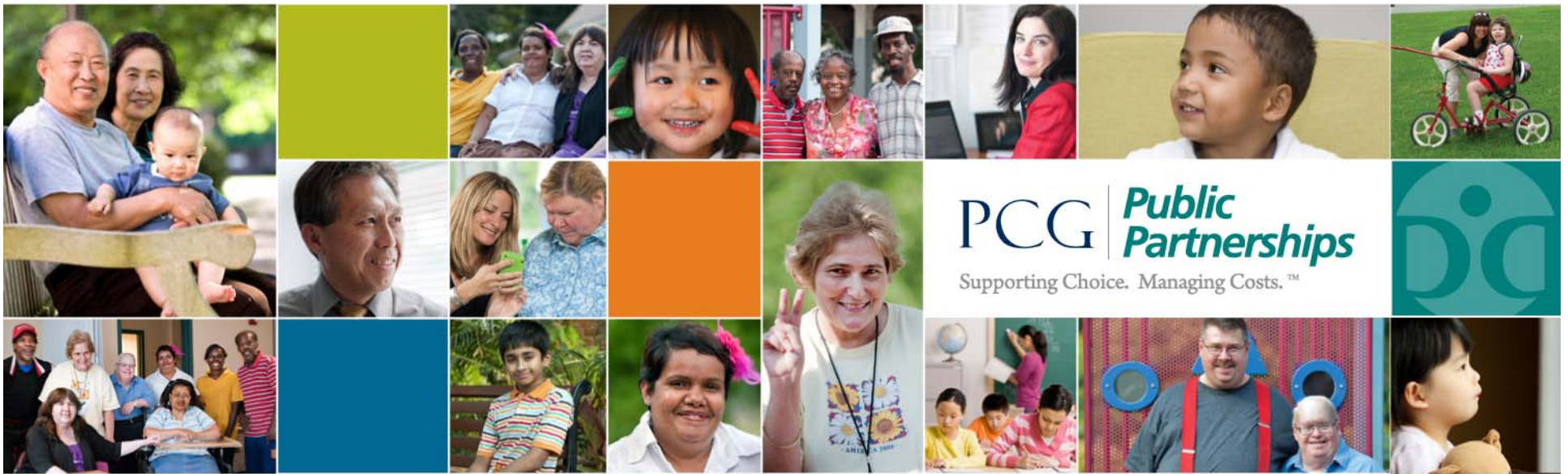


Living Well With A Disability 2013 Conference

Participant-Directed Model of Service Roles & Responsibilities of the Common Law Employer





Agenda

- What are Participant-Directed Services?
- The Common Law Employer
- Common Law Employer Roles and Responsibilities
- Recruit, Hire and Manage Workers
- Enrollment in Participant-Directed Services
- PPL Roles & Responsibilities
- Questions/Comments





What are Participant-Directed Services?

- Participant-Directed Services are designed to give participants choice and control over their services so they may live as independently as possible in the community. Also referred to as “Consumer-Direction” or Self-Direction”.
- Select, hire, and manage your own employees including friends and family to help you with activities of daily living. You may not employ a spouse, Power of Attorney, persons under 18 years of age or Rep Payees.
- As the Common Law Employer of your workers who provide home-based care, you decide:
 - Who will provide services
 - When and how services will be provided
 - Which services will be provided





The Common Law Employer



- The participant is usually the Common Law Employer (CLE) also known as Employer of Record or Household Employer. A participant must demonstrate the required skills and abilities needed to self-direct their services. A participant may appoint a designated representative to help with the responsibilities of self-direction, such as a trusted friend or family member. The representative must:
 - Show a strong personal commitment to the participant in assuring that his/her needs are met
 - Respect the participant's preferences
 - Be willing and able to assist with the requirements of self-direction



The Common Law Employer

- You are the employer of the workers who provide the care. Your workers work directly for you and not a for a homecare agency. You are in charge.
 - You determine your worker's work schedule and duties
 - You negotiate rates of pay with workers within the established range
 - You verify, sign and submit complete and accurate timesheets
- As an employer, you will maintain a safe working environment, free from harassment, hostilities or drugs
- Manage workers to keep services within budget
- Create an emergency backup plan





Common Law Employer Roles and Responsibilities

- Recruit, hire, manage and dismiss Direct Care Workers (DCW)
- Verify DCW and vendor qualifications
- Ensure that DCWs complete the enrollment requirements
- Train DCWs in providing services described in the ISP
- Decide how much to pay each DCW within the established range
- Develop and implement a backup plan
- Approve and submit all timesheets and invoices
- Report suspicions of Medicaid fraud or financial abuse related to the delivery of participant-directed services





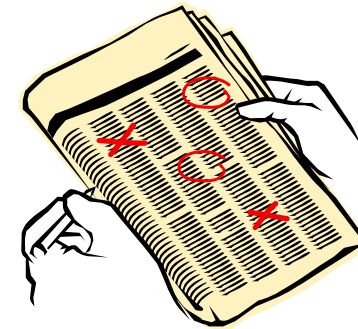
Recruit, Hire and Manage Workers

- You may hire friends and/or family members to provide services
- Develop a task checklist to determine requirements and skills needed for your worker
- Use task checklist to decide what skills are needed
- Decide how many employees you are going to hire based on care needs and budget
- Write a detailed job description
- Decide what special knowledge, level of experience, and skills, if any, the person you want to hire must possess



Finding a Direct Care Worker

- Think about asking individuals that are already known to you and your loved ones, such as:
 - Certain family members
 - Neighbors
 - Family friends
 - Church members
- In the event that you do not have the ability to hire a family member or friend, you may need to advertise for workers. Some ways that this can be done include:
 - Placing flyers on community bulletin boards (grocery stores, post office, restaurants, college campuses), church bulletin
 - Placing a help wanted ad in the local merchandiser or newspaper
 - Social media (Facebook, Craigslist, etc)





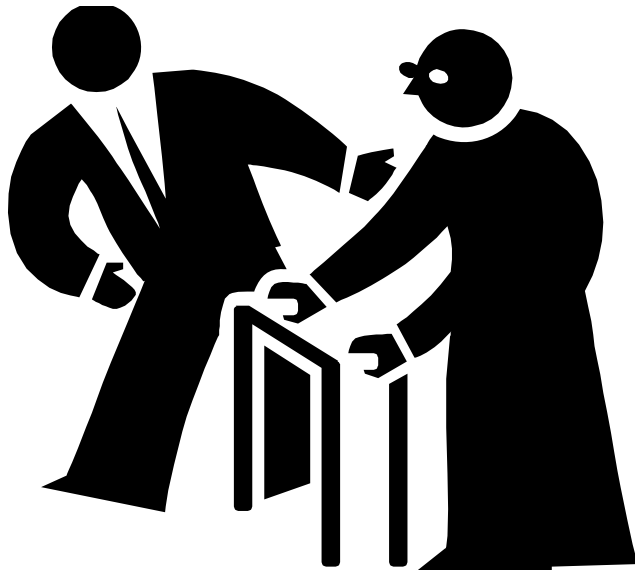
Hiring a Direct Care Worker

- Pre-Screen
- Interview
 - Experiences
 - Limitations
 - Available days
- Check References
- Review Criminal Background Checks
- Choose the person(s) you want to hire to provide your care
- Negotiate worker wage rate
- Schedule, train and supervise
- Complete and manage all necessary paperwork





Training a Direct Care Worker



- Provide a tour of your home and introduce employee to all family members
- Share information about your abilities, needs, specific disability
- Explain, demonstrate and have the worker practice some of the duties
- Train the worker to meet your care needs
- Address safety and security needs
- Discuss your expectations
- Offer your worker free online training in home care at www.pahomecare.org
- Train your worker on documentation and time sheet requirements



Supervising a Direct Care Worker

- Train on required tasks; good supervision requires on-going training
- Monitor your worker's performance
- Be clear about what you want with specific instructions and demonstrations
- Be sure your worker knows that you are their employer and in charge
- Deal with worker problems as they arise by speaking with worker privately and directly about any issues that you may have
- Praise your worker whenever appropriate
- Treat your worker with respect



Managing Direct Care Workers

Some of your management tasks are:

- Review the ISP and tasks with each worker
- Provide each worker with clear job duties and expectations
- Schedule the days and hours they are to work
- Create a back-up plan – what will happen if the worker cannot work (illness, injury, etc)
- Approve and submit timesheets on a bi-weekly basis
- Discipline employees if needed (verbal warning, written warning, termination)
- Monitor and adhere to the budget created and set by your Service Coordinator





Employee Timesheets

- Make sure all timesheets are complete, accurate, signed by you and the worker
- Monitor hours worked to stay within budget
- Keep important records on each worker and keep them confidential





Identifying Abuse and Safety Issues

- Make sure your Direct Care Workers treat you well.
- For your safety, know what the definitions of abuse are
 - (physical, verbal, psychological, sexual, neglect)
- You have to decide what to do about the abusive Direct Care Worker
- Preventing theft:
 - Check references
 - Pay attention to background checks
 - Keep track of your money and valuables
 - Be careful with checks and credit cards
 - Keep track of your medications and possessions
 - Be careful about use of your car
 - Be careful with your keys



Communication Tips



- Listen
- Try to understand worker issues
- Be firm
- Use “I” statements not “you” statements
- Be clear what is important to you
- Give feedback
- Work for “win-win” agreements



Conflict Resolution

- Define the problem
- Generate solutions
- Discussion and evaluation
- Discipline
 - Warning
 - Termination





Enrollment in Participant-Directed Services

- PPL will act as a “fiscal/employer agent” to assist a Participant with the responsibilities of self direction such as processing payroll and performing required tax functions
- Services provided by PPL are known as Financial Management Services
- The process starts with an Enrollment Broker who assists a Participant in becoming eligible for a wavier and choosing a Service Coordination Organization (SCO) to manage services
- The Service Coordinator will:
 - Work with Participant to develop a Service Plan and chose a service delivery model for services such as Personal Assistance Services or Respite
 - Submit Service Plan to Office of Long Term Living for approval
 - Send a referral to PPL to enroll the Participant in Participant-Directed Services



Enrollment in Participant-Directed Services

- PPL sends a New Enrollment Packet to the Common Law Employer (CLE), containing CLE and Direct Care Worker (DCW) required documents
- CLE completes Employer enrollment documents
- CLE assists the DCW with completion of DCW enrollment documents
- CLE sends all completed CLE and DCW documents to PPL
- PPL reviews documents for completion and accuracy
- When all complete and correct documents have been received, PPL determines whether the CLE/DCW are Good to Go
- Upon receipt of authorization for services, PPL begins to provide Financial Management Services to CLE
- The CLE may begin schedule the DCW to perform services



PPL Roles and Responsibilities

General responsibilities:

- Provide pre-populated Common Law Employer tax forms and DCW enrollment packets
- Provide assistance in completing CLE and DCW paperwork
- Process and review completed CLE and DCW paperwork including perform all necessary record checks on prospective DCW's
- Issue payments to DCW's bi-weekly with the receipt of properly submitted timesheets
- Provide payments to vendors through Services My Way program



PPL Roles and Responsibilities

General responsibilities cont.:

- Withhold appropriate taxes at the local, state and federal level
- File monthly, quarterly, and annual forms and tax deposits with state and federal agencies
- Issue W-2 statements to each DCW in January
- Provide 24/7 on-line access to information via PPL Web Portal
- Provide training and user guides on how to use PPL Web Portal





Enrollment – Key Points

A Direct Care Worker may NOT start to work until:

- Accurate enrollment paperwork has been processed by PPL
- All required background checks have been completed and verified
 - ALL DCWs must have a state criminal background check
 - If someone lives in the home where services are provided is under the age of 18, then the DCW must also have a child abuse history check
 - DCWs living in the state of PA for less than 2 years are also required to have an FBI criminal history check
 - DCWs may not work while their criminal background check is in an “In Process” status
- PPL has notified each DCW they are good to go and their start date



Questions / Comments



