



Employment and Community First CHOICES

Consumer Direction Fraud Form - Member and Employer of Record

You're in Employment and Community First CHOICES. You've chosen to participate in Consumer Direction. Or, you've agreed to be someone's Representative for Consumer Direction. This means you will employ the people who provide support services. The people you hire will work directly for you (instead of an agency).

Before you begin, it's important that you understand things that are **not allowed** in Consumer Direction. If you do those things, you could be charged with TennCare fraud. Please read this form. You can also go over it with your support broker. To be in Consumer Direction, you must sign at the bottom that you understand. If you have any questions about this form, contact Public Partnerships at 1-888-419-7753.

Who You Can Hire to be Your Worker:

You may already know who you want to hire to give your support. It could be a friend or family member. BUT, you can't hire your spouse, Representative for Consumer Direction, legal guardian, Power of Attorney (POA) or conservator (unless the court order says you can) to provide support.

AND, you **can't** pay anyone who lives with you to provide Transportation, Personal Assistance, Supportive Home Care, or Respite.

Paying for Support You Need:

You should **only** pay workers to provide support you need. Don't ever let a worker provide more services than you need, even if they tell you they need the money.

You should only pay workers when you don't have family members, friends, or other people who are willing and able to help you without paying them. This is true whether you are at home or out in the community.

Signing a Service Agreement:

You or your Representative for Consumer Direction must sign a Service Agreement with each worker you employ. It's like a contract that sets out what each of you agree to do. The Service Agreement must include:

- The services the worker will provide, and
- The rate the worker will be paid.

The services listed in the Service Agreement must be provided **to you** (the member) **only**. Workers cannot provide services to your family members, friends, or pets (except for service animals).

AND, workers cannot be paid for services provided while you are in the hospital, Nursing Facility or other inpatient care setting.

What is TennCare Fraud and Abuse?

Most TennCare members and workers are honest. But even a few dishonest people can hurt the TennCare program. People who lie on purpose to get TennCare services may be fined or sent to jail. If you find out about a case of fraud and abuse in the TennCare program, you must tell us about it. But you don't have to tell us your name.

Some examples of fraud include:

- A worker putting time on their timesheet that they did not work
- Letting your worker put more time on their timesheet without really providing your support
- Putting trips on your transportation log that you did not take
- Putting payments to friends or co-workers on your transportation log for gas money that you did not pay or use for gas
- Hiring someone who TennCare says is not allowed to work for you (for example, someone who lives with you)

To tell us about fraud and abuse, call Public Partnerships for free at 1-888-419-7753. Here are some other places that you can call or write to report fraud and abuse:

Agency	Phone	Address
Office of Inspector General (OIG)	1-800-433-3982 toll-free	Office of Inspector General P.O. Box 282368 Nashville, TN 37228
Tennessee Bureau of Investigation (TBI)	1-800-433-5454 toll-free	TBI Medicaid Fraud Control Unit 901 R.S. Glass Blvd. Nashville, TN 37216

You can also tell us about fraud and abuse online. Go to <http://tn.gov/tnoig>. Then click on "Report Fraud" on the left hand side of the page.

To participate in Consumer Direction, you must check each box below AND sign this form. You must tell us you have received and understand this information:

- Workers can only be paid to provide services the person needs and when there is a signed Service Agreement for those services.
- Workers providing Transportation, Personal Assistance, Supportive Home Care, or Respite services can't live in the home with the person receiving services.
- Consumer Direction services can't be provided to anyone but the person who is enrolled in Employment and Community First CHOICES. This includes the person's spouse, children, or others who live in the home, including family pets.
- Workers can't be paid to provide services while the person receiving services is in the hospital, nursing facility or other inpatient setting.
- The person's spouse, Representative for Consumer Direction, legal guardian, Power of Attorney (POA) cannot be paid to provide services.
- The person's conservator cannot be paid to provide services unless the court order says it's ok.

Violating any of these rules is considered fraud. It could lead to an investigation by the Office of Inspector General (OIG) or the Tennessee Bureau of Investigation Medicaid Fraud Control Unit (MFCU). It could also lead to criminal charges.

Does any worker currently live with the member? YES NO

Is any worker the member's spouse? YES NO

Is any worker the member's Representative for Consumer Direction, legal guardian, Power of Attorney (POA) or conservator? YES NO

If yes, the conservator, does the court order say that's ok? YES NO

Please attach a copy of the order.

I have read and understand the information in this form:

_____ **Member Name** _____ **Date of Birth**

_____ **Employer of Record Signature** _____ **Date**