

TITLE 472  
THE DISABLED PERSONS AND FAMILY SUPPORT PROGRAM

Chapter 1-000 INTRODUCTION

1-001 Legal Basis: The Nebraska Department of Social Services administers the Disabled Persons and Family Support Program (DPF Support) based upon Sections 68-1501 through 1521, Reissue Revised Statutes of Nebraska, 1943. The program is designed to encourage -

1. Employable disabled people who live independently to remain or become employed;
2. Families living with disabled family members to preserve the family unit; and
3. Disabled adults who reside in an independent living situation to maintain their maximum level of independence.

1-002 Administration: The DPF Support Program is administered by Special Services for Children and Adults, Medical Services Division, Nebraska Department of Social Services.

1-003 Definitions

Disability: Disability for this program is a medically determinable, severe, chronic condition which -

1. Is attributable to mental and/or physical impairments;
2. Is likely to continue indefinitely;
3. Demonstrates a need for long-term, individually planned and coordinated care, treatment, vocational rehabilitation, or other services; and
4. Results in substantial functional limitations in two or more of the following areas of major life activity -
  - a. Self-care;
  - b. Receptive and expressive language;
  - c. Learning;
  - d. Mobility;
  - e. Self-direction;
  - f. Capacity for independent living;
  - g. Work skills or work tolerance; and
  - h. Economic sufficiency.

Eligible Persons: The Department determines eligibility for those families and individuals who meet all guidelines and -

1. Whose needs assessment indicates appropriateness for the program; and
2. Demonstrate that the support requested is the most cost-effective form of care.

Employment: Employment is defined as earning wages at least equal to the amount considered substantial gainful activity by the Social Security Administration.

Family Size: For income eligibility purposes, the family includes one or more adults (age 19 or older) and children, if any, related by blood, marriage, or adoption who reside in the same household. An unborn child may be included if pregnancy is verified by a physician's statement. Related adults other than spouses and unrelated adults who reside together are separate families.

Independent Living Situation: Means residing alone, with another person who does not provide care, or with a caregiver who is not related by blood, marriage, or adoption in a house or apartment. Unlicensed board and room homes, foster homes, adult family homes, facilities licensed by the Department of Health (e.g., domiciliary facilities, centers for the developmentally disabled, intermediate care facilities), and other medical facilities are not considered independent for this program.

Support Programs: Other support programs include all forms of local, state, or federal assistance, grants-in-aid, educational programs, insurance benefits, and support provided by public or private funds for disabled persons or their families.

1-004 Fraud: Any person who knowingly provides false information or knowingly withholds pertinent information to obtain or attempt to obtain support under this program may be prosecuted for fraud in a court of law and, if found guilty, punished accordingly.