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Supreme Court No. 101420

**STATE OF WEST VIRGINIA
BEFORE THE SUPREME COURT OF APPEALS**

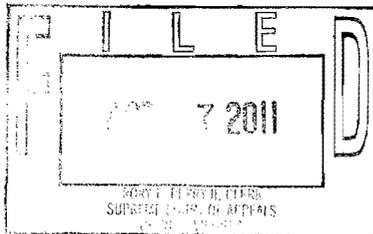
**MICHAEL BILLS, BY HIS NEXT FRIEND)
ELLEN BILLS,)
PETITIONER BELOW,)
 PETITIONER,)
 v.)

PATSY A. HARDY,)
SECRETARY OF THE DEPARTMENT OF)
HEALTH AND HUMAN RESOURCES,)
RESPONDENT BELOW,)
 RESPONDENT.)**

**CIVIL ACTION No. 09-AA-182
HON. TOD J. KAUFMAN, CIRCUIT JUDGE**

AGENCY ACTION No. 09-BOR-565

BRIEF OF RESPONDENT DEPARTMENT OF HEALTH AND HUMAN RESOURCES



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INTRODUCTION

This is a Medicaid claim in which the Department of Health and Human Resources (hereinafter “DHHR” or “Department”) found that the Claimant did not meet the diagnostic criteria for eligibility for the Mentally Retarded/Developmentally Delayed Home and Community-Based Waiver Program. J. Todd Thornton, State Hearing Officer, affirmed the finding that the Claimant was not eligible for benefits. The Honorable Tod J. Kaufman of the Circuit Court of Kanawha County affirmed the *Decision of State Hearing Officer*. For the reasons set out below, the Department asks that Judge Kaufman’s Order be AFFIRMED.

STATUTORY AND REGULATORY FRAMEWORK

The Department relies on the “Statutory and Regulatory Framework” section at pages 1 through 6 of its *Response of Department of Health and Human Resources to Petition for Appeal* filed on November 19, 2010, and incorporates that information by reference. Also, for a succinct description of the medical eligibility requirements for participation in the Mentally Retarded/Developmentally Delayed Home and Community-Based Waiver Program (“MR/DD Waiver Program”), see *Wysong ex rel. Ramsey v. Walker*, 224 W. Va. 437, 439, 686 S.E.2d 219, 221 (2009).

As the Department previously noted in its *Response to Petition for Appeal*, the medical eligibility criteria for the MR/DD Waiver Program are the same criteria as the criteria for placement in an Intermediate Care Facility for Persons with Mental Retardation or Related Conditions (“ICF/MR”). See 42 U.S.C. § 1396n(c)(1); 42 C.F.R. § 435.1010; 42 C.F.R.

§ 441.301(b)(1)(iii); 42 C.F.R. § 483.440; *see also West Virginia State Medicaid MR/DD Waiver Program Policy Manual* Chapter 513 § 513.3.1, which is published online at www.wvdhhr.org/bms/Manuals/Common_Chapters/bms_manuals_Chapter_500_MRDD.pdf.

PROCEDURAL HISTORY AND STATEMENT OF FACTS

The Department agrees with the information contained in the detailed Factual and Procedural Background section of Judge Kaufman's Final Order. The Department does not dispute the information about Mr. Bills's daily activities in the "Facts Relevant to Petitioner and Procedural History" section of the Petitioner's Brief. And rather than reiterate prior filings, the Department relies on the "Procedural History and Statement of Facts" section at pages 6 through 14 of its *Response of Department of Health and Human Resources to Petition for Appeal* filed on November 19, 2010, and incorporates that information by reference.

The Department would emphasize that Mr. Workman testified that Mr. Bills does not have substantially limited functioning in Self-direction. The psychological report dated September 30, 2008 notes Mr. Bills enjoys playing with pets, will engage in leisure activities when arranged for him, participates in group activities if encouraged, and enjoys attending church and related activities. Hearing Transcript (Record Exhibit 35) at p. 51. The percentile rank of one is above the qualifying score of less than the first percentile. *Id.* Mr. Workman testified that the psychological report dated June 24, 2009 (Record Exhibit 10) notes Mr. Bills is interested in a career in medical services, is interested in details about operations, stitches, and emergencies, and will often state that a class he is taking does not apply to his future in medicine or working in an ambulance. Hearing Transcript (Record Exhibit 35) at

pp. 53-54. It also shows a percentile rank of one, which is above the qualifying score of less than the first percentile. *Id.* at p. 52. Although Mr. Bills's ABS scores in the components of the test pertaining to Self-direction are low, they are not below the cut-off score for medical eligibility. Hearing Transcript (Record Exhibit 35) at pp 51, 52.

The Department would also emphasize that Elizabeth Hicks, Mr. Bills's evaluating psychologist, testified that Mr. Bills does *not* have mental retardation. Hearing Transcript (Record Exhibit 35) at p. 96. She acknowledged that Mr. Bills was not below the first percentile in Self-direction. *Id.* at p. 98. She testified that she believed Mr. Bills's scores on the ABS were valid and that she appropriately assessed him *using non-MR norms*. When she reviewed the definition of "substantially limited functioning" from the MR/DD Waiver Policy Manual on cross-examination, she acknowledged that Mr. Bills's relevant score on the ABS was *not* below the eligibility cut-off scores, less than the first percentile, for Self-direction. Her testimony corroborates the finding of non-eligibility. Hearing Transcript (Record Exhibit 35) at pp. 91-105.

SUMMARY OF THE ARGUMENT

Judge Kaufman's statement that he owed deference to the agency's factual findings was harmless error. The Bureau for Medical Services, the State Hearing Officer, and Judge Kaufman were all correct in finding that Mr. Bills does not meet the criteria for eligibility for the MR/DD Waiver Program. Both psychologists of record testified that the Non-MR Norms are the correct norms because Mr. Bills does not have an eligible diagnosis of mental retardation. When the proper norms are applied, the test results show that Mr. Bills does not

have substantial deficits in the required number of major life areas. Judge Kaufman's findings are correct and the Final Order should be refused.

STATEMENT REGARDING ORAL ARGUMENT AND DECISION

The Department welcomes the opportunity to present oral argument to provide any additional information or answer any questions that might help the Court in deciding the issues presented on appeal. The Department agrees this appeal is appropriate for consideration by the Court under Rule 19 of the Revised Rules of Appellate Procedure and believes the appeal is appropriate for disposition by Memorandum Decision under Rule 21 of the Revised Rules of Appellate Procedure.

STANDARD OF REVIEW

The Supreme Court of Appeals reviews questions of law *de novo*. Syllabus Point 1, *Chrystal R.M. v. Charlie A.L.*, 194 W. Va. 138, 459 S.E.2d 415 (1995); Syllabus Point 1, *University of West Virginia Bd. of Trustees on Behalf of West Virginia University v. Fox*, 197 W. Va. 91, 475 S.E.2d 91 (1996); *Conley v. Workers' Compensation Division*, 199 W. Va. 196, 199, 483 S.E.2d 542, 545 (1997).

The Supreme Court applies an abuse of discretion standard in reviewing a circuit court's certiorari judgment. Syllabus Point 2, *Jefferson Orchards, Inc. v. Jefferson County Zoning Board of Appeals, et al.*, 225 W. Va. 416, 693 S.E.2d 781 (2010) (quoting *State ex rel. Kanawha County Prosecuting Attorney v. Bayer Corporation*, 223 W. Va. 146, 672

S.E.2d 282 (2008)). This Court has held, “the circuit court has a large discretion in awarding [a writ of certiorari] . . . and, unless such discretion is plainly abused, this Court cannot interfere there with.” Syllabus Point 1, in part, *Michaelson v. Cautley*, 45 W. Va. 533, 32 S.E. 170 (1898). See also Syllabus, in part, *Snodgrass v. Board of Educ. of Elizabeth Indep. Dist.*, 114 W. Va. 305, 171 S.E. 742 (1933) (“When, after judgment on certiorari in the circuit court, a writ of error is prosecuted in this court to that judgment, a decision of the circuit court on the evidence will not be set aside unless it clearly appears to have been wrong”).

ARGUMENT

I. JUDGE KAUFMAN’S APPLICATION OF THE CLEARLY WRONG STANDARD OF REVIEW TO THE AGENCY’S FACTUAL FINDINGS WAS HARMLESS ERROR.

Mr. Bills argues that Judge Kaufman applied the wrong standard of review. Petitioner’s Brief at pp. 13-15. This restates the assignment of error in the Petition for Appeal. The Department relies on the first Argument section at pages 17 through 23 of its *Response of Department of Health and Human Resources to Petition for Appeal* filed on November 19, 2010, and incorporates that information by reference.

The Department recognizes that the State Administrative Procedures Act, *West Virginia Code* §§ 29A-1-1 to 29A-7-4, does not apply to cases involving the “receipt of public assistance.” *Ginsberg v. Watt*, 168 W. Va. 503, 285 S.E.2d 367 (1981). The proper method for obtaining judicial review of a decision by an agency not covered under the Administrative Procedures Act is by filing a writ of certiorari. *Ginsberg v. Watt*.

This Court has recognized that “[o]n certiorari the circuit court is required to make an independent review of both law and fact in order to render judgment as law and justice may require.” *Wysong ex rel. Ramsey v. Walker*, 224 W. Va. 437, 441, 686 S.E.2d 219, 223 (2009) (quoting *Harrison v. Ginsberg*, 169 W.Va. 162, 286 S.E.2d 276 (1982)).

In other words, “unless otherwise provided by law, the standard of review by a circuit court in a writ of certiorari proceeding under W. Va.Code § 53-3-3 (1923) (Repl. Vol. 2000) is de novo.” Syllabus Point 2, *Bayer, supra*. Therefore, the circuit court was not required to give deference to the decision of the hearing officer. See *West Virginia Div. of Env’tl. Prot. v. Kingwood Coal Co.*, 200 W.Va. 734, 745, 490 S.E.2d 823, 834 (1997), quoting *Fall River County v. S.D. Dept. of Rev.*, 552 N.W.2d 620, 624 (S.D.1996) (“‘De novo refers to a plenary form of review that affords no deference to the previous decisionmaker.’”).

Wysong ex rel. Ramsey v. Walker, 224 W. Va. 437, 441-442, 686 S.E.2d 219, 223-224 (2009).

Judge Kaufman was “not required to give deference to the decision of the hearing officer.” *Wysong*. But he was not prohibited from doing so. Judge Kaufman made an independent review of the law and facts. He was correct in affirming the *Decision of State Hearing Officer*.

Judge Kaufman’s statement that he owed deference to the Department’s factual determinations is harmless error. A reading of the *Final Order* shows that Judge Kaufman reviewed the facts independently and reached the correct conclusions. In addressing Mr. Bills’s allegations that the termination of benefits was based on unwritten and undefined criteria, that Mr. Bills has a deficit in Self-direction, and that the *Decision of State Hearing Officer* is contrary to law, the *Final Order* concludes that these allegations “do not withstand the amount of evidence in this case.” The *Final Order* devotes eight pages to a thorough and detailed Factual and Procedural Background section. The *Final Order* shows that Judge

Kaufman reviewed the evidence independently and found that it was not necessary to develop the record further or reweigh the evidence.

Hearing Officer Thornton issued detailed and thorough findings of fact based on the documentary evidence of record and the testimony at the hearing. Judge Kaufman acted within his discretion in giving deference to Mr. Thornton's factual determinations. Judge Kaufman's *Final Order* is well-supported and well-reasoned. His statement that he owed deference to the Department's factual determinations is harmless error.

II. JUDGE KAUFMAN WAS CORRECT IN AFFIRMING THE DEPARTMENT'S FINDING THAT THE CLAIMANT DOES NOT HAVE A DIAGNOSIS OF MENTAL RETARDATION.

Mr. Bills alleges that "the vast weight of the evidence demonstrates that [he] remains as mildly mentally retarded as DHHR has regarded him in all previous reviews." Petitioner's Brief at p. 25. This allegation is not true.

Mr. Bills has a diagnosis of autism. He does not have a diagnosis of mental retardation. Autism is a related developmental condition, but it is not mental retardation.

The standard practice in the field of psychology is that the psychologist determines which tests to administer and which norms are applicable. The psychologist then administers and scores each test according to the procedures outlined by the test developer. That is what happened here.

Both Mr. Workman and Ms. Hicks, the only testifying psychologists, testified that they used the non-mentally retarded norms because it is incorrect to use MR norms for an

individual who does not have a diagnosis of Mental Retardation. Hearing Transcript (Record Exhibit 35) at pp. 38, 43, 76. The record contains no evidence that Mr. Bills has an eligible diagnosis of mental retardation or test scores showing the presence of mental retardation.

Mr. Workman testified that Mr. Bills does not have substantially limited functioning in Learning. He testified that Mr. Bills has a composite intellectual score of 99, nonverbal score of 104, and a verbal score of 94, which is in the average range. Hearing Transcript (Record Exhibit 35) at p. 46. He testified that the I.E.P. showed that Mr. Bills was appropriately in the ninth grade at age 14. *Id.* at p. 48. He explained that Mr. Bills has “no intellectual impairment that would interfere with the ability to learn functional academics.” *Id.*

Elizabeth Hicks is Mr. Bills’s evaluating psychologist. Her testimony supported Mr. Workman’s testimony. She testified that Mr. Bills does *not* have mental retardation. Hearing Transcript (Record Exhibit 35) at p. 96. She testified that Mr. Bills has functional academics and is on track to receive a regular diploma. *Id.* at pp. 102-104. She testified that she believed Mr. Bills’s scores on the ABS were valid and that she appropriately assessed him using *non-MR norms*. Hearing Transcript (Record Exhibit 35) at p. 96.

Marc Ellison’s testimony was not relevant to the determination of whether Mr. Bills meets the medical eligibility requirements for the MR/DD Waiver Program. Mr. Ellison testified about the general impact of Autism on individuals and their families. Mr. Ellison had no personal knowledge regarding Mr. Bills. His testimony was not relevant to any of the documents Mr. Bills submitted to support his application. Hearing Transcript (Record Exhibit 35) at pp. 118-129. His testimony does not show that Mr. Bills’s intelligence is below the average range.

Jamie McElroy testified about Mr. Bills's limitations in the life area of Capacity for Independent Living, an area that is not in dispute. His overall testimony regarding the I.E.P. supports Mr. Workman's testimony that Mr. Bills does not demonstrate substantial functional limitations in the life areas of Learning and Expressive and Receptive Language. Mr. McElroy testified that Mr. Bills is doing all of the work and the same assignments as the other children in the general education classroom where he spends 94% of his time. Hearing Transcript (Record Exhibit 35) at pp. 130-158. His testimony does not show that Mr. Bills's intelligence is below the average range.

Susan McKinley's testimony focused on Mr. Bills's maladaptive behavior such as redirecting his conversations about generators, computers, electronics capacity to other subjects, and interrupting others. Hearing Transcript (Record Exhibit 35) at pp. 159-167. This falls within the life area of Capacity for Independent Living. The parties stipulated that Mr. Bills has a deficit in Capacity for Independent Living. *Id.* at pp. 22, 39. Her testimony does not show that Mr. Bills's intelligence is below the average range.

Eddie Jeffries also testified about Capacity for Independent Living, such as safe street-crossing, exercising, eating neatly, keeping his voice down, and dealing with strangers. Hearing Transcript (Record Exhibit 35) at pp. 168-176. The parties stipulated that Mr. Bills has a deficit in Capacity for Independent Living. *Id.* at pp. 22, 39. His testimony does not show that Mr. Bills's intelligence is below the average range.

Ellen Bills, Mr. Bills's mother, testified that Mr. Bills has autism, that he cannot safely cross the street himself, that he cannot go anywhere by himself, and that he obsesses over topics and objects. She provided anecdotes about a serious separation anxiety incident at

Wal-Mart and Mr. Bills telling people at a grocery store to call 911 when a check was stuck in a cash register. Hearing Transcript (Record Exhibit 35) at pp. 194, 196, 198-200, 205, 208. Her testimony supported the deficits in Self-care and Capacity for Independent Living to which the parties had stipulated, but does not show that Mr. Bills's intelligence is below the average range.

Mr. Bills cites an Order issued by Judge Louis Bloom in *Hendrickson v. Walker*, Action No. 09-AA-115 (Kanawha County Circuit Court, October 27, 2009), for the proposition that an IQ of 70 is within the range of 65 to 75, and cites the DSM-IV for the proposition that it is possible to diagnose mental retardation in individuals with IQ's between 70 and 75 if they have significant deficits in adaptive behavior. *Petitioner's Brief* at p. 17. The authorities Mr. Bills cites are irrelevant. Mr. Bills does not have an IQ of 75; he has a composite intellectual score of 99, nonverbal score of 104, and a verbal score of 94. Hearing Transcript (Record Exhibit 35) at p. 46.

Whether it is possible to diagnose mental retardation in individuals with IQ's between 70 and 75 is speculative and immaterial. Mr. Bills has offered no evidence of a diagnosis of Mental Retardation, and the record contains no evidence of a diagnosis of Mental Retardation. Mr. Bills's reliance on authorities that allow a diagnosis of mental retardation based on an IQ score of 75 is misplaced because it assumes facts not in evidence.

Ms. Hicks testified as Mr. Bills's witness. Ms. Hicks testified that she believed Mr. Bills's scores on the ABS were valid and that she appropriately assessed him using non-MR norms. She testified that she "got his IQ in the borderline range" rather than in the mental retardation range. Hearing Transcript (Record Exhibit 35) at p. 74. She testified

unequivocally that “because *he did not score in the mentally retarded range* on the IQ test, *we used the non-mentally retarded norm*. So he is being compared to the same age peers in the general population.” *Id.* at p. 76 (emphasis added).

Ms. Hicks determined which tests to administer and determined that the non-MR norms were applicable. Mr. Workman agreed that the non-MR norms were applicable. The record contains no opinion of a psychologist or psychiatrist that the MR norms are applicable here.

Mr. Bills should not be heard to complain that his own witness was wrong in applying the Non-MR norms. He does not have an eligible diagnosis of mental retardation. He has autism, but he has a composite IQ score of 99. He has offered no evidence that refutes or contradicts Mr. Workman’s and Ms. Hicks’s testimony. He now argues that since one IQ test yielded a result of 75, it would be possible to consider that IQ score to be in the mental retardation range and use MR norms. Nothing in the record supports this argument.

III. JUDGE KAUFMAN WAS CORRECT IN AFFIRMING THE DEPARTMENT’S FINDING THAT THE CLAIMANT DOES NOT HAVE A SUBSTANTIAL DEFICIT IN SELF-DIRECTION.

Mr. Bills argues that the Department has no discernible standard for substantially limited functioning in Self-direction. Petitioner’s Brief at pp. 25-36. Hearing Officer Thornton and Judge Kaufman both addressed this argument. Judge Kaufman concluded:

Petitioner’s claims do not withstand the amount of evidence in this case. The DHHR has followed a definite procedure that provides standards and guidelines as a proper basis for determining medical eligibility.

....

The evidence supports the DHHR's decision because it is based upon detailed procedures and policies that are used to evaluate a [participant's] eligibility. The record below provides substantial evidence that proves a specific and defined procedure was used in evaluating Petitioner's medical eligibility as is used when determining potential eligibility for participation in the program. To use a different method of testing for the Petitioner to determine his medical eligibility would be contrary to law.

Furthermore; unless Petitioner applies a different procedure of testing, Petitioner can only establish a qualifying diagnosis and functionality in two major life areas - self-care and the capacity for independent living - prior to this hearing. The major life area in question is self-direction. Extensive testimony and documentary evidence clearly show that Petitioner is limited with regard to self-direction. However, policy requires narrative in addition to test scores to quantify the extent of limitation in major life areas, so that functionality can be measured against the required standard of "substantially limited functioning." Against this standard, Petitioner clearly fails to meet functionality in the area of self-direction.

Final Order at unnumbered pp. 10-11.

The record contains no reliable evidence showing that Mr. Bills has a deficit in Self-Direction. Mr. Workman testified that Mr. Bills does not have substantially limited functioning in Self-direction. Mr. Bills enjoys playing with pets, will engage in leisure activities when arranged for him, participates in group activities if encouraged, and enjoys attending church and related activities. Hearing Transcript (Record Exhibit 35) at p. 51. The report shows a percentile rank of one, which is above the qualifying score of less than the first percentile. *Id.* Mr. Bills is interested in a career in medical services, is interested in details about operations, stitches, and emergencies, and will often state that a class he is taking does not apply to his future in medicine or working in an ambulance. Hearing Transcript (Record Exhibit 35) at pp. 53-54. That report also shows a percentile rank of one, which is above the qualifying score of less than the first percentile. *Id.* at p. 52.

Ms. Hicks acknowledged that that Mr. Bills was not below the first percentile in Self-direction, which corroborates the finding of non-eligibility. Although Mr. Bills's ABS scores in the components of the test pertaining to Self-direction are low, they are not below the cut-off score for medical eligibility. Hearing Transcript (Record Exhibit 35) at pp 51- 52.

The September 30, 2008, Adaptive Behavior Scale-School, Second Edition, or ABS-S:2, measured Adaptive Behavior. Record Exhibit 7. Using the non-MR norms, the results for the part one domain scores are as follows:

Subtest	Raw Score	%ile Rank	Std. Score	Age Equiv	Rating
Independent Functioning	63	1	1	4-0	Very Poor
Physical Development	22	25	8	11-0	Average
Economic Activity	3	1	1	3-3	Very Poor
Language Development	36	16	7	7-6	Below Average
Numbers and Time	11	25	8	7-9	Average
Pre/Vocational Activity	3	5	5	3-9	Poor
Self-Direction	6	1	3	<3-0	Very Poor
Responsibility	5	16	7	2	Below Average
Socialization	11	1	2	<3-0	Very Poor

Record Exhibit 7 at p. 6 of 11.

The June 15, 2009, ABS-S:2 (contained in Record Exhibit 10) yielded the following results:

Subtest	%ile Rank	Std. Score	Rating
Independent Functioning	<1	01	Very Poor
Physical Development	25	08	Average
Economic Activity	<1	01	Very Poor
Language Development	16	07	Below Average
Numbers and Time	25	08	Average
Pre/Vocational Activity	05	05	Poor

Self-Direction	01	03	Very Poor
Responsibility	16	07	Below Average
Socialization	<1	02	Very Poor

Record Exhibit 10 at p. 6 of 9.

As Mr. Workman explained, these scores demonstrate that Mr. Bills did not meet the requirement of substantially limited functioning in the area of Self-direction. The standard of “less than one (1) percentile when derived from non MR normative populations” was met in independent functioning, economic activity, and socialization. But it was not met in Self-direction. Ms. Hicks testified that these test results were accurate. Mrs. Bills testified that the responses she provided on which the ABS-S:2 results were based were true.

The September 30, 2008, DD-3 (Record Exhibit 7) states, in pertinent part, “[h]e enjoys discussions related to his perseverative topics. He enjoys playing with pets. He will engage in leisure activities when arranged for him and participates in group activities if encouraged to do so at times.” Record Exhibit 7 at p. 4 of 11. The April 22, 2008, DD-3 (Record Exhibit 8) reports:

Misho has demonstrated that he is interested in a career involving medical services. He is very interest in hearing about details concerning operations, stitches and emergencies. His interest will take over and he is known to avoid school work by continuing in conversation about his interest. When he becomes behind in his school assignments he will often state that the current class he is taking does not apply to his future in medicine or to work in an ambulance.

Record Exhibit 8 at p. 6 of 17.

Judge Kaufman was correct. The Petitioner’s allegation that the Department has no discernible standard for substantially limited functioning in Self-direction does not withstand the amount of evidence in this case.

CONCLUSION

Mr. Bills was unable to demonstrate that he meets the medical eligibility criteria for continued participation in the MR/DD Waiver Program. He should not be heard to complain that his own expert used the wrong norms. When the correct norms are used, the record does not show "substantial limited functioning" in at least three of the major life areas. Judge Kaufman was correct in finding that Mr. Bills does not qualify for eligibility. The Department respectfully submits that the Final Order should be AFFIRMED.

Respectfully submitted,

MICHAEL J. LEWIS,
Successor to PATSY A. HARDY,
in his capacity as Secretary of the
West Virginia Department of
Health and Human Resources,

By Counsel

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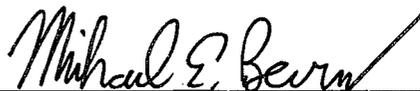
STATE OF WEST VIRGINIA
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MICHAEL BILLS, BY HIS NEXT FRIEND)	
ELLEN BILLS,)	
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PATSY A. HARDY,)	
SECRETARY OF THE DEPARTMENT OF)	AGENCY ACTION No. 09-BOR-565
HEALTH AND HUMAN RESOURCES,)	
RESPONDENT BELOW,)	
RESPONDENT.)	

CERTIFICATE OF SERVICE

I, Michael E. Bevers, Assistant Attorney General, Attorney for the Bureau for Medical Services, hereby certify that this office has filed the original and ten (10) copies of the foregoing *Brief of Respondent Department of Health and Human Resources* with the Clerk of the Supreme Court of Appeals of West Virginia, on this, the twenty-seventh day of April, 2011, by hand delivery. True and correct copies have been served upon all parties of record by depositing same in the United States Mail, properly addressed and first-class postage prepaid, as follows:

Benita Whitman, Attorney at Law
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