



SELF-DIRECTED SERVICES: Idaho's Aged and Disabled Waiver

Self-directed Personal Assistance
Services



The Institutional Bias

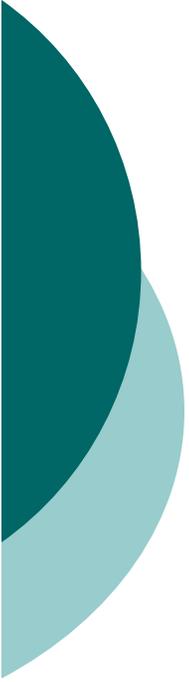
- The federal Medicaid Program only requires states to provide long-term care in residential institutions
 - SO:
- States must apply for a “waiver” to use Medicaid funds to provide Home and Community-based Services in lieu of institutional “care”.



HCBS WAIVERS

- In Idaho:
 - Traumatic Brain Injury Waiver
 - Developmental Disabilities Waiver
 - Idaho State School and Hospital Waiver

- Aged & Disabled (A&D) Waiver
 - 18 to 64 years + physical disability, or
 - 65+ years, and
 - Eligible for Skilled Nursing Facility level of care
 - Services must be safe and cost effective



A&D Waiver: Rules & Statutes

- IDAPA 16.03.10 Medicaid Enhanced Plan Benefits
 - A&D Waiver Programs 16.03.300 – 330
- Idaho Statute: Title 39, Chapter 56
 - 39-5601 through 39-5609



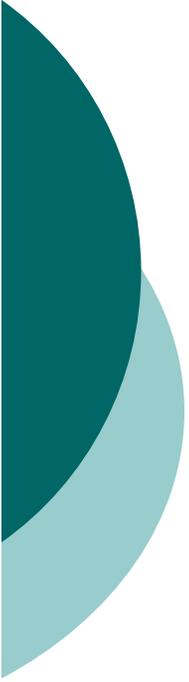
A&D Waiver: Provider Types

- Personal Assistance Service Agency
 - “Traditional agency”
- PCS Family Home
 - Participant resides in the provider’s home
- Fiscal Intermediary Agency
 - Self-directed services



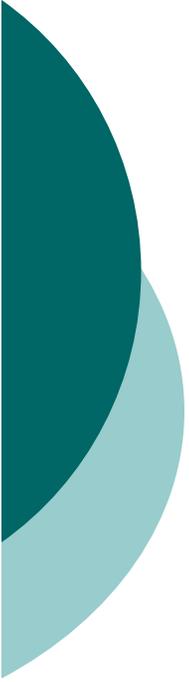
Service Delivery Model

- “Fiscal Intermediary” (FI) model
 - FI Agency is the “Employer of Record”
 - Performs all payroll-related tasks
 - Provides mandatory minimum benefits
 - Provides support services
 - Participant is the “Employer of Fact”
 - Performs all functions related to hiring, scheduling, training, supervision, termination – all of the day-to-day tasks of any employer
 - Participant may delegate employer duties



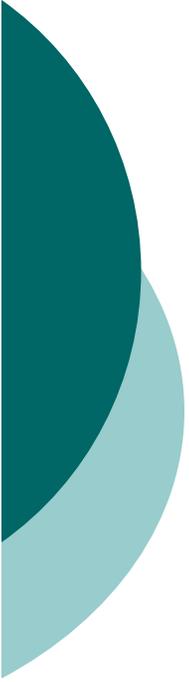
Statutory Requirements for FI

- (7) A fiscal intermediary agency shall have the responsibility for the following:
- (a) To assure compliance with legal requirements related to the employment of participant/family directed personal assistants;
- (b) To offer services to enable participants or families to perform required employer tasks themselves;



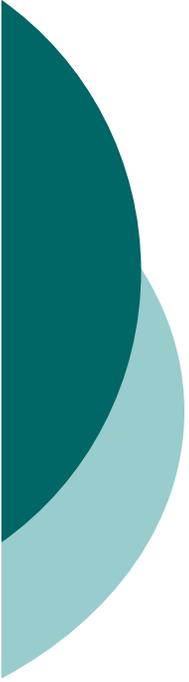
Statutory Requirements Cont....

- (c) To bill the medicaid program for services approved and authorized by the department;
- (d) To collect any participant contribution due;
- (e) To pay personal assistants for services;
- (f) To perform all necessary withholding as required by state and federal labor and tax laws, rules and regulations;



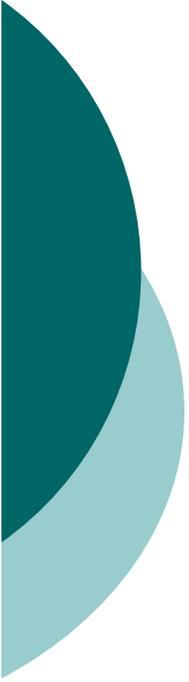
Statutory Requirements Cont....

- (g) To assure that all personal assistants providing services meet the standards and qualifications of this chapter;
- (h) To refer participants to case management services based on established criteria;
- (i) To maintain liability insurance coverage;



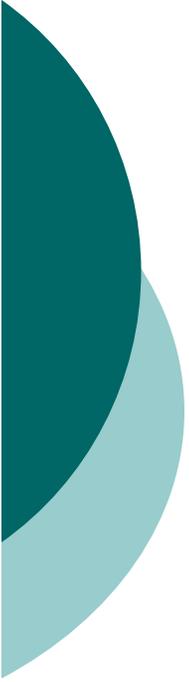
Statutory Requirements Cont....

- (j) To conduct, at least annually, participant satisfaction and quality control reviews which shall be available to the department and to the general public; and
- (k) To maintain documentation that the participant or his legal representative agrees in writing that he takes responsibility for and accepts potential risks, and any resulting consequences, for his choice to manage his own personal assistance services.



FI Support Services

- All: those services necessary to assist participant in the performance of employer duties
- Centers for Independent Living (CILS): advocacy, peer support, IL training, I&R, assistive technology, accessible home modifications, transportation, housing, benefits counseling, etc.



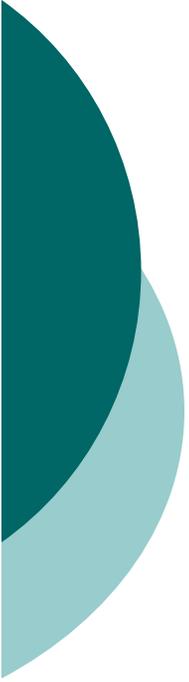
FI Providers:

- *Disability Action Center NW* (CIL): H&W Regions 1&2 (800) 475-0070
- *LINC* (CIL): H&W Regions 3, 4, 5 (877) 900-6167
- *LIFE* (CIL): H&W Regions 5, 6, 7 (208) 232-2747
- *Consumer Direct* (FEA and FI): All H&W Regions (888) 989-0470



National Trends in Self-direction

- Money Follows the Person
- Cash & Counseling
- Community Choice Act
- Class Act



Recent Legislative Changes in Idaho

- Senate Bill 1310: Added PCS Family Homes as a provider type, “unbundled” housekeeping services from Personal Care Services
- House Bill 708: A “ Medicaid cost containment bill”, removes statutory requirement for reimbursing PAS Providers for travel, training, administration, payroll taxes, benefits, etc.



Other Resources

- The Center for Personal Assistance Services: www.pascenter.org
- National Council on Independent Living: www.ncil.org
- Mathematica:
<http://www.mathematica-mpr.com/publications/pdfs/health/mfpfieldrpt3.pdf>