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**RAMSEY COUNTY
CONSUMER DIRECTED COMMUNITY SUPPORT OPTION
UNDER MR/RC WAIVER**

POLICIES AND PROCEDURES
January 2002

Definition of Consumer Directed Community Supports

Consumer Directed Community Supports (CDCS) is a service option of the Mental Retardation Related Conditions (MRRC) waiver which can provide support, care and assistance to an MRRC waiver recipient. Consumer Directed Community Supports are designed to build, strengthen, and maintain informal networks of family and community support for the person.

I. Requirements for the MRRC Waiver and Consumer Directed Community Supports

All of the following must be met:

- A. Participants must meet eligibility requirements.
- B. The County must know what the family and/or client is buying.
- C. The County cannot pay parents of minor children.
- D. The County cannot pay room and board expenses.
- E. The waiver is the payer of last resort.

II. Principles for Decision-Making on Allowable Expenses

- A. Services and supports must not be duplicated.
- B. Supports are primarily beneficial to the person with the disability and ensure the health, safety and general well being of the person.
- C. Costs represent those that are over and above the normal costs caring for the person with the disability, and/or are directly related to the outcomes in the client's approved plan.
- D. Costs fall within a customary cost range for similar supports, goods, and/or services.
- E. The expenditure represents a cost-effective strategy for providing the support.
- F. The expenditure is defensible to the taxpayer and to the funding source.
- G. The expenditure is a strategy to meet a support service documented in the Individual Service Plan.
- H. Services and supports are meant to build "Inclusion" to the level the person desires.

III. Procedures for Participation in the Self-Determination CDCS
The following steps must be followed to acquire authorization for the supports identified in the Personal Support Plan:

- A. Contact your Case Manager** regarding the client or parent/guardian's interest in the CDCS service option of the MRRC waiver.
- B. Develop a Personal Support Plan Using the Form "Ramsey County Consumer Directed Community Personal Support Plan."**
Detailed descriptions of the support needs and desired outcomes will assist the decision-makers in determining authorization status. Although the Case Manager does not write the plan, they can assist in identifying support needs and systems.
 1. The Personal Support Plan should:
 - a. Allow for the client's increased independence in his/her community
 - b. Be of direct and specific benefit to the client
 - c. Be in the best interest of the client
 - d. Include use of informal community supports that allow the client to live an inclusive community life
 - e. Ensure the health, safety, and welfare of the client
 - f. Fit within the client's allowable allocation amount
 - g. Support the client's disability
 - h. Identify specific outcomes that implementation of the plan will assist in achieving
 2. The Personal Support Plan is approved for the waiver fiscal year that ends annually on June 30th.
 3. The client or his/her parent/guardian may request assistance from a Service Coordinator in developing the Personal Support Plan.
- C. Submit a Signed Personal Support Plan to your County Case Manager.**
 1. The Case Manager will review the plan, gather more information if needed, and if necessary, recommend changes.
 2. The Case Manager will review the plan with his/her Supervisor. The Supervisor will approve, not approve or make recommendations to change the plan as presented. The Supervisor may review any plans with the Developmental Disability Section Management Team.
 3. If approved, the following will occur:
 - a. The Case Manager and Supervisor will sign and date the Personal Support Plan.
 - b. The Case Manager will send a copy of the signed plan to the client and his/her guardian.

- c. The Case Manager will send a copy of the signed plan to the Fiscal Intermediary and/or Employer of Record selected by the client and his/her guardian.
 - d. The Fiscal Intermediary/Employer of Record will send the Case Manager a detailed budget.
 - e. The Case Manager will submit the detailed budget to the Account Clerk.
 - f. The Account Clerk will enter the budget details into the MMIS system. MMIS will generate a service agreement, which is sent to the Fiscal Intermediary/Employer of Record, the client, and the Case Manager.
 - g. The Fiscal Intermediary/Employer of Record will bill MMIS for reimbursement.
4. If not approved, the Case Manager will notify the client and his/her guardian. They may either:
- a. Make the changes needed so the plan can be authorized. Follow the steps in Section III.C. a-g.
 - b. Utilize existing procedures to appeal the County's decision to deny payment for expenditures identified in the Personal Support Plan. The Ramsey County Human Services phone number to request an appeal is 651-266-3660.

D. Process for Making Changes In the Approved Personal Support Plan

- 1. The Case Manager has the authority to authorize any changes that fit into the guidelines that total \$500 or less. The Case Manager will follow the steps in Section III.C above. Any changes made by the Case Manager should be dated and initialed.
- 2. The client or parent/guardian may submit an amendment to the approved plan when there is a significant change in family circumstances (death, divorce, etc.) or support needs of the client. Follow the steps in III.C when this occurs.

IV. Parental Responsibilities for Minor Children

The following guidelines separate the financial responsibilities of parents caring for their minor children with disabilities, from the costs that are over and above what is normal.

Only those expenses that fall under the "Allowable Expenditures" category may, when appropriate, be considered for approval as expenditures under the MRRC Waiver program.

In addition to these guidelines, each approved expense must also meet the eight guidelines listed under section II. "Principles for Decision-Making".

A. Rent and Mortgage: Parental responsibility
Allowable expense - None

B. Utilities (Electric/Oil, Water): Parental responsibility
Allowable expense:

- ◆ The difference in cost between average utility costs and documented utility costs that significantly exceed the average cost, and are absolutely recognized as an additional cost due to the recipient's disability.

C. Appropriate Clothing for All Occasions and Seasons: Parental responsibility
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 the client's disability.
- ◆ Cost for extra clothing due to aspects of the client's disability, which leads to numerous clothing changes or unusual wear and tear.

D. Food: Parental responsibility
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.

E. Bed and Bedding: Parental responsibility
Allowable expense:

- ◆ Difference in cost between basic sleep needs and needed adaptations to the bed based on the client's disability and as recommended by appropriate professionals (includes cost of additional bed linens needed for nighttime incontinence.)

F. Child Care Cost for Children 12 Years of Age and Under: Parental responsibility
Allowable expense:

- ◆ Day care cost for person with a disability over 12 years of age.
- ◆ For children under the age of 12, costs exceeding the normal daycare expenses for a non-disabled child of similar age.

G. Transportation to Day Care, After School Activities, Community Recreation Activities: Parental responsibility.

Allowable expense:

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

H. Babysitting for Children 12 Years or Under: Parental responsibility

Allowable expense:

- ◆ Respite cost for a person with disabilities over the age of 12.
- ◆ Additional costs associated with utilizing a person with specific skills that are necessary to provide adequate care to the client.
- ◆ Additional costs associated with the need for more frequent respite due to the client's disability.
- ◆ Additional costs associated with the need to hire an additional person to provide adequate supervision to the client under age 12.

I. Fees/Costs for Recreational Activities and for any Equipment Normally Required for the Activity: Parental responsibility

Allowable expense:

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

J. Toys, Games, Video Cassettes, Other Play Equipment: Parental responsibility

Allowable expense:

- ◆ Specialized play equipment specifically related to the person's disability.
- ◆ 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 client.

K. Other Items which will Benefit the Entire Family: Parental responsibility

Allowable expense:

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

L. Age Appropriate Supervision to Assure Health and Safety of the Client: Parental responsibility

Allowable expense:

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

M. Homeowner Responsibilities: Typical upkeep and repairs of the home and property that are not directly related to the client's disability are the homeowner's responsibility.

N. Parental Fees
Allowable Expense: None

V. Modifications
Environmental Modifications are equipment and physical adaptations to a person's home necessary to help the person have greater independence. The modification must be of direct and specific benefit to the client due to his/her disability. Ramsey County has determined the following items will be authorized at the maximum rate stated:

- A. Fence - \$3500
- B. Adaptive Bike - \$4500
- C. Play Set - \$2000
- D. Books and Videos - \$1000

VI. Assistive Technology
Assistive technology refers to devices, equipment, or a combination of things that improve a person's ability to perform activities of daily living, control or access the environment, or communicate. The following items will be authorized at the maximum rate stated:

- A. Computer - \$1500
- B. Computer Software - \$400
- C. Cell Phone - \$75 for the purchase of the phone. The monthly maximum is \$30.

VI. Transportation

- A. Waiver funds cannot be used to purchase vehicles.
- B. The following costs are allowable:
 - 1. Costs associated with the wear, tear, and/or damage to the vehicle as related to the client's disability.
 - 2. Mileage reimbursement to/from activities related to the person with a disability.
 - 3. Reimbursement rates for automobiles will be the same as the current Federal Mileage Rate.
 - 4. Reimbursement rates for vans necessary to transport the client due to the client's disability will be at \$.63/mile.

VII. Staffing

- A. Department of Labor regulations must apply.
- B. Parents of minors cannot be the support staff for their minor child.
- C. Support staff must be age 14 or over.
- D. A "Companion" for children up to age 18 years who accompanies an individual to community activities, may be paid a nominal fee.

- E. Parent of an adult child, or anyone living in the home, normally will not get paid for more than 40 hours of care per week. The plan must separate being a parent from being a support staff.
- F. Overtime for support staff other than parents/others living in the home is allowable.
- G. Support staff must have a job description and work schedule.
- H. Independent contracting in most instances is not allowable.

VIII. Rate of Pay

- A. Department of Labor regulations must apply.
- B. Rate of Pay is based on experience and should be customary for basic care. The Metro Area customary rate for basic care is \$10 - \$14/hour. Other areas may pay differently.
- C. Rate of pay is commensurate with the support needs of the person and is related to job duties.
- D. The level of support needed by the client determines the respite rate.
- E. Respite rate may be daily or hourly. Daily respite includes an overnight.

IX. Staff Bonuses, Vacation, Sick Time

- A. In lieu of vacations, sick time, bonuses, etc., staff may be reimbursed at a higher rate of pay.
- B. Benefits need to be built into the rate rather than being offered as an individual benefit package.
- C. Employers of Record may offer benefit packages.

X. Staff Expenses

- A. Staff will be reimbursed approved mileage and expenses while on the job.

XI. BCA (Bureau of Criminal Apprehension) Checks

- A. Responsibility of the employer of record and fiscal intermediaries.
- B. Ramsey County requires BCA checks of all support staff.

XII. Therapies

- A. Some therapies not covered by the State Plan may be covered.
- B. Specialist Services do not cover direct service.
- C. The State Plan services cover ABA components.
- D. Caregiver therapies must be directly related to the client's disability, e.g. chiropractic care for someone who cares for a person with a physical disability, massage, family counseling, etc.

XIV. Vacations

- A. The Waiver does not cover the client's costs.
- B. The Waiver covers the cost for the support person - transportation, wages, lodging, and other expenses.
- C. The Waiver does not cover the cost of a parent of a minor child.

XV. Medical

- A. Families and counties must use due diligence in seeking to use private insurance and/or Medical Assistance State Plan services prior to using waiver funds.
- B. Memberships to YMCA's, Health Clubs, etc. may be allowed.
- C. If approved, Ramsey County will allow a maximum of \$500/year for a single membership and \$800/year for a family membership.

XVI. Community Activities

- A. There must be specific behavioral and/or habilitative outcomes identified in the plan for community activities.
- B. Ramsey County will allow a maximum of \$600/year for community activities.

XVII. Camps and Supported Travel

- A. Will be paid at the level of the individual daily respite rate.

XVIII. Fiscal Intermediary and Employer of Record

- A. Fiscal Intermediary is an agency that provides services, allowing you to have control of authorizing non-licensed services, while still meeting the legal requirements of the distribution of public funds.
- B. Employer of Record is an 'employer agent' who works on your behalf to manage a variety of employment related tasks for the employees you have selected to provide your supports. Federal and state labor laws have varying requirements which may impact your decision to be the employer of those providing you support, or to hire an agency to assume the role of the employer.
- C. Both the Fiscal Intermediary and the Employer of Record will conduct a Bureau of Criminal Apprehension check on any support person the family wants to hire.
- D. The Fiscal Intermediary and Employer of Record will train support person(s) in mandatory-reporting rules. In addition, the Employer of Record will provide the same training as any other person working within their agency.
- E. The Fiscal Intermediary and Employer of Record will provide at least quarterly financial reports to the county, the client and his/her guardian; and at least monthly communication with the consumer and his/her guardian.

- F. The Fiscal Intermediary and Employer of Record are responsible for payment of an interpreter during the initial interview. Once the family has selected a contract agency, the family is responsible for payment of the interpreter. The CDCS dollars could be used for this payment.
- G. If the informal support expenditures purchased by a client reach and exceed the labor law limits and taxes should be withheld, the client must utilize the Employer of Record option as opposed to the Fiscal Intermediary.
- H. Ramsey County clients must utilize a Fiscal Intermediary/Employer of Record who has a contract in Ramsey County. Each agency has fees for their services.

CONSUMER DIRECTED FUNDING (CDCS) A QUICK GUIDE DEVELOPMENTAL DISABILITIES UNIT

January 2002

Funding Streams Include:

- Mental Retardation Related Conditions Waiver (MRRC Waiver)
- Family Support Grant (FSG)
- Pre-school Family Allotment

Basics About Funding:

- Individual circumstances are always considered. Exceptions may be allowed.
- County and waiver monies are the sources of last resort. Anything that can be funded by another source (Medical Assistance, private insurance, etc.) must go through that source first. In most instances, if the use of that other source is denied, the appeal process must be followed.
- All expenditures must directly relate to the client's disability and/or the outcome of the client's long-term goals.
- All government expenditures must have a plan on how the money is going to be spent in addition to a method to demonstrate fiscal accountability for all expenditures. Expenditures must take into consideration typical parental responsibility.

Assigning Individual Budgets:

- New waiver allocations are assigned on an individual basis utilizing a matrix system. The matrix system utilizes the Developmental Disability Screening Document to assign an allocation amount.
- Family Support Grant: This is a cash grant awarded to the family for needs directly related to the child's disability. The child must be 22 years of age or younger to qualify. The family cannot have both the MRRC waiver and FSG.
- Pre-school Family Allotment: This is a cash grant available to families with a children 5 years of age and younger.

GENERAL RULES ABOUT WHAT CAN BE FUNDED THROUGH CDCS:

Activities to Reduce Family Stress: Not waiver fundable

Adaptive clothing: See 'Clothing'

Bed: The need for an adaptive bed must be outlined in the Individual Support Plan or Consumer Directed Support Plan. The waiver could be used to pay the full cost of an adaptive bed. See 'Furniture'

Bed Linens: With a CDCS plan, only bed linens with medical or behavioral need justification are acceptable fundable expenditures. See also "Property Damage"

Behavioral Rewards/Reinforcers: See "Community Integration". Behavior rewards that look very similar to parental responsibility (such as toys, etc.) must have a Community Integration/Habilitation/Behavioral Plan included in their Individual Service Plan or CDCS plan.

Books and Subscriptions: With a CDCS plan, books and subscriptions related to the client's disability are allowable expenditures. Ramsey County has determined these items will be authorized at the annual maximum rate of \$1000.

Cable Television: Not waiver fundable

Car Washing Services: Only interior car washes that are justified in the CDCS plan are acceptable fundable expenditures.

Chore Services (Enabling Caregiver Support): To enable caregiver support. The waiver does pay for chore services such as lawn mowing, snow removal or housekeeping. These are for labor costs only and do not include supplies, chemicals, Chemlawn, etc. This is a service option under the MRRC waiver.

Client Support Agent: Waiver fundable with a CDCS plan. State wards interested in utilizing CDCS must have a Client Support Agent.

Clothing: With a CDCS plan, adaptive and replacement (due to excessive wear and tear) clothing are waiver fundable. General clothing is not fundable.

Community Integration /Orientation: Memberships to the Zoo, Science Museum, etc. may be fundable with a CDCS plan, but only with a Community Integration/Habilitation/Behavior Plan as part of the CDCS plan to support the request for use of waiver dollars. Ramsey County will allow a maximum of \$600/year for clients. Fees for school activities and school sponsored programs are not waiver fundable.

Computer-Related Expenses: Computers are waiver fundable only with a CDCS plan. Computer related expenses are allowable only as described in the CDCS plan. Educational programs are not fundable. See "Habilitation Activities/Materials". Ramsey County has determined that the following items will be authorized at the annual maximum rate stated:

- Computer - \$1500
- Computer Software - \$400
- Cell Phone - \$75.00 for the purchase of the phone. The monthly maximum is \$30.00.

Educational Costs: Educational costs for clients are not waiver fundable. The school is considered financially responsible. See "Habilitation Activities/Materials". For educational costs for caregivers, see "Training for Caregiver".

Fences: Fences must be considered as an Environmental Modification, and the request must be directly related to the disability. This may fit under the CDCS or Environmental Modification option of the MRRC waiver.

Food/Special Diets: The waiver does not pay for room and board. When a client has a special diet prescribed by a medical professional, the difference in cost between the special diet and the regular diet is fundable with a CDCS plan. Special diets must relate to a medical condition or a nutritional need and may not relate to preferences or behaviors.

Furniture: The waiver does not pay for basic furniture. A CDCS plan may pay for storage or locked cases for specific equipment related to the disability. See "Property Damage".

Guardianship Costs: Not waiver fundable

Habilitation Activities/Materials (Skill Building Costs): The waiver pays for habilitation and associated materials within a CDCS plan. There must be a Community Integration/Habilitation/Behavior Plan included with the CDCS plan. Examples include fast food, restaurants, movies, sporting events, etc.

Home Modifications: The waiver does not pay to add square footage to a home. The waiver pays for adaptations and items directly related to the disability. This is a fundable service option under the MRRC waiver. Ramsey County has determined the following items will be authorized at the annual maximum rate stated:

- Fence - \$3500
- Adaptive Bike - \$4500
- Play Set - \$2000
- Books and videos - \$1000

Home Schooling Costs: Not fundable. Education is considered the school's financial responsibility.

Housing Access Coordination: This is a fundable service option under the MRRC waiver.

Laundry Costs: The waiver pays for the extra supplies/utilities only with a CDCS plan. The average all-inclusive cost of doing laundry is \$3.00 per load.

Legal Fees: Not waiver fundable.

Live-In Caregiver Expenses: This is a fundable service option under the MRRC waiver. The client must live in his or her own home to be eligible.

Memberships: Zoos, Science Museum, etc. are fundable through the waiver. See "Community Integration".

Mileage Cost of Support Staff/Caregiver: With a CDCS plan, mileage reimbursement is fundable for non-medical related transportation. See "Transportation". Ramsey County has determined that the mileage will be reimbursed at the following rate:

- Automobiles - the current Federal Mileage Rate
- Vans necessary to transport the client due to their disability - \$.63/mile

Parental Client Support Agent: Not fundable for parents of minors.

Peer Companionship: With a CDCS plan, children can receive a nominal payment for adult supervised peer companionship.

Play sets: See "Swing Sets/Play Sets".

Property Damage: With a CDCS plan, the waiver may pay for property repair or replacement that directly relates to the client's disability.

Ramps: Ramps are waiver fundable as environmental modifications.

Recreational/Leisure Activities: Not waiver fundable. See "Community Integration".

Respite: The waiver does pay for this as a service. Respite may be hourly or daily. Daily respite includes an overnight. Respite that is part of a CDCS plan is reimbursed upon an individual rate, which is based upon the client's individual needs.

Rewards: As part of a CDCS plan and with an approved Community Integration/Habilitation/Behavioral plan, this may be fundable. See "Community Integration".

Room and Board: Not waiver fundable.

Safety Equipment: Equipment such as alarms, monitors, and shatterproof windows are waiver allowable expenditures under the "Environmental Modifications" option of the MRRC waiver.

Sensory Supplies and Equipment: With a CDCS plan, specific equipment may be approved. See "Habilitation Activities/Materials".

Socialization: Not waiver fundable. See "Community Integration" or "Habilitation Activities/Materials".

Special Diets: The waiver does not pay for room and board. When a client has a special diet prescribed by medical personnel, the difference in cost between the special diet and the regular diet is fundable with a CDCS plan. Special diets must relate to a medical condition or a nutritional need and may not relate to preferences or behaviors.

Spousal Dates: Not waiver fundable.

Summer Activities: Not waiver fundable. Summer activities that are part of an educational plan are not waiver fundable. See "Community Integration".

Supported Travel: May be fundable through a CDCS plan. The supported travel will be paid at the level of the individualized daily respite rate.

Supports (Family Members of Client): There is a limit of 40 hours per week per family member who lives in the household. The customary rate for basic care is \$10 - \$14/hour in the metro area and must remain consistent with the guidelines established by the Department of Labor.

Supports (Parent/Guardian of Adult Client): There is a limit of 40 hours per week per parent/guardian. The customary rate for basic care is \$10 - \$14/hour in the metro area and must remain consistent with the guidelines established by the Department of Labor.

Supports (Parent/Guardian of Minor Child): The waiver does not allow parents/guardians of minors to be paid for providing support to their own child.

Swing Sets/Play Sets: Swing sets/play sets are waiver fundable under CDCS. The request must be directly related to the client's disability.

Therapies and Supplies/Equipment: Some therapies not covered by the State Plan or private insurance may be covered with a CDCS plan.

Toys/Games/Videos: Not waiver fundable. See "Habilitation Activities/Materials" or "Property Damage".

Training for Caregiver: The waiver allows up to \$2500 per year for caregiver training. This may include airline tickets and hotel for the days of a conference (not extending the trip for a vacation). This is a service option under the MRRC waiver.

Transportation:

- Waiver funds cannot be used to purchase vehicles.
- Adaptations to vehicles are waiver fundable.
- Costs associated with the wear, tear, and /or damage to the vehicle as related to the person with a disability are allowed through a CDCS plan.
- Mileage reimbursement to/from activities related to the person with a disability are fundable through a CDCS plan. See 'Mileage ...' above.
- Medical mileage reimbursement is paid for through Medical Assistance.

Utilities (Electric, Gas/Oil, Water): The difference in cost between average utility costs and documented utility costs that significantly exceed average cost and are verifiably recognized as a need for the client's disability.

Vacations and Related Costs: The waiver does not cover the person's costs. The waiver covers the costs for the support person (transportation, wages, lodging, and other expenses) in a CDCS plan. The waiver does not cover the cost of a parent of a minor.

Vehicles: See "Transportation".

Wheelchairs: Are fundable with a CDCS plan if not covered by Medical Assistance or other insurance.

Wills and Trusts: Cannot be paid for by any funding source EVER.