

Office for Citizens with Developmental Disabilities

SELF-DIRECTION NEW OPPORTUNITIES WAIVER CHILDREN'S CHOICE RESIDENTIAL OPTION WAIVER



Certain items were taken from a slide production used by DMH Missouri.

Training Objectives

- **Understanding Self-Direction as an option**
- **Self-Direction Enrollment Process**
- **NOW, ROW, & CC Services and Limitations**
- **The roles of the Support Coordinator and the Local Governing Entity**
- **Creating the individual budget and establishing pay rates**
- **Working with the Fiscal Employer Agent**
- **Critical Incident Reports**
- **Creating quality and monitoring self-directed supports**

Self-Direction Option

What is
Self-
Directed
Supports?

- **Self-Direction is an option for service delivery for individuals, who live in their own private residence or that of their family member who wish to exercise more choice, control and authority over their waiver supports. Self-Direction is firmly grounded in the principles of self-determination.**

Self-Determination 5 Principles



Freedom



Support

Authority



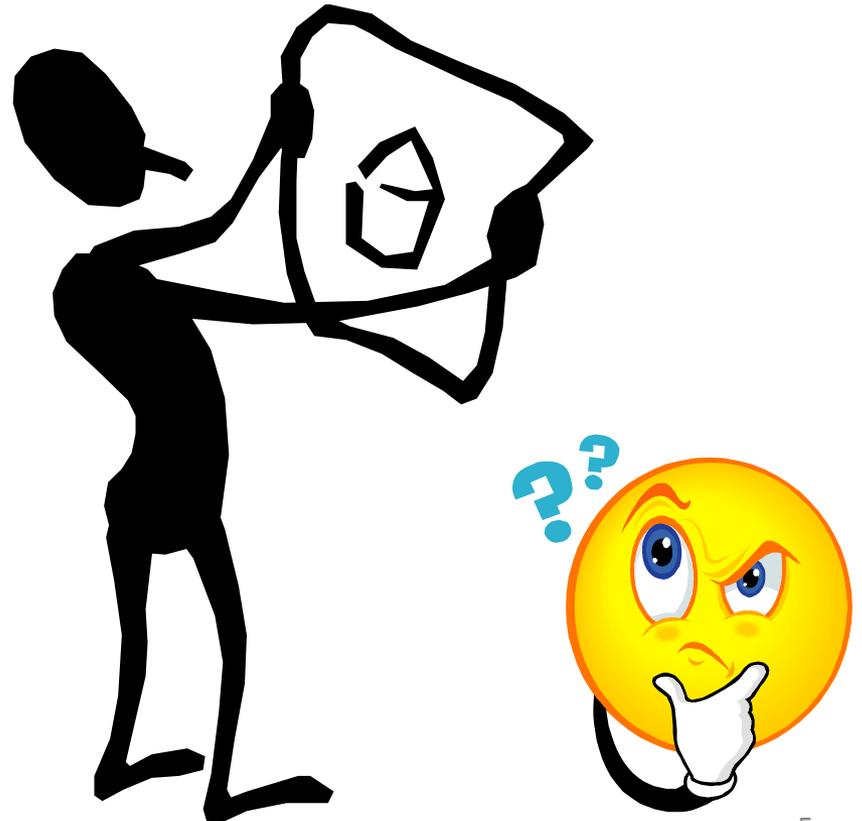
Responsibility



Confirmation

Self-Determination Principles

- **Freedom** to plan and create meaningful life



Self-Determination Principles

Freedom



BUILD THE
LIFE YOU WANT

Option of utilizing public dollars to build a life rather than to purchase pre-determined programs.



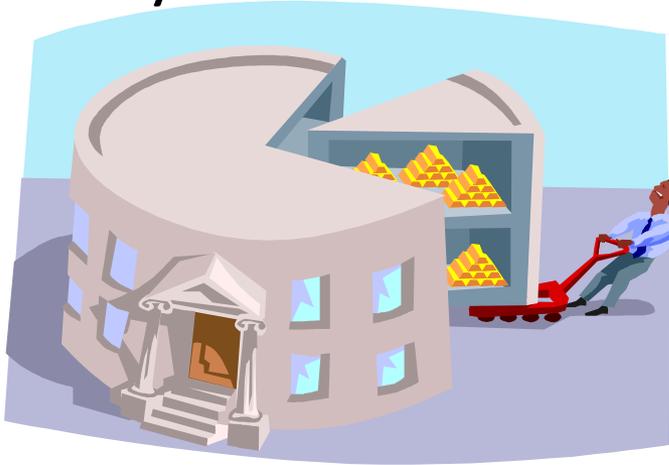
Individuals will be able to control resources via individualized budgets.



Power to move their dollars when their life choices change.

Self-Determination Principles

- **Authority** over the money used to support you. With your budget you can purchase the supports you need to live the life you have chosen.



Life, not a program

You pay for only what you need



Self-Determination Principles

Authority



Individuals will have meaningful control over a set budget which can be used to build the supports they need by purchasing only what is needed and paying for only what is received.

Self-Determination Principles

- **Support**

You get the support you need to live the life you want. You have a circle of supports made up of family, friends, both paid and unpaid supports, and other natural supports.



Self-Determination Principles

Support



Individuals will have support to organize resources in ways that are life-enhancing and assist them in reaching their dreams and goals.

Self-Determination Principles

- **Responsibility**

You assume responsibility for giving back to your community, for seeking employment, and for developing unique gifts and talents.



Self-Determination Principles

Responsibility



Individuals will have the responsibility for the wise use of public dollars, helping with their own support and giving back to their community. One cannot have freedom without responsibility.

Self-Determination Principles

- **Confirmation**

You are recognized for who you are and what you can contribute, having a leadership role in developing policies that affect your life and helping others reach success.

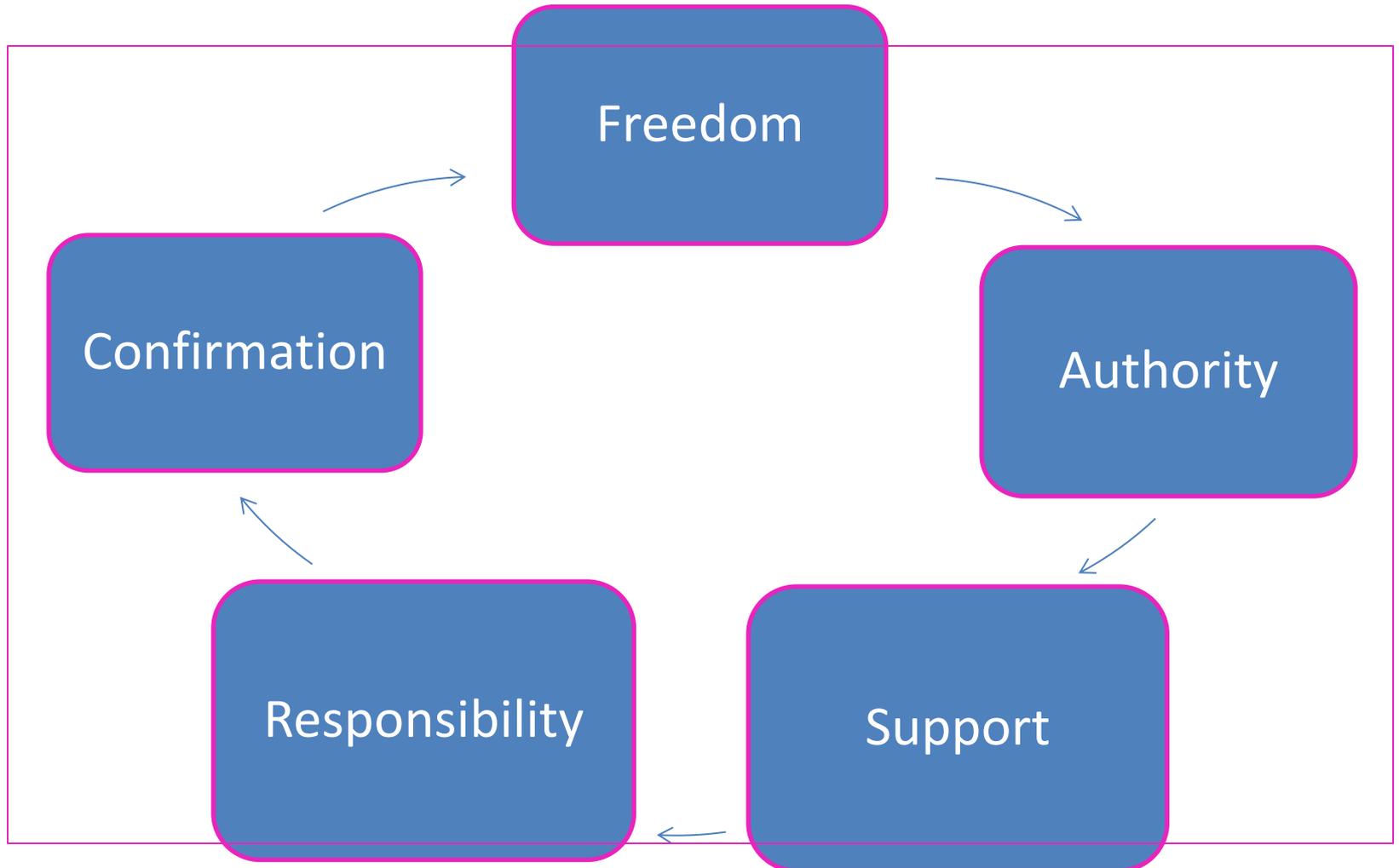


Self-Determination Principles Confirmation

Individuals have a stakeholder role in the design of government and the services used to support all people with developmental disabilities.



Key Principles of Self- Determination



Being an Employer/Designated Representative

- An individual who self directs their supports has budget and employment authority. They become an employer and must follow both Waiver and Self-Direction policies and procedures.



Determining who must be the Employer

The **Employer** is the person who must be recorded by and registered with federal and state government agencies as the **employer for legal purposes.**

Individuals under the age of 18, the parent/guardian is the Employer.

For a **MINOR** aged participant (a person under the age of 18), the employer must be the:

- The **parent** of a minor aged individual participant, or
- The **court appointed guardian** of the participant, or
- The **authorized representative** of the participant, or
- The **participant**, if married or emancipated by the court.

For an **ADULT** aged participant (a person age 18 or more), the EMPLOYER must be:

The participant.

An **authorized representative** may make decisions on behalf of the participant/employer.

If interdicted, the **curator or curatrix** may make decisions on behalf of the participant/employer.

Who Can Be a Designated Representative

- **A spouse** (unless a formal legal action for divorce is pending)
- **An adult child of the individual**
- **A parent**
- **An adult brother or sister**
- **Another relative of the Individual**
- **Other Representative**-If the Individual wants a representative but is unable to identify one of the above, the individual, along with the service coordinator and planning team, may identify an appropriate representative. The Other Representative must be an adult who can demonstrate a history of knowledge of the individual's preferences, values, needs, etc. The individual and his or her planning team is responsible to ensure that the selected representative is able to perform all the employer-related responsibilities and complies with requirements associated with representing one individual in directing services and supports. **A DSW cannot be the designated representative.**

Employer/Authorized Representative Role



- The individual receiving services (Employer of Record), guardian and/or appointed designated representative **must be able and willing to direct & manage the workers' day to day activities**, making sure the services and goals are provided as written in the individual's plan of care.

Employer/Authorized Representative

Duties continue

- Recruit, interview, hire, manage and decide whether Employees are doing a good job
- Make sure the Employee completes mandatory trainings.
- Train the Employee on the Individual's needs and preferences
- Schedule and supervise the Employee
- Review and approve weekly time sheets that are accurate and submit to the fiscal agent.
- Report any situations of potential Medicaid fraud including, but not limited to: Falsified or made-up hours, Task(s) completed that are not authorized, Forgery.
- Dismiss Employees that are not doing a good job

New Opportunities Waiver Services and Limits

- New Opportunities Waiver (NOW) participants may self-direct the following services, as approved in their Plan of Care:
- Individual and Family Support-Day
- Individual and Family Support-Night
- Your Plan of Care identifies the time and days you are approved to receive Individual and Family Support (IFS) services under the Self-Direction option. Individual and Family Support services are termed “Attendant Care Services or ACS,” in your Plan of Care. It is important to note whether you have Individual and Family Support-Day and Individual and Family Support-Night hours listed on your approved Plan of Care as these are paid at different rates and have different codes, and must be coded correctly on your employees’ timesheet.

New Opportunities Waiver Service Unit and Limitations

- The employee and the participant must both be present in order for Individual and Family Support services to be provided. The participant must never be left alone when Individual and Family Support services are being provided.
- The employee must be awake, alert, and available to respond to the participant's needs.
- The employee may not work more than sixteen (16) hours in twenty-four (24) hour period, of combined Individual and Family Support Day and Night services, unless there is a documented emergency or a time-limited, non-routine need documented in the participant's approved Plan of Care. Habitual patterns of an employee working sixteen (16) hours or more will be investigated.
- Individual and Family Support-Day services may not exceed sixteen (16) hours in a twenty-four (24) hour period, unless an exception is documented in the participant's approved Plan of Care.
- The billing unit is fifteen (15) minutes.

Note: Please see SD Employer Handbook for additional services and limitations.

Children's Choice Waiver Services and Limits

- Children's Choice Waiver participants may self-direct the following services, as approved in their Plan of Care:
- Family Support Services
- Your Plan of Care identifies the time and days you are approved to receive Family Supports (Personal Care Attendant services or PCA) services under the Self-Direction option.

Children's Choice Service Unit and Limitations

- The employee and the participant must both be present in order for Family Support services to be provided.
- Total number of services hours are dependent on Children's Choice capped budget. No limits on the amount/ frequency of services other than approved Plan of Care (POC) budget limit.
- All request services are to be completed in the current approved POC year.
- The employee may not work more than sixteen (16) hours in twenty-four (24) hour period unless there is a documented emergency or a time-limited, non-routine need documented in the participant's approved Plan of Care.
- All available Medicaid State Plan and services provided through a program funded under the Individual with Disabilities Education Act (IDEA; 20 U.S.C. 1401 et seq.) must be utilized before accessing this service. All services must be outlined in the Plan of Care to prevent duplication of services.

Children's Choice Service Unit and Limitations

- The total Administrative Fee amount will be taken from annual budget cap for 12 month period. If the recipient wishes to discontinue services, administrative fee will be discontinued on the first (1st) date of the following month.
- Total cost of all services and administrative fees cannot exceed waiver capped budget for POC year.
- Exhausting available funds does not qualify as justification for crisis designation.
- The billing unit is fifteen (15) minutes.

Note: It is understood that this schedule is flexible and an individual's daily routine may change based on need or preference. Support Coordinator will be required to monitor services self-directed services quarterly for Children Choice waiver participants. Please see SD Employer Handbook for additional services and limitations.

Residential Option Waiver (ROW) Services and Limits

- Residential Option Waiver participants may self-direct the following services, as approved in their Plan of Care:
- Community Living Supports
- Your Plan of Care identifies the time and days you are approved to receive Community Living Supports (CLS) services under the Self-Direction option. Services are to be selected based on recipient need/want and based upon the individual ROW acuity level/ROW Budget cap.

Residential Options Waiver Services Limitation

- All ROW participants must receive a residential service (i.e., community living supports, companion care, host home, or shared living) and support coordination services.
- Participants must receive a residential service and support coordination at least once every 30 days.
- Payment will not be made for services provided by a relative who is the Parent(s) of a minor child; Legal guardian of an adult or child with developmental disabilities; Parent(s) for an adult child regardless of whether or not the adult child has been interdicted; or Spouse.

Residential Options Waiver Services Limitation

- Payment will not be made for routine care and support that is normally provided by the participant's family or for services furnished to a minor by the child's parent or step-parent or by a participant's spouse.
- Community Living Supports staff is not allowed to sleep during billable hours of Community Living Supports.
- Payment does not include room and board or maintenance, upkeep and improvement of the provider's or family's residence.
- Payment will not be made for transportation to and from Supported Employment, Day Habilitation, or Pre-vocational Services, as transportation for these services are included in each vocational service.

Residential Options Waiver Services Limitation

- Services may not be billed at the same time on the same day as Transportation-Community Access, Day Habilitation, Prevocational Services, Supported Employment, and Respite Care Services-Out of Home.
- Community Living Supports are not available to participants receiving any of the following services Companion Care, Host Home, Shared Living.
- The cost of transportation is built in to the Community Living Services rate and must be provided when integral to Community Living Services. Payment will not be made for travel training to vocational services.
- Annual costs are not to exceed the individual ROW acuity level/ROW Budget cap.

Residential Options Waiver Services Limitation

- Service Unit is a per diem rate based on the participant's overall approved plan of care.
- The Service Unit is 15 minutes.
- Note: Please see SD Employer Handbook for additional services and limits

Comprehensive Plan of Care (CPOC)



- The CPOC can be used as a training document for employees and must provide enough detail in order for all employees to understand what is needed to provide supports.

Plan of Care (POC)

- ❖ Works to enhance and build natural supports; defines both *paid and non-paid* services
- ❖ Assessments completed assists in determining supports needed to achieve goals and outcomes (SIS, ICAP, etc.)
- ❖ Details supports and services provided (DSW) Job Descriptions can be used as a tool
- ❖ Identifies if a Designated Representative is being used and their responsibilities
- ❖ Identifies the back-up plan which includes provisions for support in the case of scheduled employees not being able to provide the service



Back Up Plan

- Employers need assistance by the support coordinator to develop a functional back-up plan in the event an employee is not able to report to work as scheduled.
 - Potential back-up employees must complete all of the necessary paperwork to determine employment eligibility unless they are providing the service as a non-Medicaid paid worker.
 - Families, friends, and others may provide assistance in these situations without payment.
 - Participants can access Center-Based Respite services if the service is approved in their Plan of Care.

Who Can be a SD Employee?

Anyone over age 18 with a High School diploma, GED, trade school diploma in the area of human services, demonstrated competency or has verifiable work experience in providing support to individuals with disabilities, be able to complete the task listed on the participant's Plan of Care with the following **exceptions**:

SD Employees Cannot Be:

- An individual's spouse
- An individual's parents if they are a minor
- An individual's legal guardian
- The individual's Designated Representative
- Must not live in the same household as the participant
- Anyone with a felony or charge which is disqualifying

Note: Please see convictions Barring employment in the SD Employer Handbook

Individualized Budgets

Using your Support Team to Create an Individualized Budget

- The support coordinator works with the individual or their designated representative to create budget scenarios using the different funding sources that are available, including the person's own resources as well as formal and informal supports



Individualized Budgets

Individualized Budget Development



- Determine which supports are critical in achieving goals, maintaining health and safety, and which supports are merely preferred
- Explore all possible resources for supports
- Orient the individual and support team members to the various potential funding sources
- Determine whether any critical needs are not covered within the scenarios and brainstorm for possible resources if needed
- The Job Descriptions can be used as tools to determine the number of hours need to achieve outcomes.

Show Me the Money

Children's Choice

- During Planning Process
 - Identify services needed for the year
 - Support Coordination service will be added to budget
 - Acumen administrative fees added to budget sheet
 - All other services should be accounted for on the annual budget (therapies, training, environmental modifications, etc.)

Show Me the Money Children's Choice continued

- Once all services are identified on budget sheet
 - Dollar amount for services should be calculated and subtracted from the overall budget for children's choice (16,410.00)
 - Remaining dollar amount after services are accounted for will be total dollars available for family support hours
 - Rate of pay established for employee will determine number of hours available for the year
 - Maximum pay rate 12.25 and minimum pay rate 7.25 (Show Me the Money document from Acumen and budget examples)

Vendor Fiscal/Employer Agent



Setting up payroll records for workers hired

ensuring federal, state and local tax withholding and payments are made; file required federal and state employer reports on time



Worker's Compensation



Human Resources Functions

Background checks

Tracking employee qualification/trainings



Provide individual with monthly budget information regarding payments that have been issued

Getting Started...

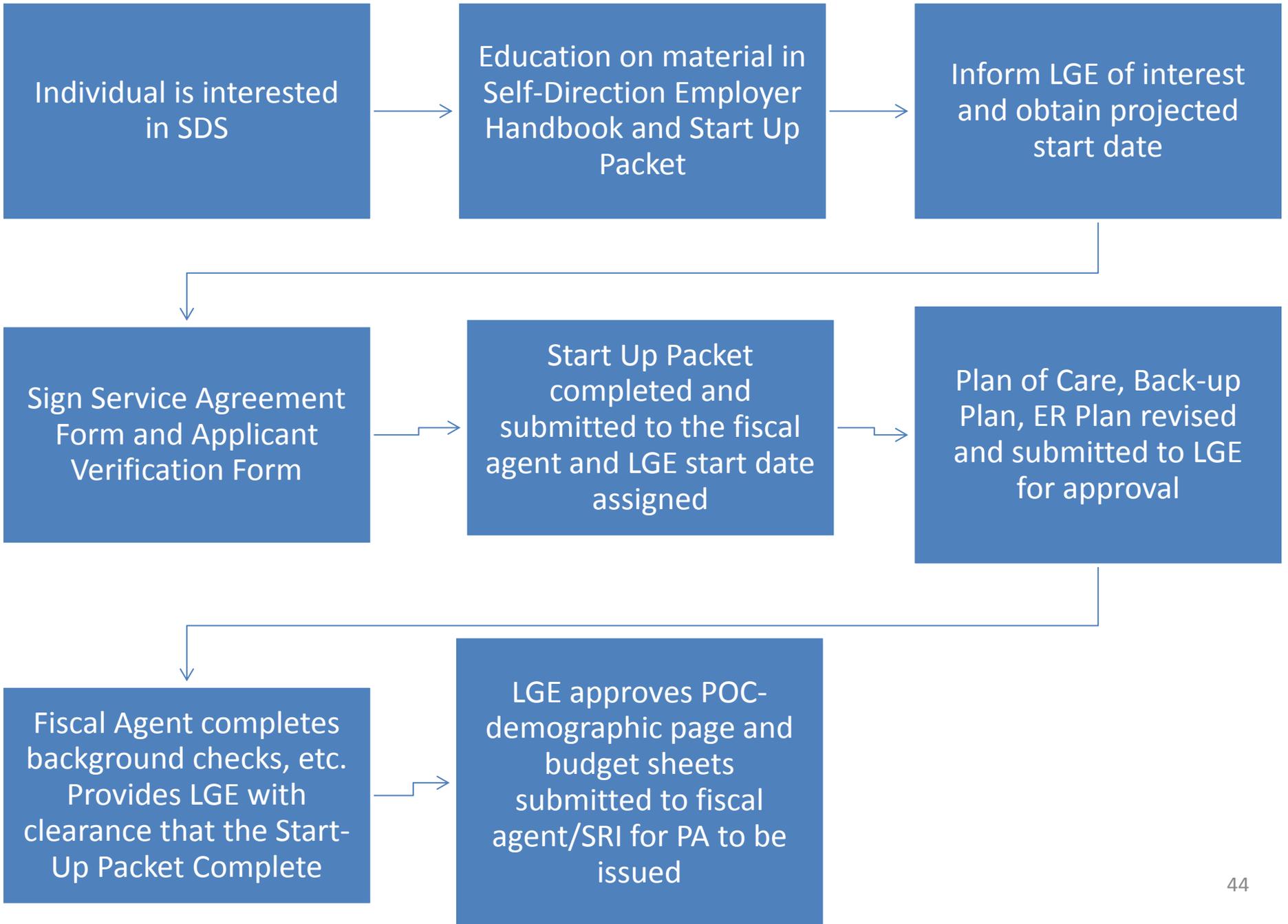
- The individual may utilize the SD option if they receive funding through Home & Community Base Waivers (New Opportunities Waiver, Children's Choice and Residential Options Waiver).

Enrollment Process

1. SC will educate person and/or family on the material in the Self-Direction handbook.
2. After person and/or family has been trained and questions have been answered, the person and the SC will sign the “Service Agreement form”.
3. SC will complete the “Applicant Verification” form to verify that potential employees meet the qualifications for the program.
4. The “Start-Up Packet” will be completed and submitted to the fiscal agent.
5. The fiscal/employer agent will ensure that the forms/documents are complete and will clear employees for hire. **No person/applicant/prospective employee is to begin working until the Fiscal Agent notifies the individual that their prospective employee has passed their background screening.**

Enrollment Process

6. SC will submit the “Service Agreement” form, “Applicant Verification form, and other required forms in the Start-Up packet to the LGE and request start date.
7. LGE will inform the SC, fiscal agent of the person’s established Self-Direction start date
8. SC will inform person of established start date
9. Meet with person and his/her authorized rep to revise POC to reflect established start date and develop back-up plan/emergency evacuation plan
10. Submit POC/Revision
11. LGE approves POC/Revision once clearance is received from fiscal agent that Start Up packet complete and applicants cleared for hire.
12. Notification to provider agency, as necessary, of transition to SD
13. Submit approved POC/Revision to person/authorized rep
14. Submit demographic page and budget sheets of approved POC/Revision to the fiscal agent.



Service Documentation Maintained by the Employer

- Progress notes are signed by the employee. These describe various covered activities or services in which the individual participated, progress towards goals, and unusual events
 - Must be sufficient so that it is understandable, explains what was provided, and can be verified with reasonable certainty that the services were provided
 - Service documentation must be maintained by the employer for a period of 5 years
 - The employee is responsible for writing the documentation on the date they provide the service
- **MANDATORY SELF-DIRECTION PROGRESS NOTES** - alternate format must be approved by Regional Office and/or Support coordinator

Unusual Events

1. Abuse (physical, sexual or verbal)
2. Misuse of Funds or Property
3. Neglect
4. The death, by any cause, of an individual.
5. Any incident involving an individual that requires the involvement of law enforcement.
6. Attempted suicide by the individual.
7. An incident in which an individual can not be located (elopement) for a period of time longer than specified in the individual's plan of if other circumstances indicate that the individual is in immediate jeopardy.
8. Medical emergency, which means the sudden onset of a medical condition or injury which requires emergency medical intervention or unplanned hospital admission.

Service Monitoring

SC Progress notes should reflect observations related to the following key areas:

- **Environment** – Are there health & safety concerns; is the individual's home adapted to meet their needs, etc?
- **Individual Rights** – Are the individual's rights respected and protected? If there is a designated representative are they serving the best interest of the individual?
- **Staff and Services** – Is the employer maintaining all paperwork & documentation? Is it accurate & up to date? If family members are providing services, is it provided in the best interest of the individual? Are the employees qualified? Is the employee training completed prior to providing services and annually thereafter?
- **Money** – Are the individual's services being provided within the parameters of their budget?
- **Health & Safety** – Have there been reports of unusual events; has the team followed up? Has the individual experienced major changes that may influence support needs?

Critical Incident Report

- Upon receiving information from the employer regarding an incident listed previously, the Support Coordinator will ensure the individual's immediate health and safety needs are met. The SC will then fill out a Critical Incident Report detailing the event. In some cases depending on the circumstance the team will meet to talk about what occurred prior to the event and what can be done to prevent a reoccurrence in the future.

Service Monitoring

- Don't forget to include positive outcomes!!
- Service Monitoring should be documented in the SC's case note
- If there is an issue of concern follow your local procedures for reporting of issues (each LGE should have designated staff)
- Critical Incident will be entered into OTIS and the SC and/or LGE will be responsible for remediation & follow-up

Termination of Self-Directed Supports

Voluntary Termination

If an individual decides they do not want to continue self-directing their supports, they may stop at any time. The service coordinator should help them begin that process and assist them in transitioning to agency-based services.

Involuntary Termination of Self-Directed Services

In the event the planning team, the LGE, or OCDD determines the individual's health and safety is at risk, there are concerns regarding their willingness to ensure proper records are accurately kept, or that they are unwilling to supervise employees to receive services according to the plan, the choice of self-directing their supports may be terminated. Before terminating self-directed options, the service coordinator and other appropriate staff will first counsel the individual or their designated representative to assist them in understanding the issues, let them know what corrective action is needed, and offer them assistance in making changes. If the SDS option is terminated, the same level of services will be offered through a traditional agency-based model.

Key points to Remember

Support Coordinator Responsibilities

- Responsible for all elements of the person-centered planning process being in place
- Monitor Health & Safety
- Complete service monitoring (quarterly – minimum) and SC documentation requirements for each service
- **Ensure the option of self-directing supports is given to all individuals/authorized rep. who receive a funded service & assist in the enrollment process if chosen**
- Complete all required Medicaid Waiver and Utilization Review paperwork for budget approvals
- **Ensure individual/employer receive information regarding budget allocation**
- Complete monitoring within one month of starting a new service and set up monitoring schedules with individual/designated representative no less than quarterly
- Complete CIR for unusual events
- It is very important for the SC to document any concerns addressed with the employer regarding adhering to policies and procedures regarding their participation in Self-Direction as an Option.



Individual/Authorized Representative Responsibilities

- Direct and manage the worker's day to day activities, making sure the services and goals are provided as written in the CPOC and provide other duties of an employer, such as hiring and firing employees
- Must schedule/approve all hours worked prior to submitting the time to the Fiscal Agent
- Complete monthly reviews, and maintain required documentation in the individuals home

Contact Information

- Children's Choice Program Manager
 - Denise Boyd Denise.Boyd@LA.GOV
- Residential Options Waiver Program Manager
 - Jeannathan Anderson Jeannathan.Anderson2@LA.GOV
- New Opportunities Waiver Program Manager
 - Anita Lewis Anita.Lewis@LA.GOV
- Provider Relations
 - Delphine Jackson Delphine.Jackson@LA.GOV
- Support Coordination
 - Janae Burr Janae.Burr@LA.GOV
- Support Planning
 - Christy Johnson Christy.Johnson@LA.GOV

QUESTIONS??

