Understanding Participant-Directed Services and Strategies to Expand their Use





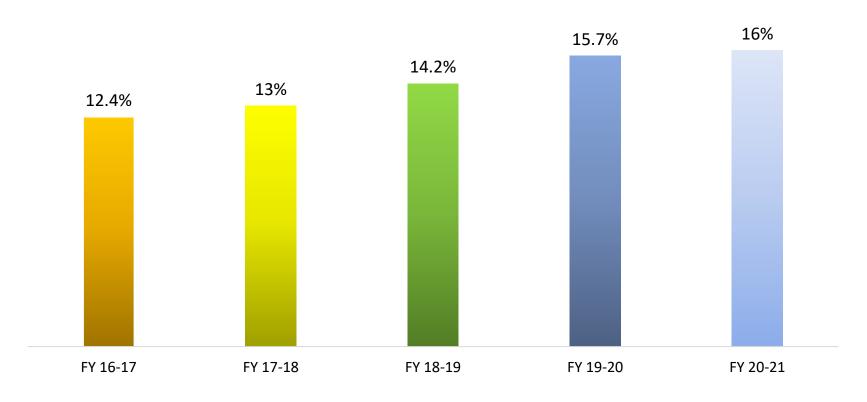
Overview

- Section 1- Growth in Participant-Directed Services
- Section 2- Overview of Participant-Directed Services
- Section 3- Agency With Choice (AWC) Financial Management Services (FMS) Model
- Section 4- Vendor Fiscal(VF) /Employer Agent (EA) FMS Model
- Section 5- Support Broker Services
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Growth in Participant-Directed Services

Percent of Individuals with Participant-Directed Services as of July2021



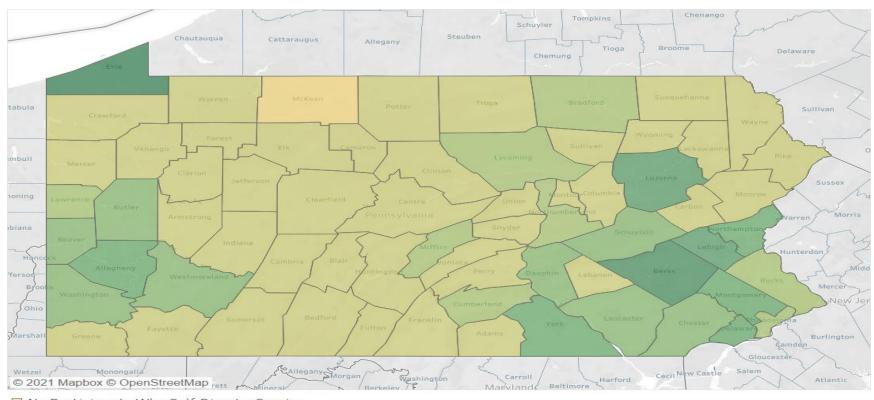


Growth in Participant-Directed Services

- The number of people who self-direct at least one service has consistently increased in the last five years.
- Additionally, ODP is currently examining what impact COVID-19 had on the use of participantdirected services, including if more services were self-directed during the pandemic.



County HCBS Waiver Participants Reside In



■ No Participants Who Self-Direct a Service

Less than 1%

1% - 2%

2% - 3%

■ 3% - 4%

6%

7%

10%

This map shows the counties where all HCBS Waiver Participants that self-direct at least one service live as of July 2021



Participation-Directed Service (PDS)



People have choice and control regardless of the service delivery option. But with participant direction, they have more along with additional responsibilities as they or their surrogate take on the role of either the Common Law or Managing Employer.



Participant-Directed Services

- Self-directed Services
 - Companion
 - > Homemaker/Chore
 - > In-Home and Community Supports
 - > Respite
 - Supported Employment
 - Supports Broker Services



Participant-Directed Services

- Vendor Services
 - Assistive Technology
 - Education Support Services
 - Fees and Registration Costs Family/Caregiver Training and Support
 - Home Accessibility Adaptions
 - Participant-Directed Goods and Services (Community Living and P/FDS Waivers only).
 - Public Transportation and Transportation Mile
 - Specialized Supplies
 - Vehicle Accessibility Adaptions



Who is Eligible to Use PDS?

- To be eligible for participant-directed services, the individual must live in a private home. Individuals living in agency owned, rented, leased or operated homes may not participate in participant-directed services.
- However, there is an exception for the Supports
 Broker service, which may be provided for
 individuals who receive Residential Habilitation, Life
 Sharing or Supported Living services in the
 following circumstances:
 - ➤ The individual has a plan to transition from a residential setting to a private residence.



Who is Eligible to Use PDS?

- The individual has a plan to self-direct their services through an AWC or VF /EA FMS once they are in a private residence.
- In addition, you and your surrogate, as appropriate, need to be:
 - Interested and willing to self-direct services.
 - Willing to accept risks, rights and responsibilities of participant-direction.
 - Willing to accept the responsibilities as either a CLE or ME.



The Benefits of Using PDS

- Ultimately, selecting a Participant-delivery service option is a personal decision that is up to the participant.
- Participant-directed services offer more choice and control of their self-directed services and their qualified SSPs, providing them with a level of "customized" supports that best meets their needs.
- Participant-directed services allows the individual to lead their own service planning process; determine how and when their services are delivered and who will deliver the services.

The Benefits of Using PDS

- There are advantages and disadvantages to all service delivery options, and the participant should choose the option that best meets their needs and goals.
- The SC, Supports Broker, and AE can help explain the various service delivery options available to the participant and provide additional information and guidance they may need to choose the service delivery option that best fits their needs and preferences.



Where To Begin

- To successfully use participant-directed services, the participant must utilize the information and training that is offered.
- Additionally, they need to understand their role as a person using participant-directed services, their role as an employer, and the roles of those who can provide them with assistance.
- The Supports Coordinator is your first source of information regarding participant-directed services.



Where To Begin

- At any time, the participant can contact the Supports Coordinator and tell them they are interested in using participant-directed services.
- Then the Supports Coordinator will meet with the participant and the ISP team to discuss the options available and help the participant determine which option is best.
- Information about participation direction should be shared with the participant at the ISP team meeting when discussing how best to have the identified services provided.

Which FMS model is right the participant?

- The first decision the participant needs to make is which FMS model is right for them to support their use of participant-directed services.
- The second decision they need to make is whether they want or need a surrogate to be either the common law or managing employer.
- Once they have made these decisions, they can select the model they want to use.



Leading Your Support System Using PDS

- ODP offers participant-directed services via two service delivery options. The Financial Management Services (FMS) models allow the participant varying levels of choice and control based on their needs and preferences. The two FMS models are the:
 - > Agency with Choice (AWC) FMS and
 - Vendor Fiscal/Employer Agent (VF/EA) FMS



Agency with (AWC) FMS Model

- The AWC FMS is an employer model where the managing employer (ME), and an agency designated by the AWC FMS in the participant's area, as the legal employer employ the qualified SSPs that provide the participant-directed services.
- Employer-related supports are available based on your needs and at your request.



Agency With Choice (AWC) FMS Model

- The AWC FMS model is a participant-directed service delivery approach that gives the participant varying levels of choice and control over the needed and authorized PDS services they receive.
- The AWC is required to provide the AWC administrative services in addition to all identified participant-directed services authorized for an individual who is self-directing and enrolled with the AWC provider.



- Compliance with all applicable waiver, regulatory, and DHS policy requirements, including but not limited to 55 Pa. Code Chapter 1101 (General Provisions) and the requirements set forth in the AWC Bulletin.
- Complying with all Department requirements relating to Electronic Visit Verification.
- Performing all duties associated with employment of SSPs as specified in Attachment 1 of the AWC Bulletin.



- Identifying and implementing actions to address the Managing Employer's performance in accordance with the Managing Employer agreement.
- Fulfilling any unmet responsibilities of the Managing Employer.
- Providing the Managing Employer information about the AWC's process for ensuring that individuals and surrogates have the right to choose and manage their services.



- Reporting and investigating incidents in accordance with 55 Pa. Code § § 6100.401—6100.404 and developing and implementing procedures to ensure that the Managing Employer reports incidents to the AWC so that the AWC can meet the timeframes specified at 55 Pa. Code § 6100.401.
- Providing Managing Employer skills training that includes, at a minimum, all of the items specified in Attachment 2 of the AWC Bulletin, and any other training requested by the Managing Employer, the AE, or ODP.



- Distributing a customer satisfaction survey to individuals supported by the AWC, collecting and analyzing survey responses, and acting to improve services.
- Producing service utilization reports and providing them to the Managing Employer within seven calendar days of the last day of each payroll period.
- Ensuring that the Managing Employer complies with the requirements of the Managing Employer agreement.



What AWC Services Can Look Like

- Wants to hire his friend as his staff
- Wants to determine his own schedule
- Wants the agency to provide the training





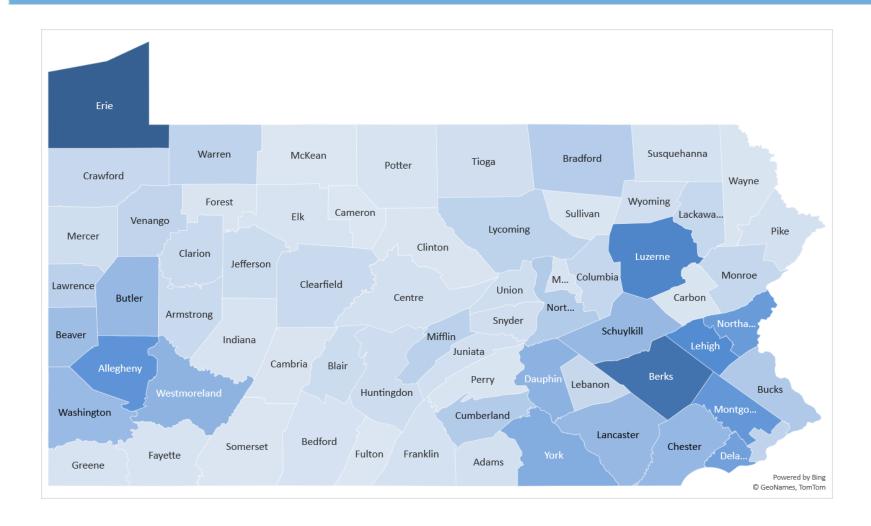
AWC Utilization-October 2021

County of Residence	Participants Using Agency with Choice	Percent of Participants using Agency with Choice
Erie	560	10.2%
Berks	445	8.1%
Luzerne	332	6.0%
Lehigh	293	5.3%
Allegheny	261	4.7%
Montgomery	251	4.5%
Northampton	238	4.3%
Delaware	222	4.0%
York	184	3.3%
Dauphin	165	3.0%

Participants self-direct services in 66 of Pennsylvania's 67 counties using the AWC model. However, participants in 10 counties account for 53.4% of all AWC, use.



AWC Use: County of Residence as of October 2021





Vendor Fiscal/Employer Agent (VF/EA) FMS Model

 The VF/EA is **not** a service provider. They provide administrative services and payroll services, and are not responsible for the monitoring of service delivery, utilization, etc. Centers for Medicare & Medicaid Services considers the SSP the "provider" in this model.



Vendor Fiscal/Employer Agent (VF/EA) FMS Model

- The VF/EA FMS model is a participant-directed service delivery approach designed to give you maximum control over the PDS you receive and your qualified SSPs. Under VF/EA FMS, you are the common-law employer (CLE), also known as the legal employer, of your qualified SSPs.
- You may hire a friend, a neighbor, certain family members, or other trusted individual who knows your preferences and values to be your SSP.



- Act as "the bank" for individuals or their surrogates it represents by receiving and disbursing Medicaid Waiver and Base funds for services and goods delivered in accordance with the person's ISP.
- Conduct Criminal Background Checks and Child Abuse Clearances for prospective SSPs and individuals providing transportation services for mileage reimbursement directly hired by individuals or surrogates.



- Establish and maintain documentation, records, and files for individuals or their surrogates and SSPs, individuals providing transportation services for mileage reimbursement, unlicensed providers, and vendors the VF/EA FMS is paying.
- Develop and produce a CLE enrollment packet; and collect, review, and process information in completed packets.
- Process direct deposits of payroll checks for SSPs, as requested.



- Develop and produce a SSP employment packet; and collect, review, and process information in completed packets.
- Prepare, file, and distribute IRS Forms W-2 and W-3 electronically in accordance with IRS Form W-2 and W-3 instructions for agents.
- Maintain a schedule for collection and processing timesheets of SSPs within the time required by the Pennsylvania Department of Labor and Industry.



- Determine if SSPs of individuals or their surrogates are paid family members who may be exempt from filing and paying Federal Insurance Contributions Act (FICA), Federal Unemployment Tax Act (FUTA), and State Unemployment Tax Authority (SUTA) taxes.
- In accordance with the approved and authorized ISP, the VF/EA FMS provider may administer payments for one time only services and for ongoing services rendered by qualified vendors (such as providers of ramps, public transportation), and mileage reimbursement.



- Submit clean claims for Waiver services to PROMISe according to ODP financial management specifications and timeframes.
- Develop and implement an annual individual satisfaction survey tool, analyze the results, and prepare and submit summary reports to ODP based on specifications determined by ODP.
- Complete all other tasks identified in the Vendor Fiscal/ Employer Agent (VF/EA) FMS Bulletin's Role and Responsibilities.



What VF/EA Services Can Look Like



- Wants to hire his cousin and brother to provide his services
- Wants to determine their own schedule
- Wants to hire and fire his staff as appropriate
- Wants to train his staff



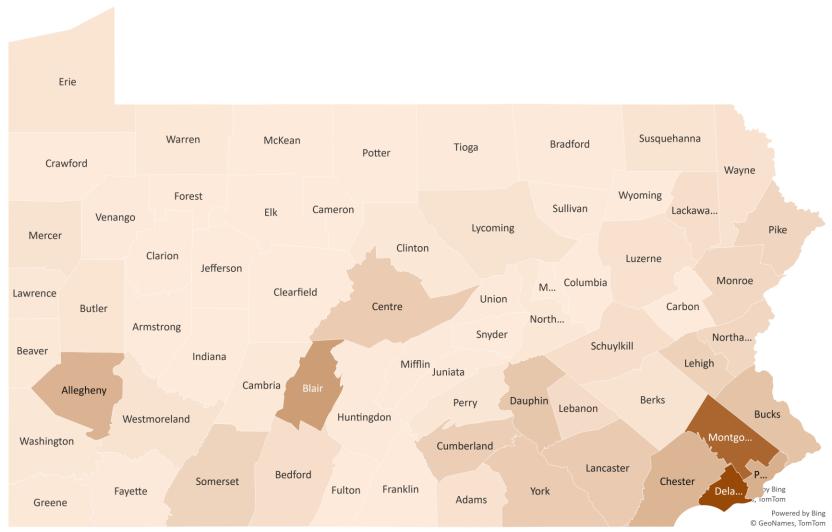
VF/EA Utilization by County- October 2021

Participants self-direct services in 47 of Pennsylvania's 67 counties using the VF/EA model. However, participants in 6 counties account for 54.3% of all VF/EA use.

County of Residence	Participants Using VF/EA	Percent of Participants using VF/EA
Delaware	153	16.6%
Montgomery	125	13.3%
Blair	73	7.8%
Philadelphia	55	5.8%
Allegheny	52	5.6%
Chester	50	5.3%
Total	508	54.3%



VF/EA County of Residence – October 2021





Support Broker Services

- The Supports Broker service is a direct and indirect service available to people who choose to selfdirect at least one participant-directed service. This service is designed to assist the CLE or ME with employer-related functions in order to be successful in self-directing some or all the participants needed services.
- The Support Broker has several roles that have a number of tasks within them. These include:
 - ➤ Ensuring compliance with all applicable policies, regulations and rules that govern waiver funded services that are being self-directed.
 - Assisting with employer related tasks.



Support Broker Roles and Responsibilities

- Explaining and providing support in completing employer-or managing employer related paperwork.
- Participating in Financial Management Services (FMS) orientation and other necessary trainings and interactions with the FMS provider.
- Developing effective recruiting and hiring techniques.
- Providing technical assisting when determining pay rates for Support Service Professionals.



Support Broker Roles and Responsibilities

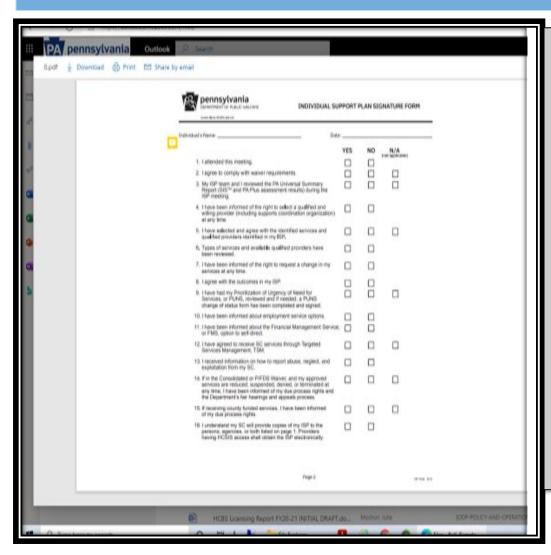
- Advising in problem-solving, decision-making, and achieving desired personal and assessed outcomes related to the participant-directed services.
- Providing or arranging for training for Support Service Professionals.
- Providing technical assistance to the participant or their designated surrogate in understanding and/or fulfilling the responsibilities outlined in the Common Law Employer Agreement form and the Managing Employer Agreement form.



Support Broker Roles and Responsibilities

- All functions performed by a Supports Broker must be related to the personal and assessed outcomes related to the participant-directed services in the service plan and as specified by the service definition.
- Provide technical assistance with developing schedules for Support Service Professionals.
- When applicable, securing a new surrogate and responding to notices for corrective action from the FMS, SC, AE or ODP.

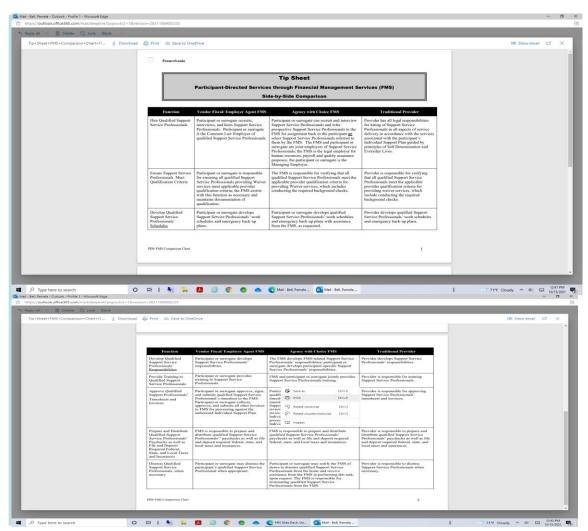




- Provide information about participantdirected services during the initial ISP, the annual ISP meeting, and upon request of the individual. (DP 10322)
- Be familiar with ODP's participantdirected service models.



PDS Comparison Chart



When providing information about participant- directed services the Tip Sheet entitled, "Participant-**Directed Services** through Financial **Management Services** Side-by-Side Comparison chart is a good resource to use.



- Complete the ISP process as specified in the applicable waiver and the most recent version of ODP's ISP manual as they relate to participantdirected services.
- Monitor the provision, effectiveness, and utilization of participant-directed services as would be done with any other service.
- Be preprepared to assist individuals and their surrogates to make a decision to use participantdirected services.



- Provide individuals with ODP developed or approved information, such as consumer guides to selfdirection, ODP policy bulletins on participant direction, and ODP-established wage ranges during the planning process, annual Individual Support Plan review meetings, and upon request.
- Provide individuals with support and assistance to make the decision to exercise participant direction authority and referring individuals to other resources, such as Supports Brokers, as necessary.



- Use a person-centered planning process to develop ISPs for all individuals.
- Be knowledgeable about person-centered planning; the guiding principles of self-determination; the minimum guidelines for choice and control; all federal, state, and local rules and regulations pertaining to Waiver and non-Waiver services; the operation of an AWC FMS provider; and any Waiver amendments.



- Work cooperatively with the individuals or their surrogates, the VF/EA FMS, the AE or County Program and ODP as requested and required.
- Provide individuals with support and assistance to make the decision to exercise participant direction authority and referring individuals to other resources, such as Supports Brokers, as necessary.



- Support the individual with designating a surrogate when needed.
- SC Organizations must assist individuals or their surrogates, upon request, with decisions related to self-direction, including whether to self-direct considering the benefits and responsibilities, and which FMS option to use.
- SC must complete and send the referral to the Vendor/Fiscal Agent or AWC when the individual selects the model for self-direction.



- The AE must have written procedures regarding tracking, monitoring, and corrective action as it relates to performance of the common law employer. The AE will report any concerns and corrective action measures to ODP as required.
- Providing individuals with information about participant direction during intake and enrollment, and upon request by the individual or ODP.
- Ensuring that anyone who is eligible to self-direct their services and wishes to do so is able to do so.



- Providing oversight of the SCO to ensure monitoring of participant-directed services is occurring.
- Providing assistance as needed to the CLE.
- The AE in cooperation with the VF/EA FMS and the common law employer; must track the utilization and budget in accordance with each authorized ISP.



- AEs must ensure that the VF/EA FMS meets the needs of individuals in accordance with Waiver and non-Waiver service requirements.
- Performing all other functions specified in the Administrative Entity Operating Agreement, including but not limited to service authorization, incident management, performing AWC provider monitoring/quality assessment and improvement activities, voluntary and involuntary termination of a ME or CLE Employer, and voluntary and involuntary termination of AWCs that are participating in the agency with choice model.



- Developing and implementing written procedures and safeguards that reflect ODP policies and the guiding principles of self-determination. The procedures and safeguards should ensure individuals or surrogates have the right to:
 - > Recruit support SSPs for hire.
 - Provide qualified SSP orientation and training.
 - > Determine wages for the SSP within the established wage ranges.
 - Determine schedules of qualified SSP(s).
 - ➤ Determine tasks to be performed by qualified SSPs and where and when they are to be performed in accordance with the approved and authorized ISP.



- Manage the day-to-day activities of qualified SSPs.
- Verify time worked by qualified SSPs and approve timesheets.
- Complete and maintain service and progress notes and outcomes.
- ➤ Terminate the individual's qualified SSPs when appropriate.



ODP Contacts

Questions about PDS Should be directed to the appropriate ODP Contact

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pennsylvania
DEPARTMENT OF HUMAN SERVICES

Resources

- AWC Bulletin- Participant Directed Services: Agency With Choice Financial Management Services Model:
- Bulletin+00-20-04+Participant+Directed+Services+Agency+ With+Choice.pdf (palms-awss3repository.s3-us-west-2.amazonaws.com)
 - Attachment 1- AWC Employer Responsibilities

Attachment+1+-+AWC+Employer+Responsibilities.pdf (palms-awss3-repository.s3-us-west-2.amazonaws.com)

 Attachment 2-Managing Employer Skills Training Topics

Attachment+2+-+Managing+Employer+Skills+Training+To pics.pdf (palms-awss3-repository.s3-uswest-2.amazonaws.com)

> Attachment 3- Model Managing Employer Agreement Form

Attachment+3+-+Model+Managing+Employer+Agree ment+Form.pdf (palms-awss3repository.s3-us-west-2.amazonaws.com)

- Temple Institute on Disabilities:
 - Resources | Temple University College of Education and Human Development, Institute on Disabilities
- VF/EA Bulletin-Vendor Fiscal/Employer Agent Financial Management Services (VF/EA FMS) Bulletin:
 - DEVELOPMENTAL PROGRAMS BULLETIN (pa.gov)
- Individual Support Plan (ISP) Manual for Individuals Receiving Targeted Support Management, Base Funded Services, Consolidated or P/FDS Waiver Services or Who Reside in an ICF/ID:
 - ISP manual for Individuals with ID.pdf (pa.gov)
- MyODP:
 - Course: Participant Directed Services/ Financial Management Services for All Stakeholders (myodp.org)



OPEN DISCUSSION



