

Slide 1

CONSUMER DIRECTED COMMUNITY
SUPPORTS ORIENTATION



Social Services & Public Health



Slide 2

Contents of this Orientation


- History and Waiver Origins
- Personal Centered Planning/Personal Futures Planning
- Client Driven Community Supports- CDCS
- Support Planning
- Fiscal Support Entity- FSE



Slide 3

Intro- A little History

- What is a waiver?
- The transition to community based living.



Slide 4


History continued...

What is Personal Futures Planning?

- What is Personal Futures Planning?
- The transition to person centered planning.- Client Driven Support




Person



Centred




Planning



Slide 5

WHAT IS CDCS?

- A flexible service option offered through Dakota County Social Services and Public Health.
- One of a menu of services available in the different waiver programs: CAC, CADI, TBI, EW, DD, and the AC program.



Slide 6

CDCS continued...


- CDCS gives a client an individual budget amount that they can direct within parameters and guidelines.
- CDCS allows the **client** to develop and direct individualized supports using informal, formal and generic services.



Slide 7

Who can participate?


- Waiver & AC recipients who:
 - Attend an orientation session
 - Follow the terms of the Participation Agreement and Policy
 - Develop a plan
 - Arrange their services and support
 - Select a Fiscal Support Entity (FSE) and method for paying staff
 - Submit documentation as required to the FSE for payment and/or reimbursement.
 - Pay fees as required.



Slide 8



Can Dakota County terminate someone's use of CDCS?

- Yes, if funds are not being used according to the approved plan, and state and county guidelines, or
- If the client does not meet the criteria for participation and management of funds.




Slide 9

How does CDCS work?



1. Client receives an individual budget.
2. The client/legal representative and whomever they choose to assist them develops a plan.
3. The plan is implemented.



Slide 10

Where does my budget come from?

DHS sets individual maximum resource allocations,


CAC, CADI, TBI, EW, AC: based on most recent Long Term Care Consultation or Reassessment

DD: based on most recent full team screening/Mnchoice reassessment

State looks at historical expenditures of similar individuals in similar living situations

Budget is 70% of historical expenditures for CADI, CAC, TBI and DD; 100% of historical expenditures for EW & AC, based on case mix.


Dakota County then assigns an individual budget up to the state maximum.




Slide 11

Does my budget ever change?


If there is a change in any of the categories on your Long Term Care reassessment, DD full team screening, or Mn Choice Assessment or reassessment, it MAY change the maximum resource allocation either way.






Slide 12

What must the budget cover?



ALL waiver and home care services you have, including:

- Support Staff – family & others you choose
- Agency-provided PCA services
- Agency-provided In Home Support or ILS services
- Day Services
- Supported Employment Services
- Allowable supplies and equipment not covered by "straight MA".




Slide 13

How can the money be used?

Expenditures must be consistent with the following parameters:


- Client Driven
- Health and Safety
- Fiscal Responsibility
- Defensible Use of Taxpayer Dollars



Slide 14

Client Driven


Proposed expenditures directly relate to the client's needs and priorities.



Slide 15

Health and Safety

Proposed expenditures support the client's health, safety and general well-being.




Slide 16

Fiscal Responsibility

Proposed expenditures cannot be covered by other sources (MA, SSI, private insurance, etc), or those sources have been exhausted.

Proposed expenditures fall within a customary range for similar support, goods and services.



Proposed expenditures are **the least costly alternative that reasonably meets the individual's needs.**



Slide 17

Defensible use of Taxpayer Dollars

Proposed expenditures are defensible to the taxpayer and the funding source.




Slide 18

What CAN it pay for?

Goods and services are allowable when they:


- Maintain the ability of the client to remain in the community
- Enhance community inclusion and family involvement
- Develop or maintain skills
- Decrease dependency on formal services
- Increase independence of the client
- Increase ability of unpaid family members and friends to receive training and education to provide support.



Slide 19

Examples:

- Traditional goods and services provided by the waivers as well as alternatives that support clients.
- Goods and services that augment State plan (straight MA) services
- Goods and services that provide alternatives to State plan services(MA)
- Therapies, special diets and behavioral supports not available through State plan services when approved by a physician who is enrolled as a Minnesota MA provider. The physician completes the "Alternative Treatment Form for MHCP-Enrolled Physicians."
- Expenses related to developing and implementing a community support plan.
- Costs incurred to manage the budget.
- Fitness and Exercise Programs for ADULTS only.



Slide 20

What CAN'T it pay for?




- Services covered by other sources (straight MA, private insurance, SSI).
- Service, goods or supports provided to or benefiting persons other than the client.
- Room and board and personal items not related to the disability.
- Home modifications that add square footage. Some exceptions related to bathrooms.
- Home modifications to other than primary residence(s).




Slide 21

What CAN'T it pay for?



- Lodging, meals and travel related to conferences and workshops
- Home-based schooling
- Membership dues or costs, except for fitness and exercise programs for ADULTS only
- Vacation expenses
- Vehicle maintenance, except to adaptations
- Tickets to anything
- Pets (animals) and related costs; including service animals
- Internet
- Over the counter medications
- Prescriptions, including compounds and solutions
- Dietary supplements



Slide 22

Participation Agreement

I understand that I will have the authority to spend/direct the Consumer Directed Community Support (CDCS) budget for the above named client as I see fit, as long as the expenditures follow the approved Community Support Plan (CSP) and the Consumer Directed Community Support Policy established by Dakota County and the Minnesota Department of Human Services. Dakota County has responsibility for determining the appropriateness of participation in CDCS and sole discretion regarding methods for disbursement of funds.

I understand that I am responsible for preparing a Community Support Plan and may include whomever I chose to prepare my plan. My Dakota County social worker/public health nurse, along with their supervisor, must review and approve the plan before any distribution of funds can occur. If there is a denial of a particular expenditure request, I may request that a deputy director review the expenditure. If the deputy director denies the request, I understand I have a right to appeal the action taken.

I understand that my approved Community Support Plan is the plan in effect, unless and until I discuss changes with my Dakota County social worker/public health nurse and the requested changes are approved.

I understand that I am responsible for deciding who will arrange for the supports and services identified in the Plan. I will also propose by what mechanism supports and services will be paid. I assume full responsibility for my choices of person(s) to provide unlicensed support. I understand they are not Dakota County employees and will not hold Dakota County responsible for any act or omission on the part of this person(s) in provision of that support.

Slide 23

Participation Agreement

I understand that the persons I select to provide support are mandated reporters of suspected abuse and neglect. As such, by law they are required to report incidents of suspected abuse and neglect of the above named client.

I understand that the amount of funds allocated annually by Dakota County for the above named client is the sum total of funds available for that budget year. If a change in condition or situation arises, I can inquire about the availability of additional funds under regular County procedural guidelines.

I understand I must take part in periodic reviews to assure the effectiveness of the Plan.

Slide 24

Participation Agreement

I understand that I must submit documentation that substantiates all support and services provided and items purchased. If I misuse funds, I will be required to immediately return the funds. I understand that I must cooperate with any investigation regarding misuse of funds. Falsified documentation will result in county and/or state action.

I have been given a copy of the Consumer Directed Community Support Policy and have reviewed it and understand and will comply with its requirements as a condition to remain a participant.

This Participation Agreement and the terms in it continue in effect for the duration of my participation in the program.

[end]



Slide 25

Warning: FRAUD

DHS has asked Dakota County to remind participants that the funding for CDCS is through Medical Assistance.

Fraudulent use of even \$1 of MA dollars is a felony.


Suspected fraud is investigated by the state and may prevent future participation in consumer directed services.



Slide 26

What happens when the money isn't all spent?


Funds may not be carried over from year to year. Individual budgets are not reduced the following year due to unexpended funds.



Slide 27

Does CDCS define how plans are done?

- Yes.
- The plan is called a Community Support Plan (CSP).
- Handouts: Dakota County Guide to Completing the Annual Community Support Plan; CDCS Community Support Plan.



Slide 28

What must the CSP include?

- A description of the client's assessed needs.
- Outcomes for the client that the plan will address.
- A description of all of the planned supports, goods and services that will be provided to meet the consumer's needs through the CDCS option.
- Provider education and training requirements.



Slide 29

What must my plan include, continued...

- Need for background check and, if so, how this will be accomplished. The cost is outside of budget if not conducted by a licensed agency or Agency with Choice. If an individual on whom a background check is completed does not pass the background check, they cannot provide CDCS services.
- The provider of each service or support.
- How often the service will be delivered.
- The total number and type of unit that will be provided during the plan year for each designated support.
- The rate per unit of each service.
- Annual cost for each service/support and total annual cost of all services/supports for the plan year.



Slide 30

What must my plan include continued...


- Description of safeguards that are required to reasonably maintain the health and safety of the client.
- The person(s) who will be responsible for assuring that all education and training requirements are met.
- The person(s) responsible for monitoring the plan.
- The plan for monitoring the services/supports in the plan.
- Signatures of all responsible parties.



Slide 31


What are the expenditure categories?

- Personal Assistance
- Treatment and Training
- Environmental Modifications and Provisions
- Self Direction Support Activities




Slide 32

What is personal assistance?




- Formal and informal supports for personal care and relief of primary caregivers
- Examples:
 - Staff who perform personal care work
 - Staff who relieve primary caregivers
 - Payment of parent(s) of minor
 - Payment of spouse



Slide 33

Are there special rules for parents of minors & spouses who pay themselves?



- Yes. Parents means biological, adoptive and step parents of children under age 18.
- The child must have at least one dependency on the Long Term Care Consultation (LTCC) Supplemental Form for the Assessment of Children under 18.
- The adult must have at least one dependency on the LTCC Functional Assessment: Activities of Daily Living for the spouse to be paid.



Slide 34

Paying parents of minors/spouses

- Support provided must be described in the Personal Assistance category of the plan.
- The rate of pay, including all employer related costs and fees, cannot exceed the current PCA rate. This rate is set by the state.




Slide 35

Paying parents of minors/spouses




- Parents can only be paid for time spent doing things above and beyond what parents of similar-aged children without disabilities would normally do.
- Spouses can only be paid for time spent doing things above and beyond typical spousal responsibility.



Slide 36

Paying parents of minors/spouses



- Parents/spouses must keep timesheets.
- Parents/spouses must include a simple work schedule and tasks in the plan (# of hours per week and things to be done).
- Variations must be requested and approved.



Slide 37

Paying parents of minors/spouses


- Parent(s) in combination, regardless of the number of children and the number of households, cannot be paid for more than 40 hours per 7 days.
- Spouses cannot be paid for more than 40 hours per 7 days.



Slide 38

PAYING PARENTS OF MINORS/SPOUSES


- There must be monthly reviews of all expenditures.
- The social worker or public health nurse must do at least quarterly reviews of expenditures, and health & safety.
- The social worker or public health nurse must see the client at least 2 times per year.



Slide 39

Are there any other considerations when paying parents of minors/spouses?

- Yes.
- Affect on relationship.
- An increase income may mean
 - An increase in parental fees.
 - An increase in income taxes.
 - A change in eligibility for other public assistance programs.




Slide 40

Labor agreement: SEIU and State of MN

All direct care employees will be covered under a new labor agreement between the State of MN and SEIU Healthcare Minnesota effective 7/1/15.

Requirements under the new labors agreement include:

- This labor agreement contains a provision for PTO (Paid Time Off) for all direct care staff. Staff will earn 1 hour of PTO for every 52 hours worked. Staff may use their PTO after working 600 hours. FSE will begin tracking PTO as of July 1st, 2015.
- Minimum wage \$10.75 and will increase to \$11.00 as of July 2016.
- All direct care staff must be enrolled with DHS and receive a 10 digit UMPI (Unique MN Provider Identifier).
- FSE will ensure compliance and assist with this process.
- In the future background studies for direct care staff will be complete by "Net Studies" and will include fingerprinting.




Slide 41

Union Related Costs

Consumer Support Grant (CSG) will increase by 1.53% on July 1, 2015 and by an additional .2% on July 1, 2016 to cover the cost of PTO and wage increases. This increase must be set aside for union related agency expenses and can not be moved into other areas of the plan.

QUESTIONS??


Please direct questions to SEIU Healthcare Minnesota:
Member Hotline 1-855-282-3769
Member Action Center 651-294-8100 or
mac@seiuhealthcaremn.org



Slide 42

Criminal Background Studies

- New legislation- Direct contacts with participants of unlicensed services must have a background study completed by DHS.
- All direct care staff, all workers who are not providing service under a company who is responsible for best practices, certification, and licensing.
- The CDCS plan must define how many back ground studies are needed and who needs them. (see Criminal Background Studies Employee List included in packet. This form must be completed and attached to the CDCS plan.




Slide 43

What is treatment and training?

Formal and informal supports/services for specialized health care, extended therapies, habilitation (skill building), caregiver/consumer training, day services

- Examples:
 - Staff who are training the client in particular skill(s).
 - Alternative therapies (requires Alternative Treatment Form signed by MA Physician)
 - Supported employment
 - Day Services
 - Nursing




Slide 44

What are environmental modifications and provisions?

Assistive technology, home and vehicle modifications, supplies and equipment, adaptive clothing, special diets, environmental supports such as chore services, transportation

- Examples:
 - Cell phone
 - Computer
 - Fence
 - Mileage reimbursement (non-medical)
 - Adapted bathroom
 - Special diet
 - Disability-related personal care supplies
 - Supplies related to training, therapy, behavior programs, etc.




Slide 45

What are self direction support activities?

Fiscal Support Entity fees, worker's comp, liability insurance, payroll expenses, employer share of benefits, recruiting costs, support planner

- Examples:
 - FICA, FUTA, SUTA
 - Newspaper ads for staff



Slide 46

Modifications/Equipment

CAC, CADI, TBI, & DD waivers: The 1st \$5000 of equipment must come out of individual budget. Amounts beyond \$5000 can be requested from the county-administered waiver pool.

EW: Equipment limit per plan year of \$10,000.



Slide 47

CSP EXAMPLE

[illegible]

Slide 48

CSP EXAMPLE

Annual Community Support Plan for:

You may wish to refer to the 'Grants County Guide To Completing the Annual Community Support Plan' when completing this form.

When developing the Annual Community Support Plan, we ask and describe the individual, his or her strengths and needs, likes and dislikes, and how the disability care services help to improve them. Some people find these questions easy to answer and can use verbal aids. Others use hand made aids to help with an answer or an aid person is asked for help. Information about planning processes is included in the end of the process. The planning process and aids are made ready to send to the disability coordinator and used in the next step of the process in this Community Support Plan.

and Drexler (1994) and to study reports by

Brief Summary of Last Plan Year's Progress (Describe the accomplishments a project made or help you would like to achieve.)

9. What do you want to do?




Slide 49

Amending the Plan

The approved Plan is considered the plan in effect unless and until any proposed changes are submitted to the Social Worker/Public Health Nurse and approved.


Changes should be limited to once per calendar quarter.



Slide 50

The plan must be amended and reapproved when:

- Moving funds from one category to another (e.g., from Personal Assistance to Environmental Modifications and Provisions.)
- Adding an item or service to the current Plan.
- Revising the pay and/or work schedule for a parent of minor or spouse.
- Substituting an item costing more than \$500 for a similar previously approved item.
- The budget amount changes.



Slide 51

SOCIAL WORKER ROLE IN PLAN DEVELOPMENT




Slide 52

Does CDCS define how I work with my social worker or public health nurse?

Yes.

CDCS defines 2 functions:


- Required Case Management
- Support Planning



Slide 53

Functions

<ul style="list-style-type: none">• REQUIRED CASE MANAGEMENT:• County MUST provide.• Not part of budget.• Includes:<ul style="list-style-type: none">• Determining eligibility• Offering services• Informing about resources• Approving plans• Authorizing services• Evaluating and monitoring	<ul style="list-style-type: none">• SUPPORT PLANNING• County MAY provide• May purchase from someone else, or not use at all.• Paid for within budget.• Can include:<ul style="list-style-type: none">• Providing CDCS info• Facilitating plan development and revisions• Facilitating community access• Assisting with staffing• Training staff• Assisting with budget• Monitoring
--	--



Slide 54

Does Dakota County provide support planning?

Dakota County will offer the following support planning functions:


- Facilitating development and completion of the Community Support Plan.
- Assisting with plan revisions.



Slide 55

How much does Dakota County's support planning cost?



- The cost is a set amount that you can include in your plan if you wish to purchase Support Planning from Dakota County.
- Your social worker/public health nurse can tell you the current annual cost. Dakota County Support planners are 300.00 per year. Outside support planners vary.



Slide 56

What if a client doesn't want to buy support planning from Dakota County?

- You may buy it from someone else.
- You don't have to have it at all.
- Your social worker/public health nurse will **NOT** be available to help you develop and revise your plan. You, or another support planner if you have hired one, will complete the paperwork for plan renewal and revisions, and submit them to the county for approval.
- Your social worker/public health nurse will do things that are required case management.




Slide 57

Support Planner/Broker Service – State website information

To hire a Support Planner Please refer to
MinnesotaHelp.info
www.minnesotahelp.info
and search "Support Planner"

The search will return a topic of "Support Broker Services"
open this topic for a complete list of State Certified Support Planners



Slide 58

Are there qualifications for Support Planners?




- At least 21 years of age.
- Receive training in person centered planning.
- Pass a DHS-approved training.
- Provide a copy of their training certificate to client.
- Additional requirements as requested by client.
- Not have a financial interest in service provision.
- Not be the employer of client's staff.
- Complete 20 hours of training and pass a recertification test every 2 years.

Slide 59

Who can't provide support planning?


An agency or person that provides direct services to a client cannot provide support planning to that same client.

- Examples of Direct Service:
 - Services from a licensed agency (LS, DT&H, PCA, etc.)
 - Staff who provide direct care or training to the client.
 - Fiscal Support Entity Services



Slide 60

FISCAL SUPPORT ENTITIES




Slide 61

Does CDCS define how the money flows?

YES.


EVERYTHING, except certain home care services, must be paid through one entity, a Fiscal Support Entity (FSE).



Slide 62

Fiscal Support Entities

- You must choose a Fiscal Support Entity to participate in CDCS.
- These services help consumers of self directed support services assure payment of worker and/or vendors, and comply with applicable federal and state laws.
- Dakota county doesn't endorse a particular FSE.



Slide 63

What is a Fiscal Support Entity (FSE)?




- Offers a range of financial management service
- Facilitates clients' use of Consumer Directed Community Supports (CDCS)
- Enrolled as an MA provider



Slide 64

What does an FSE do?


- Process and pay vendor and agency invoices for goods and services
- Bill DHS for CDCS payment
- May manage state and federal employment taxes and payroll for support workers



Slide 65

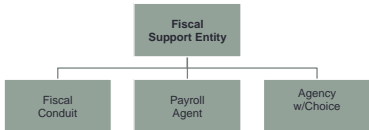
What does an FSE do?

- Maintain records and track all expenditures
- Provide clients with monthly summaries of expenditures.
- Establish and make public rates for services.




Slide 66

How does it work?



```
graph TD; FSE[Fiscal Support Entity] --- FC[Fiscal Conduit]; FSE --- PA[Payroll Agent]; FSE --- AW[Agency w/Choice];
```



Slide 67

<u>Agency with Choice Model</u>	<u>Payroll Model</u>	<u>Fiscal Conduit Model</u>
FSE provides employee management services, reimburses expenses	FSE pays staff; reimburses expenses	FSE provides funds to or reimburses client/managing party
FSE is common law employer	Client (regardless of age), unpaid parent or other individual is common law employer	Company set up by client/managing party or another company/agency is common law employer (has employee ID number)
Client and FSE dual employers. Client recruits, selects, supervises, trains. FSE cuts payroll checks, withholds and submits taxes, provides W-2, etc.	FSE is the Fiscal Agent, cuts payroll checks, withholds, submits taxes, provides W-2, etc.	FSE pays bills approved by client

Slide 68

When Hiring People

When hiring individuals to provide support, the client is responsible for

- Recruiting, selecting and training staff.
- Identifying tasks to be done (job description), determining work schedules and wages.
- Complying with applicable federal and state laws regarding FICA, workers comp, unemployment, and tax withholding. Agency with Choice or Payroll Model services are available to assist in this area.
- People hired by clients are NOT employees of Dakota County. Dakota County is not responsible for their actions or performance.
- Handouts: Responsibilities by Model When Hiring Informal Support & Agreement to Meet State and Federal Tax and Labor Law Responsibilities.

Slide 69

What are the qualifications to be an FSE?


- Be an MA enrolled provider.
- Bill DHS for services.
- Comply with applicable federal and state rules & regs.
- Pass a DHS Readiness Review.

Slide 70

Finding an FSE online

To find a Fiscal Support Entity refer to www.minnesotaHelp.info



- Search Fiscal Support Entity
- The Search will return a topic of "Participant Directed Financial Management Organizations"
- Open this topic for a complete list of Fiscal Support Entities. (Pay attention to the Service column and make sure you choose a FSE and not CDCS



Slide 71

Working successfully with your FSE


Choose the FSE you think is the best match for how you want to manage your CDCS. The sample CDCS FSE Rate and Information Sheet gives you an idea of information of options you will be selecting. Contact your FSE to help you decide your best option.



Slide 72

Working successfully with your FSE Buying Stuff...

- Inquire about specifics from each FSE.
- Items – Submit (fax, scan, mail):
 - Receipt – e.g. Target
 - Bill – e.g. alternative therapy provider
 - Expense summary – e.g. mileage reimbursement; log for laundry
- Idea: Purchase with VISA, submit receipt, receive \$\$\$ before bill arrives.



Slide 73

What are my responsibilities?

- Sign a Participation Agreement, a commitment to follow the program rules and procedures. Sample in folder.
- Follow the CDCS Policy in folder.
- Follow employment and labor laws.
- Follow mandated reporter rules. Handout in folder.
- Keep track of expenditures.
- FOLLOW YOUR PLAN!




Slide 74

What happens next?

What's Next?

- Find out your individual budget amount.
- Think about (and research costs) the things you would like to do.
- Decide if CDCS is for you.
- Set up a time to meet with your social worker or public health nurse to develop your first plan.



Slide 75

Certificate of completion

Click next to print out the certificate of completion, sign it, and attach it to an email, fax it, or mail it to:

Team C
Northern Service Center, Suite 300
West St. Paul, MN. 55118
or
Fax 651-554-6043
or
TeamCSocserv@co.dakota.mn.us