

Appendix K Guidance: Participant-directed Services

BE D·B·H·D·D

Georgia Department of Behavioral Health & Developmental Disabilities

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Family Hires

Family Hires Under Appendix K

- 1 People eligible for Family Hire must be 18 years old.
- 2 People eligible for Family Hire must have experience with providing the required care for the waiver participant.
- 3 Family Hires must complete the enrollment process with their Fiscal Intermediary prior to any payments being authorized.
- 4 Family Hires must disclose to the Fiscal Intermediary their relationship to the Individual receiving the waiver services.
- 5 Family Hire pay rate cannot be higher than established policy allows.

Family Hire Definition

- As specified in the NOW and COMP Manual Part II Section 902, a Family Caregiver hire is defined as an individual's family member, by blood or marriage, who is aged 18 years or older, who may be reimbursed for providing services when there are extenuating circumstances
 - Family is defined as a person who is related by blood within the third degree of consanguinity by blood, adoption, or marriage. Third degree of consanguinity include mother, father, grandmother, grandfather, great grandfather, great grandmother, sister, brother, daughter, son, granddaughter, grandson, great granddaughter, great grandson, aunt, uncle, niece, or nephew

Family Hire Under Appendix K Details

- 1 For homes in which the Representative is the only person who lives with the Participant, and the Representative needs to become a family hired staff, the following process applies.”
- 2 A new Representative would have to be appointed.
- 3 PD MOU must be executed by the new Representative.
- 4 The required 6-hours of in-person PD training is waived.
- 5 In multi-family member households, the Representative cannot become paid staff.

Family Hire Pay Rate/Frequency/Durations

- It is tied to the ISP (Individual Support Plan)

Example: Community Living Support (CLS) Scenario –

A staff member is normally scheduled to provide CLS services for 6 consecutive hours a day, Monday through Friday, for a total of **30 hours a week**.

- Time sheet cannot exceed the 6 hours per day/ 30 hours per week as outlined in ISP/PA.
- Retainer time sheet would also be for, and cannot exceed, 6 hours per day/ 30 hours per week

★ Reminder – CLS does not provide 24/7 care

Family Hire Start Dates

- Federal “E-Verify” requirements, 8 C.F.R. Section 274a.2(b)(1)(ii) requires:
 - (ii) Except as provided in paragraph (b)(1)(viii) of this section, an employer, his or her agent, or anyone acting directly or indirectly in the interest thereof, must within **three business days of the hire**:
 - (A) Physically examine the documentation presented by the individual establishing identity and employment authorization as set forth in paragraph (b)(1)(v) of this section and ensure that the documents presented appear to be genuine and to relate to the individual; and
 - (B) Complete section 2—“Employer Review and Verification”—on the Form I-9 within **three business days of the hire** and sign the attestation with a handwritten signature or electronic signature in accordance with paragraph (i) of this section.

Family Hire

- When a family hire staff packet is processed by the FI and the hire date is established, payroll can only be from the hire date forward.
- All billing identified under Family Hire must be tied to work completed by the Family Hire caretaker and must include completed documentation and corresponding time sheets to support the submitted invoice.

Required Family Hire Documentation

- Each individual who wishes to be considered for the role of Family Hire must complete the required New Hire packet with their Fiscal Intermediary (FI) agency.
 - There is some variation among what each FI agency requires.
- When all required document in the New Hire packet have been submitted to the FI agency, the Family Hire will be processed within two (2) business days by the FI agency.
- The FI will issue the 'Good to Go' letter when the Family Hire may begin proving billable services.

Background Checks Under Appendix K

This requirement is temporarily suspended during the time that Appendix K is in effect.

Every effort should be made to complete background checks when possible to ensure the safety of the waiver participant.

When Appendix K is terminated, background checks must be completed retroactively within 60 days.



Documentation & ISPs

- Representatives for Participant-direction model must adhere to all applicable documentation requirements.
- The specificity of such services, including amount, duration, and scope, will be added to the ISP as soon as possible, but **no later than 30 business days after service initiation.**
- ISPs should be written to reflect the date that service delivery began. The ISP must be signed by the individual or legal guardian.

Retainer Payments

PD Services Eligible for Retainer Payments

Community Living Support (CLS)

- Retainer payments are authorized in the event that the provider is not serving the member under other comparable services.
- The retainer payment will be authorized at the level, duration, and amount as outlined in the prior authorization.

Supported Employment (SE)

- In-person job coaching contacts and supports may temporarily be made remotely (i.e. phone, telehealth, email).
- This may include teleworking for any business, or essential businesses such as work at a grocery store, gas station, etc.

Retainer Payments

- Retainers payments cannot exceed 30 consecutive days.
- DBHDD is waiting for additional guidance from Centers for Medicare & Medicaid Services (CMS) on the 30-day consecutive retainer payments.
- Until further guidance is received, Representatives may proceed with billing retainer payments through their Fiscal Intermediary agency.

Retainer Payments

- Providers should submit claims for only scheduled days and units as specified in the individual's ISP and Prior Authorization (PA).
- The retainer option should only be billed when the provider is retaining (maintaining the staff's employment) it's regular staff members for when operations resume as normal and the Appendix K is no longer effective.
- Community Living Support (CLS) and Supported Employment (SE) can bill retainer payments and family hire payments simultaneously.
- If a staff member is collecting unemployment benefits, the Representative cannot bill for retainer payments at the same time.

Unemployment Benefits

- It is the responsibility of the Representative to work with Fiscal Intermediary agencies to assist staff who have been laid off with filing for unemployment benefits if the staff choose to pursue those benefits.
- DBHDD cannot advise you as to whether or not to file for benefits.
- For more information, please contact the Georgia Department of Labor (www.DOL.Georgia.gov).

Telehealth

Participant-directed Services Eligible for Telehealth

**Physical
Therapy (PT)**

**Occupational
Therapy (OT)**

**Speech
Therapy**

**Behavioral
Support
Services**

**Nursing
Services**
(Registered Nurse)

**Support
Coordination/
Intensive
Support
Coordination**

**Supported
Employment**

Signatures on Documents

- Individualized Support Plans (ISPs) and other annual documents require physical signatures.



PD Services Not Eligible for Telehealth

**Community
Living
Support
(CLS)**



**Community
Access –
Individual
(CAI)**



**Community
Access –
Group
(CAG)**



Budgets and Prior Authorizations (PA)

Changes to Your Budget & Prior Authorizations

- DBHDD will not authorize the movement of CAG/CAI funds to CLS due to the crisis.
- All requests for additional funding will go through normal ISP Version change process and will be reviewed on a case by case basis based on assessed need.
- Urgent need criteria during this time include the following:
 - The Family Caregiver is an essential worker.
 - The Family Caregiver tests positive for COVID-19 and is unable to provide care.
 - Other urgent health and safety concerns tied to COVID-19.

Specialized Medical Supplies (SMS)

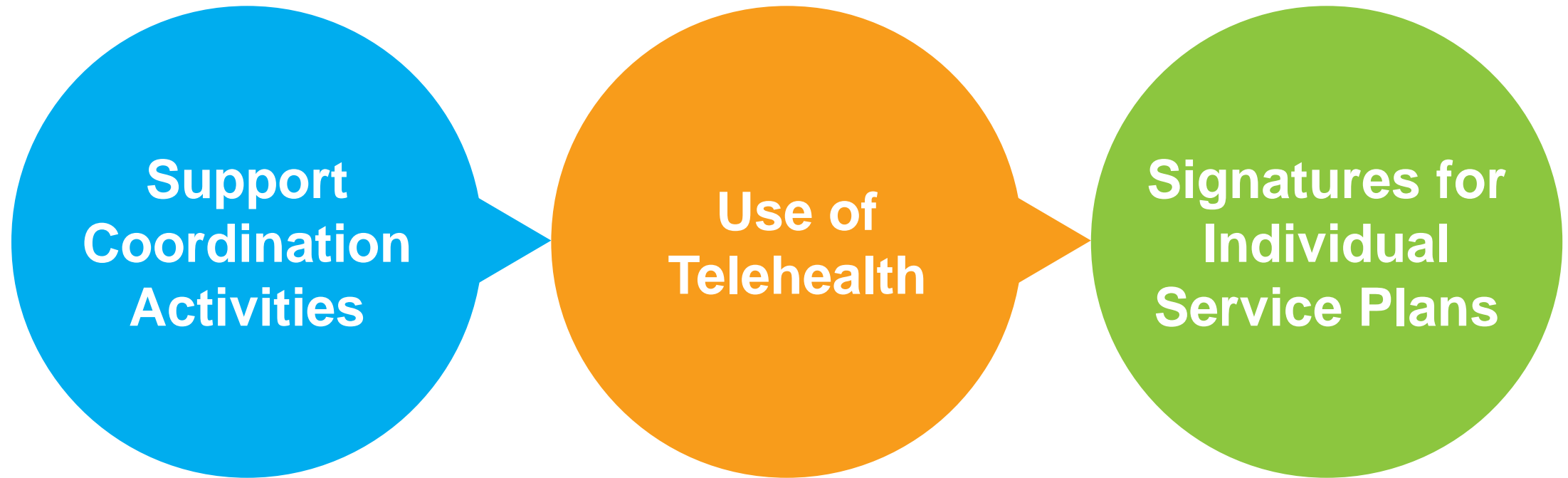
Appendix K authorizes an increased funding allowances to cover SMS during the crisis.

Communication will go out to all when the Prior Authorizations have been updated in the DBHDD Case Management System.

SMS can be used to obtain PPE.

Support Coordination /
Intensive Support Coordination

Support Coordination and Participant-directed Model



Communication

How do I stay informed?

PD Model
E-newsletter

PD Model
Email Blasts

DBHDD
Webinars

DBHDD
Website

To request that your email address be added to the electronic mailing list, please contact:

Participant.Direction@dbhdd.ga.gov

Questions

A close-up photograph of a hand holding a blue ballpoint pen, poised to write on a spiral-bound notebook. The notebook's black metal spiral binding is visible on the left side. The background is a soft, out-of-focus brown surface. Overlaid on the notebook page is the text "BE INFORMED" in a bold, sans-serif font. The word "BE" is colored orange, while "INFORMED" is white with a thin black outline.

BE INFORMED