery Model" is a model of service delivery that the DDA provides through its Waiver Programs. In the SDS Model the person (not the provider) has:
 - 1. The power and responsibility for overseeing, coordinating and directing the services they have been approved to receive;
 - 2. Budget authority over how the Medicaid funds are spent to purchase authorized services; and

3. Employer authority to recruit, hire, train, and supervise the staff and service providers they want to hire.
- O. "Traditional Service Delivery Model" is a service delivery model that the DDA provides through its Waiver Programs. In the Traditional Service Delivery Model the person chooses a DDA Provider who is responsible for overseeing, coordinating and providing their approved services.
- P. "Vehicle Modifications" are physical adaptations to a vehicle to make the vehicle accessible to the person.
- Q. "Vehicle Equipment and Adaptation Prescription Agreement" or "VEAPA" is a prescription for a modification to a specific vehicle and training plan, which is completed by a driver rehabilitation specialist or certified driver rehabilitation specialist to:
1. Ensure that equipment and adaptations to a vehicle meets the needs of the person, as documented in their Person-Centered Plan; and
 2. Enable the person to safely drive or be transported in a vehicle.
- R. "Vehicle Modifications Provider" or "Driver Rehabilitation Specialist" or "Certified Driver Rehabilitation Specialist" are individuals approved by DORS that support and assist a person with driver education, training, and vehicle modifications.
- S. "Waiver Program Service" is a service funded by a DDA Medicaid Waiver Program.

V. POLICY

- A. Vehicle modifications are changes made to a vehicle that is the person's primary transportation method. The modifications must:
1. Meet the needs of the person in their community;
 2. Help the person integrate more fully into their community by removing barriers to transportation; and
 3. Ensure the person's health and safety.

- B. Vehicle modifications include the cost of an adaptation to a vehicle, but not the cost of the vehicle.
- C. Vehicle Modifications are available to people who need them as documented in their Person-Centered-Plan (PCP).

VI. STANDARDS

A. Vehicle Modifications include:

1. Assessment services;
2. Assistance with changes made to the vehicle based on the assessment;
3. Training on the use of the vehicle modifications;
4. Non-warranty repairs and maintenance; and
5. The cost of an adaptation to a vehicle, but not the cost of the vehicle.

B. Exclusions

Vehicle modifications do not include:

1. General vehicle maintenance or repairs;
2. State inspections;
3. Insurance;
4. Gasoline;
5. Warranties;
6. Fines or tickets;
7. Corrections to or replacement of vehicle modifications provided under the Waiver Program that have been damaged or destroyed in an accident;
8. Modifications to leased vehicles; or

9. Purchase of a new or used vehicle for a person, their families, or legal guardians; however:
 - a. This service can be used to fund the portion of a new or used vehicle purchase that relates to the cost of accessibility adaptations.
 - b. In order to fund these types of adaptations, a clear breakdown of purchase price versus adaptation is required.

C. Vehicle Modification Assessment

1. The Vehicle Modification Assessment must include:
 - a. A description of the person's specific needs and goals as a driver or passenger in the vehicle;
 - b. The requested vehicle modification and modification options;
 - c. A description of whether and how the vehicle modification will meet the person's needs and goals; and
 - d. A prescription for vehicle modification.
2. A Vehicle Modification Assessment must be completed:
 - a. By a Division of Rehabilitation Services (DORS) approved vendor or a DDA certified vendor; and
 - b. No more than one calendar year prior to the purchase of the vehicle modification.
3. A prescription for vehicle modifications must:
 - a. Be completed by a driver rehabilitation specialist or certified driver rehabilitation specialist; and

- b. Be specific to the year/make/model of the vehicle specified on the Vehicle Equipment and Adaptation Prescription Agreement (VEAPA).
- 4. The vehicle modification assessment will be shared with the person's Coordinator of Community Services prior to the modification.
- 5. The Coordinator of Community Services must:
 - a. Upload the assessment in the person's *LTSSMaryland* Client Attachment section;
 - b. Document a clear breakdown of purchase price versus modification cost(s) in the person's *LTSSMaryland* record;
 - c. Ensure the final modification meets the person's assessed needs; and
 - d. Monitor service delivery, including frequency, and note this in the person's *LTSSMaryland* Outcome form in the Outcome Progress Review section within the PCP.

D. Installation and Instruction on Use of Vehicle Modification

- 1. The Vehicle Modification Provider provider will:
 - a. Ensure that final inspections have been obtained and that the completed work has passed required State and/or local inspections.;
 - b. Upon delivery of the Vehicle to the person, the provider of the Vehicle Modification must ensure the Vehicle Modification is in good operating condition in accordance with the applicable specifications; and
 - c. Provide training to the person and individuals supporting the person (such as, their caregiver(s) and family members) on the proper use and maintenance of the modification.

2. The adaptive driving assessment specialist who wrote the Adapted Driving Assessment report and the VEAPA must:
 - a. Ensure the vehicle modification fits the person;
 - b. Ensure that the person or owner of the vehicle is able to safely drive the vehicle with the new modifications by conducting an on-site assessment; and
 - c. Provide a statement that the modification meets the person's needs.
3. Vehicle modifications are only authorized to vehicles meeting safety standards once modified.

E. Criteria to be Eligible

1. A person may be eligible to receive funding for Vehicle Modification Services if the person:
 - a. Has registered the vehicle or it is registered under a legally responsible parent of a minor or other primary caregiver;
 - b. Is enrolled in a DDA Medicaid Waiver Program, unless funded by State-only dollars;
 - c. Has an assessed need for this service which is documented in their approved Person-Centered Plan;
 - d. Has a Vehicle Modification Assessment and driving assessment completed within the last year by a Vehicle Modifications Provider; and
 - e. Has a current, valid prescription for vehicle modifications completed by the Driver Rehabilitation Specialist.
2. The vehicle owner is responsible for:
 - a. The maintenance and upkeep of the vehicle; and

- b. Obtaining and maintaining insurance that covers the vehicle modifications.
3. All other available and appropriate funding sources have been explored, exhausted, and documented in the person's file prior to accessing DDA funding for this service, including, but not limited to:
 - a. Maryland Medicaid State Plan;
 - b. Division of Rehabilitation Services ("DORS");
 - c. State Department of Education; and
 - d. Department of Human Services.
4. If the person requires more Vehicle Modification Services than are covered by the Medicaid State Plan, a request can be made under this Waiver service. However, the DDA Medicaid Waiver Program may only pay for additional costs that are:
 - i. Not covered by the State Plan;
 - ii. Consistent with the DDA Medicaid Waiver program's objectives of avoiding institutionalization; and
 - iii. Necessary to meet the goals in the PCP.
5. The request for funding meets the requirements of the DDA Medicaid Waiver Program.

F. Special Service Requirements and Limitations

Vehicle Modification Services costs may not exceed a total of \$15,000 within a ten-year period. This includes costs of vehicle or driving assessments.

G. Requirements to Be Paid to Provide Services

1. A provider of Vehicle Modifications must be appropriately licensed or certified by the Department to provide Vehicle Modification Services as a:
 - a. Organized Health Care Delivery Services provider; or
 - b. A Division of Rehabilitation Services (DORS) approved Vehicle Modification service vendor as a
 - i. Driver Rehabilitation Specialist; or
 - ii. Certified Driver Rehabilitation Specialist.
2. Organized Health Care Delivery Services providers must:
 - a. Meet the criteria outlined in [COMAR 10.22.20](#) and the Organized Health Care Delivery System Policy;
 - b. Ensure that staff meet all qualifications as outlined in the approved DDA Medicaid Waiver program application at the time of service delivery;
 - c. Verify the credentials and experience of all Vehicle Modifications Providers with whom they contract or employ initially and prior to delivery of services;
 - d. Maintain a copy of the licenses, credentials, and documented experience of all professionals for who they contract or employ; and
 - e. Present a copy of the licenses, credentials, and documented experience of all professionals for who they contract or employ to the DDA, upon request.
 - f. Keep documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance, and the DDA-operated Medicaid Waiver Program application.
3. Vehicle Modification vendors must:
 - a. Complete the DDA provider application;

- b. Be certified based on compliance with meeting the following standards:
- i. Be at least 18 years old;
 - ii. Have a signed Medicaid Provider Agreement;
 - iii. Be a Division of Rehabilitation Services (DORS) approved Vehicle Modification service vendor;
 - iv. Complete required orientation and training designated by DDA;
 - v. Have three (3) professional references which attest to the provider's ability to deliver the support/service in compliance with the Department's values in [Annotated Code of Maryland, Health General, Title 7](#);
 - vi. Demonstrate financial integrity through IRS, Department, and Medicaid Exclusion List checks;
 - vii. Have a signed DDA Provider Agreement to Conditions for Participation;
 - viii. Maintain documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance;
 - ix. Present a copy of the licenses, credentials, and documented experience of all Vehicle Modifications Service Providers to the DDA, upon request; and
 - x. Keep documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance, and the DDA-operated Medicaid Waiver Program application.

4. Under the Self-Directed Service Delivery Model all qualifications must be met:
 - a. As outlined in the approved DDA Medicaid Waiver Program application at the time of service delivery;
 - b. As confirmed by the Financial Management and Counseling Services (FMCS) agency; and
5. People in the Self-Directed Services Delivery Model and their FMCS agencies must keep documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance, and the DDA Medicaid Waiver Program application.

H. Rates/Billing

1. Rates shall be reasonable and customary according to current market values as determined by the person's needs and recommended by their team.
2. Providers of Vehicle Modification Services and FMCS Agencies must follow authorization and documentation in accordance with the [DDA Guidelines for Service Authorization and Provider Billing Documentation](#).
3. Under the Traditional Service Delivery Model, Vehicle Modification Services are billed in LTSSMaryland or PCIS2, based on [DDA guidance for Operating in PCIS2 and LTSSMaryland](#).
4. Under the Self-Directed Service Delivery Model the person must submit invoices as per their FMCS agency's policies and practices.

I. Legally Responsible Individuals, Legal Guardians, or Relatives Requirements

A legally responsible individual, relative, or legal guardian of the person cannot be paid by the Waiver program, either directly or indirectly, to provide this service.

VII. LEGAL REFERENCES

- A. [Community Pathways Waiver](#)
- B. [Community Supports Waiver](#)
- C. [Family Supports Waiver](#)
- D. [COMAR 10.09.48](#)
- E. [COMAR 10.22.20](#)

VIII. RELATED POLICIES

- A. [Organized Health Care Delivery System](#)
- B. [Transportation Service](#)

IX. REFERENCE MATERIALS

- A. [DDA - Service Authorization and Provider Billing Documentation Guidelines](#)

X. ATTACHMENTS

- A. Vehicle Mods At a Glance