

Self-Directed Attendant Care:

An Overview for Individuals providing services

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Background

Beginning more than 30 years ago, many states began experimenting with a new form of home and community-based care for individuals who were directing inhome services.

The alternative form of service delivery empowers directing care to direct their own care with the option of choosing some or all of their own care attendants and essentially serving as the direct employers of their caregivers.

The movement gradually gained in popularity because individuals were ready and willing to take charge of their own care and experienced greater satisfaction with their lives once they had done so.

In other states where the program has already been implemented, the level of satisfaction is reportedly very high.



Self-Directed Attendant Care

Self Directed Attendant Care is available as an option to those served under the Aged & Disabled Medicaid Waiver who qualify for attendant care.

The program allows for the hiring of a friend, neighbor, or formally trained person to serve as personal attendant, or

An individual may choose to advertise, interview and hire the best-qualified applicant

Individuals may choose among the following options:

- choose Self-Directed Attendant Care, solely.
- combine Self-Directed Attendant Care with traditional agency-based services.
- utilize the traditional agency-based services they are familiar with.



Frequently Used Terms

- Fiscal Intermediary: Public Partnerships, LLC (PPL) is the fiscal intermediary. This means that PPL will process payroll and taxes.
- Individual or Waiver Program Participant: If you are the individual on the Medicaid Aged and Disabled Waiver, this is you. The Individual or waiver program participant is the person who receives attendant care through the Medicaid Aged and Disabled Waiver.
- Representative: A voluntary, unpaid person who may be appointed to assist a waiver program participant in performing the responsibilities of the employer when the individual chooses not to do so independently.
- Employer, or Employer of Record: This term refers to the person in the household directing the work of the employee. This may be the waiver program participant or a representative.
- **Employee:** The person who provides services to the waiver program participant is the employee or personal attendant.

Role of the Representative

Eligible individuals may appoint a Representative to assist in performing the responsibilities of the employer.

The Representative may work to:

- Complete paperwork
- Determine a schedule for work and the number of employees needed for that schedule

The Representative may also be involved for support. Or, they may be involved in the beginning to get the bulk of the hiring and training and, then, be available on an as needed basis.

This position can be whatever you need to fulfill the responsibilities as the employer.

This position is voluntary and not a paid position.

Role of the Case Manager

- Information brokerage: Information, explanation the program and requirements to the individual
- Initial Services:

 Counseling and assistance with enrollment and working with the individual to develop and monitor allocation of hours.
- Continuing services:
 Monitoring, evaluating, and assisting you with changes if the plan of care changes.



Who is eligible to be a Personal Attendant?

- Must be at least 18 years of age
- Can be a family member (*see next slide)
- Must not have been convicted of a felony
- Must review training materials
- Must be registered with Fiscal Intermediary before providing care and being paid by the Medicaid program
- Must provide copy of driver's license and proof of insurance, if providing transportation



Who is **not** eligible to be an Employee / Personal Attendant?

The following individuals are not permitted to be an employees / Personal Attendants:

- Spouses
- Parents, if the individual is a minor child receiving services through this program
- Persons who are legally responsible for the individual receiving services
- Persons who are serving as a Representative for the individual receiving services

Can I be a provider as the Power of Attorney?

- Yes and no. This depends on the type of POA.
- Nondurable POAs have rights to conduct only specific transactions (like PPL). Nondurable POAs may be providers.
- Durable POAs enables the Agent to make decisions for you. Durable POAs may NOT be providers.
- Please call us if you have questions concerning your specific case. (866) 264-2296

According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:

Personal Care

Bathing (tub, shower); partial bath; oral hygiene; hair care; shaving; intact skin care; dressing; clipping hair; application of cosmetics; hand and foot care.

Mobility

Proper body mechanics; transfer between bed and chair; wheelchairs and motor vehicles; ambulation (not including use of assistive devices).

(continued..) According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:

Nutrition

Feeding including preparation and clean up.

Elimination

Assisting with bedpan, bedside commode, toilet; incontinence or involuntary care; and emptying urine collection and colostomy bags.

(continued..) According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:

- Correspondence and Bill Paying
- Escorting

Community activities that are therapeutic in nature or that assist with developing/maintaining natural supports.

Providers who are hired to provide transportation services will be asked to provide a copy of their valid driver's license and proof of insurance.

(continued..) According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:

- Safety
 - Use of the principles of health and safety in relation to self and client; identify and eliminate safety hazards; and practice health protection cleanliness by appropriate techniques of hand washing.
- Waste Disposal and Household Tasks

What Activities are not allowed?

- Attendant Care services must follow a written plan of care addressing specific needs determined through an assessment.
- The Medicaid Waiver does not allow for medical procedures.
- Attendant Care services will not be provided to medically unstable individuals as a substitute for care provided by a registered nurse, licensed practical nurse, licensed physician, or other health professional.
- Coverage questions should be referred to the Medicaid Specialist who works with the case manager.

What Activities are **not** allowed?

Services that are exclusively for the benefit of other household members are not allowed. Examples include:

- Running errands for other household members.
- Cooking for other household members.
- Completing laundry for other household members.
- Providing childcare for other household members.

Under the CHOICE program, certain medical procedures could be performed by attendants if a physician authorized them. Under the Medicaid Waiver, there is no provision for this.

What Activities are not allowed?

Medical Services are not allowed; examples are in the following list:

- Bearing of full weight of individual during transfer.
- Assistance with ambulation using assistive devices.
- Specialized feedings.
- Other activities which must be performed by a licensed health care professional.
- Total lift transfer of as a quadriplegic.
- Passive range of motion exercises.
- Skin care on broken skin.
- Occupied bed changes.
- Bed baths.



Employee's Responsibilities

As an employee, you assume certain risks such as bodily injury or property damage.

You should work with your employer to define your duties so as to minimize this risk.

- Can you physically do the job?
- Are you dependable? Your employer is depending on you for tasks that they <u>need</u> to live independently.
- To minimize the risk of breaking valuables, stay in the area of your employer's home where you are doing your tasks.
- Discuss your enrollment in the program with your insurance agent, to review your coverage.

Employee's Responsibilities

(continued...) As an employee, you assume certain responsibilities, including the following:

- Complete online training (alternate formats are available) and review a checklist that verifies your understanding of the program and its requirements.
- Respect your employer and their needs and privacy.
- Reporting abuse or fraud promptly to the specified authorities.
- Reliably show up on time to perform services.
- Only performing the tasks outlined in your job description. Other tasks may not be covered by the employer's plan of care and would not be covered under this program. Specifically, medical services are not covered under this program.

Employee's Responsibilities

(continued...) As an employee, you assume certain responsibilities, including the following:

- Complete the required enrollment packet for the Self-Directed Attendant Care program.
- Capably perform the tasks that you have been hired to perform.
- Work with your employer to develop a schedule for the services to be performed.
- Report your time accurately and appropriately using the methods outlined in the manual.

Performance Expectations

- Cleanliness You should practice good personal hygiene before reporting to work. It is important that personal attendant be clean and neat. Wear hair in a manner that it will not be your face or getting into food, or your employer's face. Do not wear perfumes or colognes.
- **Problem Solving** You must be able to assess needs within agreed upon duties and present reasonable solutions/course of action for meeting those needs. You should be able to remain calm and look at any situation rationally.
- **Emergency Care** You must have the ability to remain calm and provide immediate care to employer in order to insure his or her health and safety and prevent further danger or injury. You should be able to contact emergency services order to resolve the situation (i.e. police, ambulance, fire department). You must follow emergency procedures as outlined by employer training.

Steps toward Becoming an Employee

It is a wonderful thing that you plan to do. You are helping someone keep their independence.

Please, keep in mind that the majority of the obstacles in front of you and your employer can be traced to

- Respect
 - Respect your employer and their time and privacy
 - Understand what tasks are in your job description.
 - Show up at the scheduled time, every time.
- Communication
 - Begin with open and honest communication
- Professionalism
 - Treat this as you would any other employee/employee relationship

Review and understand the Job Description and Provider Agreement

Why have a Job Description / Personal Attendant Provider Agreement

- To help you identify your qualifications for the job
- To identify what services will be provided
- To start a discussion with your employer and outline the details of the job for everyone

Review and understand the Job Description and Provider Agreement

Understand your employer's expectations through a Job Description.

- You will have guidelines and know what is expected from the start.
- You know that you will be evaluated regularly and given feedback about your performance.
- The job description will be very valuable for guidance. It creates an outline for you to use while discussing your work with your employer.

Employee Compensation

- Units of care are measured in 15 minute increments, similar to current system, following the plan of care/cost comparison budget.
- Employees will be paid at a rate of \$9.80 (effective 10/2006) per hour. Raises will be determined by the State of Indiana.
- Taxes will be withheld from paychecks. Paychecks are issued every two weeks.
- The State of Indiana will cover:
 - * taxes on behalf or the employer, in addition to
 - unemployment insurance
- Contributions are made to provider's Social Security and Unemployment Compensation accounts.
- There is **no** Worker's Compensation for this program.
- Service hours will be limited to no more than 40 hours per week per provider for this employer. <u>No overtime will be paid.</u>

Staying on Track

- Being assertive in communicating your needs to your employer
- Discuss your employer's emergency information and other important documentation for this program
- Report your time accurately and appropriately
- Ask your employer for feedback and make sure their needs are being met

Communication: Giving Feedback

- Describe the situation as soon as possible after the situation occurs.
- Discuss only one incident at a time.
- Do not bring up things from the past.
 Stick to the present.
- Discuss the person's actions, not the person.
- Keep it brief and to the point.

Communication: Giving Feedback

The following 3 slides show different ways to respond to a situation.

The last example is the most effective way to resolve the situation. You **can** effectively have your needs met without creating conflict that would lead to an end to your working relationship with your employer. Let's see how...

Communication: Passive Response

Situation: You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

Passive Response: You do not say anything and you come in at 10:30.

Result: You are upset because you know how tired you will be the next day. All the time you are helping Joe, you feel irritated. He asks if there is something wrong and you say, "No".

Communication: Aggressive Response

Situation: You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

Aggressive Response: You say to Joe, "Don't you think that I might be really tired if I come that late?"

Result: Joe gets angry. He says that you are being rude and inconsiderate of his needs. The next time either the private attendant or the employer wants to change the schedule neither of you will want to ask.

Communication: Assertive Response

Situation: You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

Best Response, Assertive Response:

Express your genuine concerns.

"Joe, I would really like to help you out but it is difficult for me to stay up that late and then to feel rested the next morning. Is there any other way that we could figure out how to meet your need?" You have been open and honest as to why this does not work for you, but you have shown him your concern for his needs and your willingness to try to figure out another way of working it out.

Rights and Responsibilities

Employer Rights

- Direct your own personal care.
- Decide who your personal attendant will be and when they will work for you.
- Be treated with dignity and respect, which includes respect of your privacy and confidentiality.
- Replace personal attendants who don't respect your rights.

Personal Attendant Rights

- To be treated with respect
- Be provided with equipment and supplies that are needed to complete assigned duties
- To request time off with adequate notice
- To be paid on time
- To work in a pleasant, safe, nonthreatening environment

Responsibilities

Employer

- Being assertive when asking for or turning down help.
- Writing a job description for your personal attendant to sign before starting work.
- Giving praise when it is due.
- Being respectful when talking to your personal attendant.
- Making sure your personal attendant gets paid on time.
- Making emergency information available to your personal attendant.

Personal Attendant

- Always being on time
- Being honest and open about his/her feelings
- Knowing his or her own skills and limitations and able to discuss them
- Providing reliable, safe, high quality services, as directed
- Making a work schedule with your employer
- Respecting employer and his or her right to privacy and confidentiality
- Notifying employer as soon as possible when he or she knows he or she will be late or unable to work
- Giving at least two weeks notice before making changes or quitting
- Completing job duties as directed

Abuse and Neglect

Abusive behavior is completely unacceptable and is against the law.

- Physical abuse means any action that causes physical pain or injury including but not limited to hitting, pushing, pinching, or kicking.
- Sexual abuse includes but is not limited to rape; any unwanted sexual contact, or sexual harassment.
- Emotional and verbal abuse includes but is not limited to name calling, intimidation, yelling, and swearing.
- → Neglect is defined as the lack of attention and due care.
 - Failing to show up for work is neglectful behavior.
 - Failure to provide the appropriate care, water, food or medication is neglectful behavior.



Sticky Situations

By planning ahead, you can avoid many sticky situations. The following slides discuss common situations and how to avoid them.



Many of these situations are avoided by:

- communicating effectively with your employer,
- be a responsible employee,
- respecting one another, and
- treating your working relationship professionally.

Tasks not performed properly or completely

It is important that the activities are performed for your employer. First, because your employer and their case manager have determined that he or she needs these activities for daily living.

In addition, this is a Medicaid program. If someone is not performing the services that they are hired and paid to do, that could constitute fraud. Medicaid could investigate and take action if fraud is suspected.

Enforcement could result in prosecution of all parties involved.

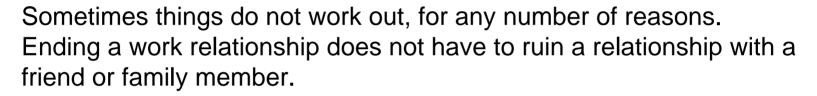
Communication Problems

Begin by communicating effectively. Recognize when there is a problem as soon as possible and address it with your employees.

Sometimes it is difficult to think of effective ways to communicate. Take a little time, talk it over with someone to roll play, if you need to.



Quitting as a Personal Attendant



Again, communication is the key. Address problems as they arise. Avoid arguments and try to communicate your feelings assertively.

Maybe your personal or work life has changed recently. Or you may have thought you could do the work, but you realized that you cannot. It is ok.

Be honest and talk about it. Chances are, your employer knows that things are not working out, but they don't know how to handle it.

What is a Fiscal Intermediary?

A Fiscal Intermediary processes payroll and completes tax processes on your employer's behalf. The State of Indiana has contracted with Public Partnerships, LLC to perform the role of fiscal intermediary for this program.

Specifically, a Fiscal Intermediary:

- Pays employees/personal attendants on your employer's behalf
- Withholds and deposits taxes, and files tax and labor reports
- Provides you, your employer and the case manager with regular reports that show how authorized units have been spent, and the amount of taxes paid
- Responds to your questions and questions from your employer, and the case manager
- Administers the limited criminal history

About Public Partnerships, LLC (PPL)

- Public Partnerships, LLC (PPL) is an affiliated company of Public Consulting Group, Inc. (PCG). PCG is a national consulting firm focused on assisting state and local governments to dramatically improve their financial and operational performance.
- PPL was founded in 1999 to focus exclusively on the financial operations of consumer-directed services.
- PPL contracts in twelve other states to serve as the Fiscal Intermediary for a variety of human services populations, including mental health, developmental disability, adult protective services, child protective services, and foster care arrangements.
- PPL was hired by Indiana FSSA to be the Fiscal Intermediary for the self-directed care program that is part of the Aged & Disabled Medicaid Waiver.

Fiscal Intermediary Benefits

- You will receive a W-2 statement at the end of each calendar year.
- Contributions are made to your Social Security and Unemployment Compensation accounts.
- You receive bi-weekly paychecks, based on time reported to PPL.

Overview of Employee Forms

- USCIS Form I-9 Employment Eligibility Verification. This federal form tells the USCIS that the employee is eligible for employment in the United States.
- IRS W-4 Form Employee's Withholding Allowance Certificate.
 This federal form tells the IRS about the withholding allowances for which the employee is eligible.
- Form WH-4 Employee's Withholding Exemption and County Status Certificate. This form tells the State about the withholding allowances for which the employee is eligible.

Overview of Employee Forms

- Employment Terms and Conditions This form serves as a contract between employers and employees.
- Employee Data Form This form collects basic demographic data about employees.
- Employee Training Checklist This form is documentation of employee understanding of self-directed care.
- Federal Tax Exemption Information Form This form is to be completed by family members serving as employee for the purpose of identifying special tax circumstances.

There are two methods for submitting time worked:

- Telephonic timesheet (preferred method)
- Physical timesheet (back-up method)
- The telephonic timesheet is done over the phone.
 - 1) The employee calls a toll-free phone number upon arrival.
 - The employee enters the individual's Medicaid ID# and their Employee ID# in order to "clock in".
 - 3) After services have been performed, the employee calls the same toll-free number to "clock out".
 - 4) The employee will enter a service code and activity codes for the services performed.
- Service hours will be limited to no more than 40 hours per week per provider for each individual enrolled.
 No overtime will be paid.

There are two methods for submitting time worked:

- Telephonic timesheet (preferred method)
- Physical timesheet (back-up method)
- The physical timesheet is completed every two weeks and signed by both the Employer and Employee.
 The timesheet can either be:
 - faxed using a toll-free fax number, or
 - mailed to PPI
- Service hours will be limited to no more than 40 hours per week per provider for each individual enrolled.
 No overtime will be paid.

Here is an example of a correctly completed time sheet.

PUBLIC PARTNERSHIPS, LLC EMPLOYEE TIMESHEET (Fiscal Intermediary for IN FSSA's Self-Directed Attendant Care Program) Employeer's Name: Frances Fake (3 1 7) 5 5 5 - 1 2 3 4 9 8 7 6 5 4 3 2 1 0																																						
	Employee's Name: Jane Doe (3 1 7) 5 5 5 - 5 5 5 5 5 5 6 6 7 7																																					
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Timekeeping: Activity Codes

Service and Activity Codes are entered as you are logging (clocking) out. These codes refer to the services that you provided. The following is a list of some Service and Activity Codes:

Service Codes

01 Personal Care



Activity Codes

- 11 Bathing
- 12 Grooming
- 13 Hair Care
- 14 Walking
- 15 Meal Preparation
- 16 Housekeeping
- 17 Laundry
- 18 Errands
- 19 Other Tasks

Additional information concerning the process of timekeeping can be found:

- by reviewing the online training for the Fiscal Intermediary Services
- Or, by referring to the employee manual:
 A Guide for the Individual Providing Care

Overview of Reporting

- Family Reports: Detailed monthly reports for each service includes amount of funds spent and remaining funds
- Case Manager Reports: Detailed monthly reports allow monitoring and managing resources across individuals
- Funder Reports: Detailed monthly reports include year-to-date spending and services
- Customized Reports: Generated as needed

Family Friendly Report

- Designed for a family audience
- Summarizes account spending activity to date
- Reflects budget variances
- Easy to read and understand
- Mailed directly to case managers and families on a monthly basis
- Can be produced in multiple languages



PUBLIC PARTNERSHIPS, LLC

148 State Street, 10th Floor Boston, MA 02109 (617) 426 2026

YEAR TO DATE SPENDING SUMMARY REPORT

Account Information

nt, Jim	ISNB#:
s	Case Manager:
)	Report Print Date:
	Fiscal Year-Period:

How to Read this Report

Read the chart below to see how much money you have spent for each item compared to how you budgeted. Check the "remaining balance" column to see if you still have funds available for each item. If there are no "()" around the amount, that means you still have funds available to you for that service item. But, if there are "()" around the "Remaining Balance" amount, that means you have exceeded the dollars budgeted to you for that service item. A zero indicates that you have no funds budgeted for that item, but you may have submitted invoices for payment. Additional pages may follow this summary that include detailed payment information.

How Much of My Budget Have I Spent Through April 30, 2001

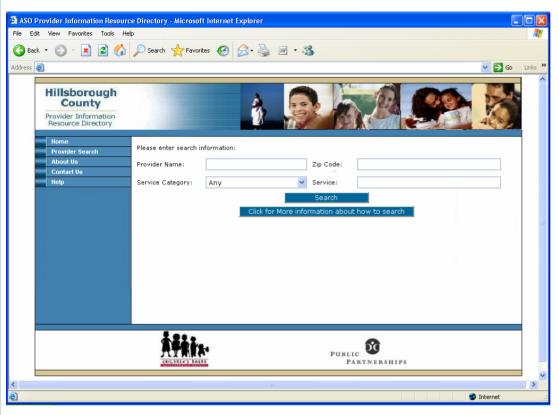
Service Description	Funds Budgeted	Funds Spent YTD	Balance	% of Funds		
Personal Attendant Services	3,392.72	1,174.80	2,217.92	65%		

GRAND TOTALS 3,392.72 1,174.80 2,217.92 65%

Network Development

- Network is infinite!
- Individuals select providers based on their plan of care.
- Employees may be traditional or nontraditional.
- Potential for family members to become employers.

Website & Provider Registry



www.publicpartnerships.com

- Contains forms and training materials
- Allows individuals and case managers access to provider database
- Includes services, credentials, hours, location, and contact information for providers who choose to be listed

Quality Assurance

Your employer will follow up with his or her case manager, regularly, every 90 days, to ensure that the program is working as planned, or to address any problems that arise.

If a negative report is made, a case manager will file an incident report with the Indiana Family and Social Services Administration (FSSA). An internal committee within FSSA will review quality complaints.

Unresolved, negative quality reports will lead to appropriate action which may include dismissal and removal from the provider registry.

Employees will be notified, in writing, of any complaints and of action to be taken. There is a process in place for appeal.

90-Day Checklist

Case Manager 90-Day Checklist

- Consumer or their representative continues to be capable of performing the duties required of an employer.
- The number of hours of care the provider has delivered is in line with the plan of care PA(s) has/have not provide over 40 hours of service in a 1-week period in the plan of care.
- Consumer or representative has submitted timesheets and completed all necessary paperwork as requested by the fiscal intermediary.
- Consumer or representative has hired, trained and is actively supervising the PA.
- Consumer or representative is able to address quality of care and or performance issues with the PAI
- Provider is providing all services appropriately as stated in plan of care and as described in the consumer/provider responsibilities worksheet.
- Consumer has a written back up plan back up provider is still available to provide care.
- Emergency information is up to date and available to the PA.
- There are no issues of abuse, fraud, or neglect.

Signature Case Manager	Date
As a participant in the Indiana Self- representative of a participant in the Indiana undersigned affirm that the care I am receiving quality of this care. I am aware of the pro- make changes to the Self-Directed Attendary participate in the Self-Attendant Care Program	ng is appropriate and I am satisfied with the cedures to report fraud, abuse and how to ant Care Program. I wish to continue to
Signature/Self-Directed Care Participant or Representative	Date Date

Working with a person with a disability

- ✓ Let the individual give you direction on how he or she wants you to assist him. Before helping, ask the person if he wants you to help.
- ✓ Do not hang or lean on an individual's wheelchair because it is part of that individual's personal body space.
- ✓ Speak directly to the individual with a disability, not to someone nearby as if the individual with the disability were not there.
- ✓ Do not pat an individual in a wheelchair on the head or refer to people in "affectionate" terms such as "sweetie", "dear", etc. These things are usually seen as put-downs to people.
- ✓ If an individual has diminished eyesight, allow him to tell you what kind of assistance you can give.
- ✓ Do not discourage children from asking questions about disabilities.
- ✓ When an individual is using an assistive device to transfer to a chair, toilet, or bed, do not move the device out of reaching distance; leave it in place.

Prior Planning

- Complete a individual receiving care service plan, which will spell out the details of the services that you will be providing to your employer and the schedule agreed upon by you and your employer.
- Find out about the other services your employer is receiving.
- Develop a back up plan with your employer. Discuss how much advance notice to give when you are unable to work as scheduled.
- Keep track of the time you have worked with your employer.

Where To Go For Help / Customer Service Hotline

General Customer Svc	Public Partnerships (866) 264-2296
	Attorney General (800) 382-1039
Fraud	Medicaid Fraud (317) 232-1217 (800) 457-4515
Abuse & Neglect	Adult Protective Services (800) 992-6978

Next Steps

- Review manual, including the Universal Precautions and other personal care in Part Six of the manual
- Review Fiscal Intermediary online presentation
- Request and complete enrollment packet (866) 264-2296
- Work with Individual to set up schedule and back up plan
- Receive training for tasks to be performed from individual
- Await notice to start work from Fiscal Intermediary