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3/22/02

Consumer Directed Community Supports
Proposed Guidelines from the Metro County DD Self-Determination Group
Recommendations to CSMD

Non-negotiables for MR/RC Waiver – Consumer Directed Community Supports Option

1. Must meet eligibility requirements.
2. Have to know what families/clients are buying.
3. We cannot pay parents of minor children.
4. We cannot pay room and board expenses.
5. The waiver is the payer of last resort.

Bdb

Principles for Decision-Making

1. Services and supports are not duplicative of other services.
2. Supports are primarily beneficial to the person with the disability and ensure the health, safety and general well being of the person.
3. Costs represent those that are over and above normal costs and/or are directly related to outcomes identified in the plan for a person with a disability.
4. Costs fall within a customary cost range for similar supports, goods and/or services.
5. The expenditure represents a cost-effective strategy for providing the support.
6. The expenditure is defensible to the taxpayer and to the funding source.
7. Services and supports builds "inclusion" to the level the person desires.
8. The expenditure is related to a strategy to meet an identified support or service documented in an approved Individual Service Plan.

The following is a list of guidelines for Counties to use when developing their policies for Consumer- Directed Supports

Parental Responsibilities for Minor Children

The **guidelines** below represent an attempt to tell apart the financial responsibilities of parents for their minor children from the costs that are over and above what is normal, due to caring for a child with a disability.

Only those expenses that fall into the "Allowable Expenditures" category can be considered for approval as expenditure under the MR/RC Waiver program, when appropriate.

In addition to these **guidelines**, each approved expense must also meet the following criteria:

1. Services and supports are not duplicative of other services.
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3. Costs represent those that are over and above normal costs and/or are directly related to outcomes identified in the plan for a person with a disability.
4. Costs fall within a customary cost range for similar supports, goods and/or services.
5. The expenditure represents a cost-effective strategy for providing the support.
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1. Parental Responsibility – Rent / Mortgage
Allowable Expense - None

2. Parental Responsibility – Utilities (Electric, Gas / Oil, Water)
Allowable Expense -

- ◆ The difference in cost between average utility costs and documented utility costs that significantly exceed average and are absolutely recognized as a need for the recipient's disability.

3. Parental Responsibility - Appropriate Clothing for all Occasions and Seasons

Allowable Expense -

- ◆ The difference between a regular item of clothing and an adapted item of clothing of the same type.
- ◆ Articles of clothing that are not normally purchased and which are necessary due to recipient's disability.
- ◆ Cost for extra clothing due to aspects of recipient's disability, which lead to numerous clothing changes or unusual wear and tear.

4. Parental Responsibility – Food

Allowable Expense -

- ◆ Difference in cost between special diet as prescribed by appropriate professional and a regular diet that follows USDA recommendations for a person of similar age.

5. Parental Responsibility - Mattress, box spring, bed frame, and bedding

Allowable Expense -

- ◆ Difference in cost between basic sleep needs and needed adaptations to bed based on recipient's disability and as recommended by appropriate professional. Includes cost of additional bed linens needed for nighttime incontinence.

6. Parental Responsibility - Child Care Cost for Children 12 Years of Age and Under

Allowable Expense -

- ◆ Day care cost for persons over 12 years of age.
- ◆ Additional cost for a child 12 years and under, *over and beyond* necessary supports to maintain them in appropriate child care setting.

7. Parental Responsibility - Transportation to Day Care, After School Activities; Community Recreation Activities

Allowable Expense -

- ◆ Transportation costs for a support person to take recipient to an activity or program identified in ISP and/or IPP.
- ◆ Modifications to vehicle which allow for safe transport of recipient and which are directly related to recipient's disability.

8. Parental Responsibility - Babysitting For Children 12 Years Or Under

Allowable Expense -

- ◆ Respite cost for children over 12 years old.
- ◆ Additional cost associated with utilizing a person with specific skills that are necessary to provide adequate care to recipient.
 - ◆ Additional cost associated with need to hire additional person to provide adequate supervision to *recipient under age 12*.

9. Parental Responsibility – Fees / Cost for Recreational Activities For the Support Person and For Any Equipment Normally Required For Activity

Allowable Expense -

- ◆ Cost of a support person necessary for recipient to participate in activity and cost of support person's fees.
- ◆ Special adaptive equipment needed for recipient to participate in activity.

10. Parental Responsibility - Toys, Games, Video Cassettes, Other Play Equipment

Allowable Expense -

- ◆ Specialized play equipment *specifically related to the person's disability*, which must be purchased through an equipment catalog or a store specializing in adaptive play equipment.
- ◆ Additional cost of replacing toys and other play equipment which receive more than the normal wear and tear; specifically, due to the disability of the recipient.

11. Parental Responsibility - Other Items Which Will Benefit the Entire Family

Allowable Expense -

- ◆ Items of documented benefit to the recipient due to his/her disability.

12. Parental Responsibility - Age Appropriate Supervision to Assure Health and Safety of Recipient

Allowable Expense -

- ◆ Cost of supervision strategies above and beyond those required for a non-disabled child of the same age.

13. *Homeowner Responsibilities – The waiver does not pay for Lifestyle Choices.*

Modifications

- *Does the request relate to the person with the disability, is the request for health and safety?*
- The waiver can not pay to add square footage to a home or additional living space.
- Purpose is to increase accessibility to the home.
- Counties can establish allowance limits for common requests.

Assistive Technology/Equipment

➤ *To approve requests use the following principles for decision-making.*

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4. Costs fall within a customary cost range for similar supports, goods and/or services.
5. The expenditure represents a cost-effective strategy for providing the support.
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Transportation

➤ Waiver funds cannot be used to purchase vehicles.

What is covered.

- Counties
of 2010
look at this*
- Adaptations to make a vehicle accessible.
 - Transportation costs associated with the wear, tear and/or damage *related to the person with a disability*, on a vehicle.
 - Mileage reimbursement related to transportation for the person with a disability.

Responsibilities of other agencies or funding programs.

- School District
- MA for medical appointments

Staffing

- Need to comply with all Department of Labor regulations.
- Support staff can not be parents of minors
- Support staff are age 14 and over.
- "Companions" for children up to age 18 to accompany to community activities can be paid a nominal fee.
- *Parent of an adult child, or anyone living in the home, cannot work more than 40 hours per week. Separate being a parent from being a support staff.*
- *Allow for overtime for support staff other than parents/others living in home.*
- *Support staff should have a job description and work schedule.*
- *Issues with independent contractors. People paid on an hourly basis aren't usually considered independent contractors.*

Rate of Pay

- *Follow Department of Labor Regulations*
- Based on experience and should be customary. Customary rates for basic care in the metro area are \$10 - \$14 per hour – gross pay. Each area of the State is different.
- Rate of pay commensurate with the support needs of the person and related to job duties.
- Respite rates may be daily or hourly and specific Department of Labor regulations need apply.

Staff bonuses, Vacation, Sick time

- Need to be built into the rate.
- Wage increases – identified in the plan
- *Benefit package will have to be offered to all employees within a job classification.*

Staff Expenses

- *Staff are reimbursed for mileage and other approved expenses while on the job.*

BCA Checks

- *Responsibility of employer of record and fiscal intermediaries.*
- *Some counties do not require background checks for parents, unless hired by Employer of Record agency.*

Therapies

- *Some therapies may be covered when the MA State Plan doesn't cover, e.g. some psychological assessments, individual therapies, etc.*
- *Specialist Services – OT, PT, Speech -does not cover direct service. Covers assessment component.*
- *Some treatment programs have a caregiver education component – which can be funded by waiver.*
- *ABA – There are State Plan services which will cover ABA components.*
- *Therapies for caregiver- must be directly related to the person, e.g., chiropractic care for someone who cares for a person with physical disabilities, massage, family counseling, etc.*
- *Recommendation that the State develop a neutral group to assess therapies.*

Vacations

- *Waiver does not cover the person's costs.*
- *Waiver covers the costs for the support person – transportation, wages, lodging, and other expenses.*
- *Waiver does not cover the cost of a parent of a minor.*

Medical

- *Waiver is the payer of last resort – Need to use due diligence in using MA State Plan services before using waiver funds.*
- *Counties agree that the waiver can pay for dental, eye, and other beyond MA. (STATE needs to discuss with Feds – at this time the waiver cannot pay for medical beyond MA)*

Community Activities

(State needs to discuss with feds – at this time the waiver cannot pay for activities for the person)

- *Set cap for activities – A cap of \$600.00 that must be directly related to the outcomes within the person's plan.*

- *Memberships to YMCA's, Health Clubs, etc – waiver will cover – considered as medical/health.*
- *Camps can be considered under a respite rate as well as supervised travel rates. Camps and supported travel are paid to the level of an individual's respite rate. Any amount in addition would be paid by the person/family.*

Support Coordination

- Work group planned
- Definition (assist beyond case mgr. can do. Often more focused on planning, building support system & options often out side the formal system)
- Some clients arrange
- Does not replace responsibilities of county case manager.
- Training/Competency/accountability

Information & Training

- Consistent information- even if different from county to county
- Language issues
- Access to information
- Training/ Mentoring across all stakeholders
- Understanding MA
- Understanding the Waiver
- Understanding the plan & it's purpose
- Clarifying everyone's roles