



# *Self-Directed Attendant Care:*

*An Overview for  
Advocates  
and other interested parties*

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# Background

Beginning more than 30 years ago, many states began experimenting with a new form of home and community-based care for individuals who were directing in-home services.

The new form of service delivery empowers directing care to direct their own care with the option of choosing some or all of their own care attendants and essentially serving as the direct employers of their caregivers.

The movement gradually gained in popularity because individuals were ready and willing to take charge of their own care and experienced greater satisfaction with their lives once they had done so.

In other states where the program has already been implemented, the level of satisfaction is reportedly very high.



# Self-Directed Attendant Care

Self Directed Attendant Care is available as an option to those served under the Aged & Disabled Medicaid Waiver who qualify for attendant care.

The program allows for the hiring of a friend, neighbor, or formally trained person to serve as personal attendant, or

An individual may choose to advertise, interview and hire the best-qualified applicant

Individuals may choose among the following options:

- choose Self-Directed Attendant Care, solely.
- combine Self-Directed Attendant Care with traditional agency-based services.
- utilize the traditional agency-based services they are familiar with.



# Self-Directed Attendant Care

- What are Allowable Activities?

Assisting with:

- ✓ personal care
- ✓ nutrition
- ✓ elimination
- ✓ safety
- ✓ correspondence and bill paying
- ✓ mobility and escorting\*
- ✓ waste disposal
- ✓ household tasks

- What Activities are not allowed?

Tasks outside the plan of care.

The A&D Waiver for this program does not allow for medical procedures at this time.

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\* Providers hired to provide transportation services will be asked to provide a copy of their valid driver's license and proof of insurance.

# Frequently Used Terms

**Fiscal Intermediary:** Public Partnerships, LLC (PPL) is the fiscal intermediary. This means that PPL will process payroll and taxes.

**Individual or Waiver Program Participant:** **If you are the individual on the Medicaid Aged and Disabled Waiver, this is you.** The Individual or waiver program participant is the person who receives attendant care through the Medicaid Aged and Disabled Waiver.

**Representative:** A voluntary, unpaid person who may be appointed to assist a waiver program participant in performing the responsibilities of the employer when the individual chooses not to do so independently.

**Employer, or Employer of Record:** This term refers to the person in the household directing the work of the employee. This may be the waiver program participant or a representative.

**Employee:** The person who provides services to the waiver program participant is the employee or personal attendant.

# How you can help

There are many ways that you can get involved in this program.

- **Understand what the program is and talk to individuals who might be eligible for this program.**
- **Assist an individual as they go through the enrollment process, hiring process, or in any needed support role for the individual.**
- **Help individuals find qualified employees to provide services.**
- **Request an enrollment packet for an individual.**
- **Provide advocacy services if your organization provides these services.**
- **And other support roles that the individual may need.**
- **Follow up with those who enroll in the program.**
- **Report fraud and abuse if you suspect or witness it.**



# Overview of SDAC

**The following slides introduce the basic elements of the Self-Directed Attendant Care program.**

**For more detail:**

- **Please review the other training programs designed for Individuals Directing Care, Case Managers, and Providers.**
- **You may also find more detail in the manuals designed for these stakeholders, as well.**
- **Finally, if you have any questions concerning the SDAC program, please call toll free (866) 264-2296.**

# Steps Individuals Take to Become Employers

## Ingredients for Success

- Teamwork
- Education
- Communication



**Case Manager Meeting**

*Clarify Needs and Goals  
Develop Service Plan*

**Establish Plan**

*Identify Services, Employers and Costs*

**Complete Tax Forms**

*Complete Employer Tax Forms & Give PPL authority to withhold & submit taxes as your Agent, or "Payroll Department"*

**Recruit Staff**

*Obtain Hiring & Supervision Tips  
Submit Limited Criminal History & Employee Tax Forms to PPL*

**Manage Staff**

*Submit Time Worked, PPL does Tax Forms (W2, etc.)*

**Monitor Spending**

# Role of the Representative

An eligible individual may appoint a Representative to assist in performing the responsibilities of the employer.

The Representative may assist the individual directing care to:

- Complete paperwork
- Determine a schedule for work and the number of employees needed for that schedule

The Representative may also be involved for support. Or, they may be involved in the beginning to get the bulk of the hiring and training and, then, be available on an as needed basis.

**This position can be whatever is needed to fulfill the responsibilities of being an employer.**

**This position is voluntary and not a paid position.**

# Who can be a Representative?

- Legal guardian of the individual
- Family member, or
- Another person identified by the individual receiving care who must be at least 18 years of age
- Another Case Manager not working with the Consumer

# Role of the Case Manager

- **Information brokerage:** Information, explanation the program and requirements to an individual
- **Initial Services:** Counseling and assistance with enrollment and working to develop and monitor allocation of hours.
- **Continuing services:** Monitoring, evaluating, and assisting with changes if the plan of care changes.



# What are Allowable Activities?

**According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:**

- **Personal Care**

Bathing (tub, shower); partial bath; oral hygiene; hair care; shaving; intact skin care; dressing; clipping hair; application of cosmetics; hand and foot care.

- **Mobility**

Proper body mechanics; transfer between bed and chair; wheelchairs and motor vehicles; ambulation (not including use of assistive devices).

# What are Allowable Activities?

**(continued..) According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:**

- **Nutrition**  
Feeding including preparation and clean up.
- **Elimination**  
Assisting with bedpan, bedside commode, toilet; incontinence or involuntary care; and emptying urine collection and colostomy bags.

# What are Allowable Activities?

**(continued..)** According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:

- **Correspondence and Bill Paying**
- **Escorting**  
Community activities that are therapeutic in nature or that assist with developing/maintaining natural supports.

Providers who are hired to provide transportation services will be asked to provide a copy of their valid driver's license and proof of insurance.



# What are Allowable Activities?

**(continued..) According to the Medicaid Waiver, self-directed attendant care services may include attendant duties, as specified in the plan of care, including the following:**

- **Safety**  
Use of the principles of health and safety in relation to self and client; identify and eliminate safety hazards; and practice health protection cleanliness by appropriate techniques of hand washing.
- **Waste Disposal and Household Tasks**

# What Activities are **not** allowed?

- Attendant Care services must follow a written plan of care addressing specific needs determined through your assessment.
- The Medicaid Waiver does not allow for medical procedures.
- Attendant Care services will not be provided to medically unstable individuals as a substitute for care provided by a registered nurse, licensed practical nurse, licensed physician, or other health professional.
- Coverage questions should be referred to the Medicaid Specialist who works with the case manager..

# What Activities are **not** allowed?

Services that are exclusively for the benefit of other household members are not allowed. Examples include:

- Running errands for other household members.
- Cooking for other household members.
- Completing laundry for other household members.
- Providing childcare for other household members.

Under the CHOICE program, certain medical procedures could be performed by attendants if a physician authorized them. Under the Medicaid Waiver, there is no provision for this.

# What Activities are not allowed?

Medical Services are not allowed; examples are in the following list:

- Bearing of full weight of individual during transfer.
- Assistance with ambulation using assistive devices.
- Specialized feedings.
- Other activities which must be performed by a licensed health care professional.
- Total lift transfer of as a quadriplegic.
- Passive range of motion exercises.
- Skin care on broken skin.
- Occupied bed changes.
- Bed baths.



# Individual / Employer's Responsibilities

*As an employer, the individual assumes certain risks, such as bodily injury or property damage.*

The duties of employees should be designed so as to minimize this risk.

- Hiring someone who is capable of providing the services needed.
  - Can they physically do the job?
  - Are they dependable enough to do the job, etc.
- Moving valuables out of the area that employees will be working.
  - To reduce the risk of theft
  - To reduce the risk of damage to your valuables
- Discuss enrollment in the program with an insurance agent, to review coverage

# Individual / Employer's Responsibilities

As an employer, the individual or their representative takes on some responsibilities. Employer Responsibilities include:

- Hire & train qualified employees
- Inform your case manager of your interest in Self-Directed Attendant Care (SDAC)
- Complete the required enrollment packet
- Create a schedule for your employees
- Monitor your employees time-keeping
- Develop a backup plan for care
- Complete your emergency planning
- Read online training materials and review manual

# An Inventory of My Needs

This is a great tool for identifying what services that will need.

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## Assessing My Lifestyle Worksheet

### Food and eating arrangements

What kind of foods do I usually eat?

Likes

Dislikes

If I like different foods than my Self-Directed Attendant Care Caregiver, will I be willing to eat what he/she likes to cook?

### Housekeeping

Do I like things very neat or am I not particular? What things can be moved and cleaned, and what things do I want left alone?

Would I like a definite schedule for cleaning and laundry, eg, vacuum on Monday and so forth, or would I prefer to be flexible?

### Personal Care

How often do I need to bathe?

How often do I need to shampoo?

# Personal Attendant Responsibilities Worksheet

		Needs:	How Often (days a week/ times a day)?	How long does it take?	Preference of time of day (am/pm):	Notes (include preferences and other things):
<b>OTHERS</b>	Writing Letters/Mail	<b>ADL'S</b>	Bathing/Showering			
	Grocery Shopping		Dressing			
	Computer Assistance		Grooming (shaving, hair care, make-up, oral care)			
	Making Bed		Meal Preparation			
	Driving (Van?)		Eating			
	Errands		Bowel Care			
	Laundry/ Ironing		Bladder Care			
	Housekeeping		Turning in Bed			
	AnswerPhone		Transferring			
	Reading		Exercising			
	Others:		Other:			
				<b>TOTAL:</b>		



# Developing the Job Description and Provider Agreement

## Why have a Job Description / Personal Attendant Provider Agreement

- To help identify who is qualified for the job
- To identify what services will be provided
- To start a discussion with employees and outline the details of the job for everyone

# Who is eligible to be a Personal Attendant?

- Must be at least 18 years of age
- Can be a family member (\*see next slide)
- Must not have been convicted of a felony
- Must review training materials
- Must be registered with Fiscal Intermediary before providing care and being paid by the Medicaid program
- Must provide copy of driver's license and proof of insurance if providing transportation



# Who is **not** eligible to be an Employee / Personal Attendant?

The following individuals are not permitted to be employees / Personal Attendants:

- Spouses
- Parents, if the individual is a minor child receiving services through this program
- Persons who are legally responsible for the individual
- Persons who are serving as a Representative

# Employee Compensation

- Units of care are measured in 15 minute increments, similar to current system, following the plan of care/cost comparison budget.
- Employees will be paid at a rate of \$9.80 (effective 10/1/06) per hour. Raises will be determined by the State of Indiana.
- Taxes will be withheld from paychecks. Paychecks are issued every two weeks.
- The State of Indiana will cover:
  - ❖ taxes on behalf of the employer, in addition to
  - ❖ unemployment insurance
- Contributions are made to provider's Social Security and Unemployment Compensation accounts.
- There is **no** Worker's Compensation for this program.
- **Service hours will be limited to no more than 40 hours per week per provider for this employer. No overtime will be paid.**

# What is a Fiscal Intermediary?

A Fiscal Intermediary processes payroll and completes tax processes on your behalf. The State of Indiana has contracted with Public Partnerships, LLC to perform the role of fiscal intermediary for this program.

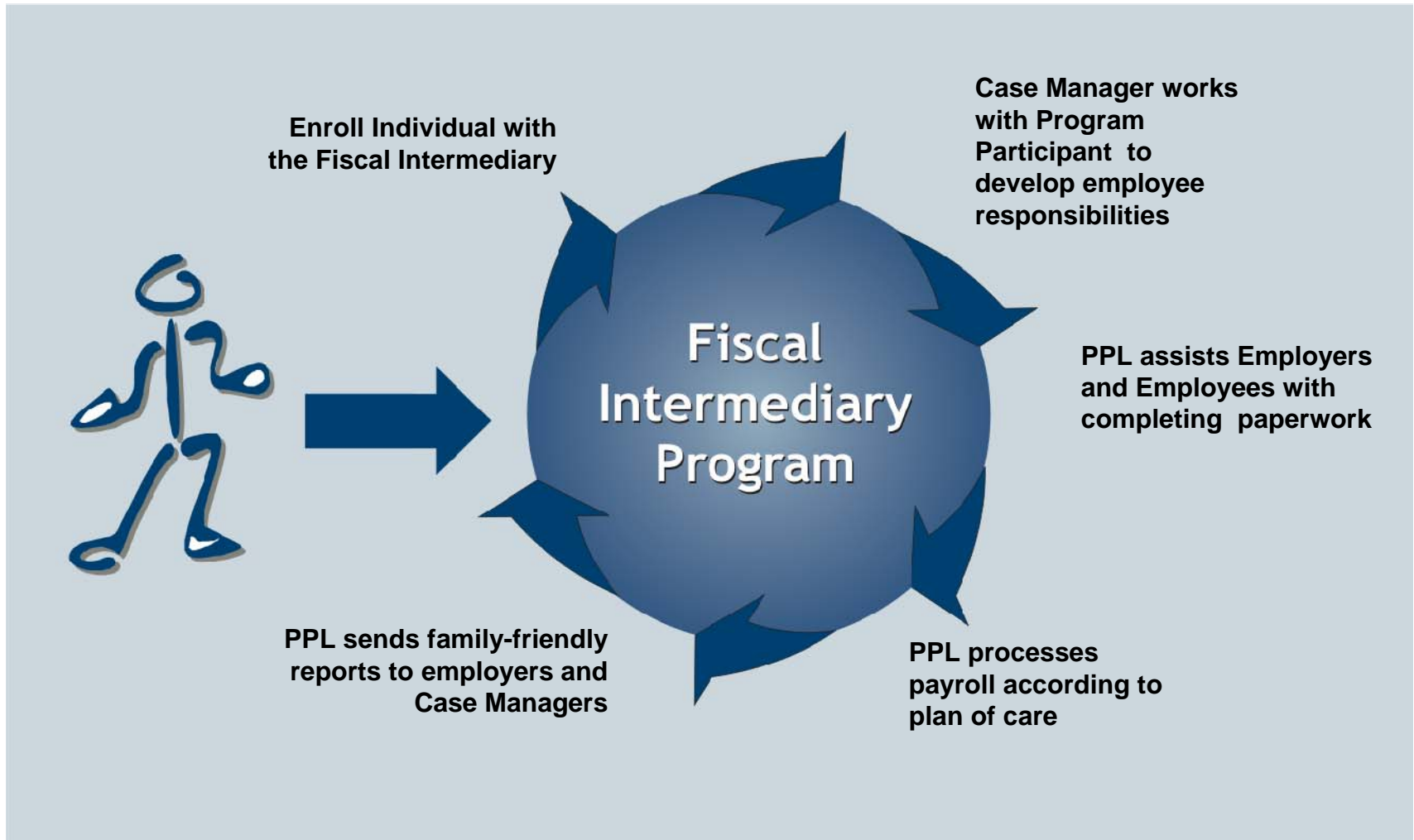
Specifically, a Fiscal Intermediary:

- Pays employees/personal attendants on your behalf
- Withholds and deposits taxes, and files tax and labor reports for you
- Provides you, your employees and your case manager with regular reports that show how authorized units have been spent, and the amount of taxes paid
- Responds to your questions and questions from your employees, and your case manager
- Administers the limited criminal history

# About Public Partnerships, LLC (PPL)

- Public Partnerships, LLC (PPL) is an affiliated company of Public Consulting Group, Inc. (PCG). PCG is a national consulting firm focused on assisting state and local governments to dramatically improve their financial and operational performance.
- PPL was founded in 1999 to focus exclusively on the financial operations of consumer-directed services.
- PPL contracts in nine other states to serve as the Fiscal Intermediary for a variety of human services populations, including mental health, developmental disability, adult protective services, child protective services, and foster care arrangements.
- PPL was hired by Indiana FSSA to be the Fiscal Intermediary for the self-directed care program that is part of the Aged & Disabled Medicaid Waiver.

# Self-Directed: Person Centered Services



# Fiscal Intermediary Benefits

- The individual's personal income tax is not affected.
- Employees will receive a W-2 statement at the end of each calendar year.
- Contributions are made to provider Social Security and Unemployment Compensation accounts.
- Employees receive bi-weekly paychecks, based on time reported to PPL.

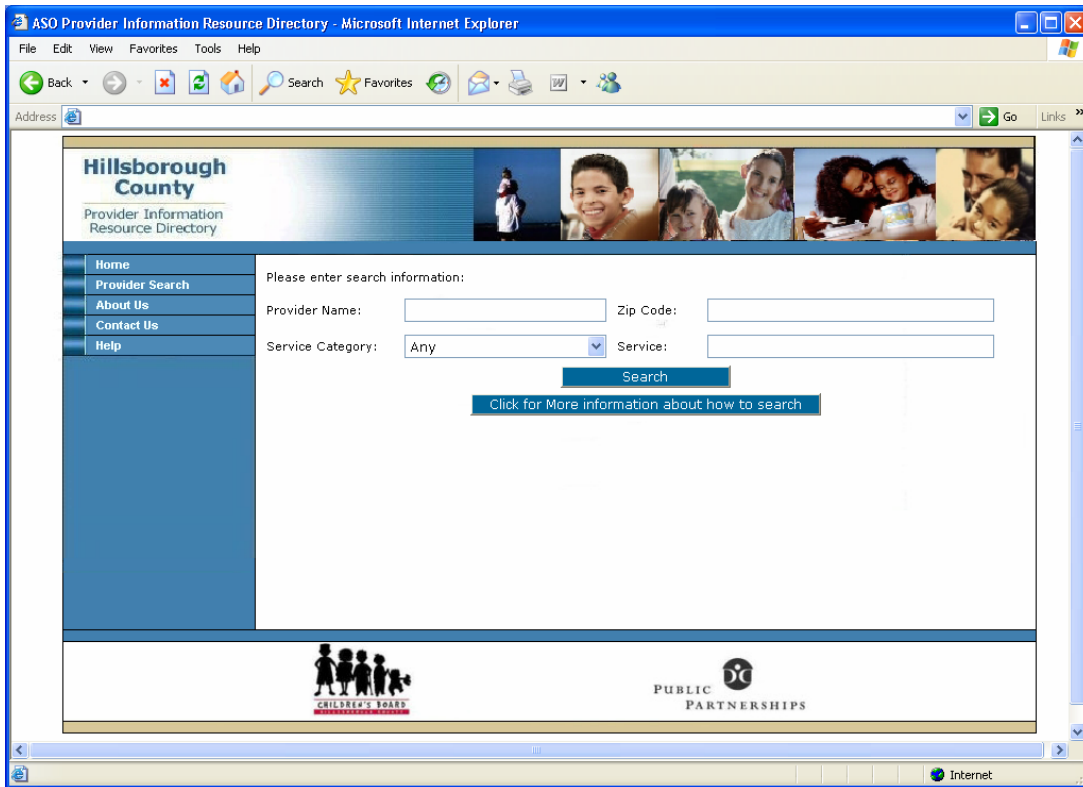


# Timekeeping

- There are two methods for submitting time worked:
  - Telephonic timesheet (preferred method)
  - Physical timesheet (back-up method)
- The telephonic timesheet is done over the phone. The Employee calls a phone number upon arrival and on departure.
- The physical timesheet is completed by faxing or mailing a two-week timesheet signed by both the Employer and Employee to PPL.
- Service hours will be limited to no more than 40 hours per week per provider for each individual  
No overtime will be paid

# Website & Provider Registry

- Contains forms and training materials
- Allows individuals and case managers access to provider database
- Includes services, credentials, hours, location, and contact information for providers who choose to be listed



[www.publicpartnerships.com](http://www.publicpartnerships.com)

# Selecting a Personal Attendant

- Checking References is very important to check someone's reliability and honesty. It is highly recommended.
- There is a Reference Form in your manual, along with tips for checking references.
- Using a screening for drugs, is not mandatory. If you choose to conduct a drug screening, at you or your employee's expense, you should contact your local health department. There is normally a nominal cost for this service.
- Making the offer to a new employee and complete their enrollment

# Communication: Giving Feedback

- Describe the situation as soon as possible after the situation occurs.
- Discuss only one incident at a time.
- Do not bring up things from the past.  
Stick to the present.
- Discuss the person's actions, not the person.
- Keep it brief and to the point.

# Communication: Giving Feedback

The following 3 slides show different ways to respond to a situation.

The last example is the most effective way to resolve the situation. You **can** effectively have your needs met without creating conflict that would lead to an end to your working relationship with your employees. Let's see how...

# Communication: Passive Response

**Situation:** You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

**Passive Response:** You do not say anything and you come in at 10:30.

**Result:** You are upset because you know how tired you will be the next day. All the time you are helping Joe, you feel irritated. He asks if there is something wrong and you say, “No”.

# Communication: Aggressive Response

**Situation:** You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

**Aggressive Response:** You say to Joe, “Don’t you think that I might be really tired if I come that late?”

**Result:** Joe gets angry. He says that you are being rude and inconsiderate of his needs. The next time either the private attendant or the employer wants to change the schedule neither of you will want to ask.

# Communication: Assertive Response

**Situation:** You have been working for Joe for several months. You come in at 8:00 p.m. each evening and help him get ready for bed. Tonight he asks you if you could come in at 10:30 p.m. tomorrow evening. You usually plan to be home by 10:30 p.m., as you have to get up early the next morning.

**Best Response, Assertive Response:  
Express your genuine concerns.**

“Joe, I would really like to help you out but it is difficult for me to stay up that late and then to feel rested the next morning. Is there any other way that we could figure out how to meet your need?”

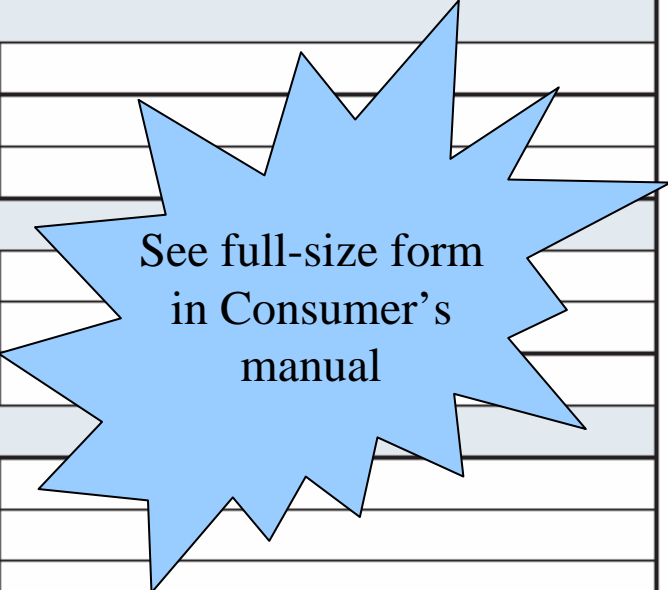
You have been open and honest as to why this does not work for you, but you have shown him your concern for his needs and your willingness to try to figure out another way of working it out.



# Emergency Planning

Expect the unexpected....  
and be ready for it!

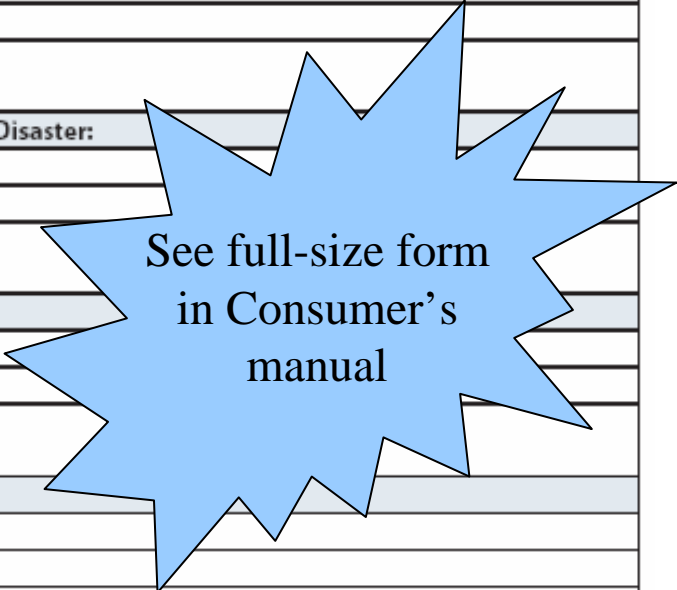
Emergency Information	
<b>Doctor(s)</b>	
Name	
Address	
Phone	
<b>Insurance(s)</b>	
Company	
Address	
Phone	
<b>Hospital(s)</b>	
Name	
Address	
Phone	
<b>Family Member(s)</b>	
Name	
Address	
Phone	
<b>Friend(s)</b>	
Name	
Address	
Phone	
Medical Information _____	
_____	
_____	
_____	
_____	



# Emergency Planning

Expect the unexpected....  
and be ready for it!

Emergency Procedures	
<b>Disability Related Emergency:</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>Back-Up Personal Attendant</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>Non-Disability Related Emergency:</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>Severe Weather or Natural Disaster:</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>Power Outage:</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>List any Allergies:</b>	
Who to Call:	
Phone	
Important Information and Plan	
<b>Additional Phone Numbers</b>	
Police Department:	
Fire Department	
Poison Control:	
<b>If in Doubt Dial 911</b>	



# Rights and Responsibilities

## Employer Rights

- Direct your own personal care.
- Decide who your personal attendant will be and when they will work for you.
- Be treated with dignity and respect, which includes respect of your privacy and confidentiality.
- Replace personal attendants who don't respect your rights.

## Personal Attendant Rights

- To be treated with respect
- Be provided with equipment and supplies that are needed to complete assigned duties
- To request time off with adequate notice
- To be paid on time
- To work in a pleasant, safe, non-threatening environment

# Responsibilities

## Employer

- Being assertive when asking for or turning down help.
- Writing a job description for your personal attendant to sign before starting work.
- Giving praise when it is due.
- Being respectful when talking to your personal attendant.
- Making sure your personal attendant gets paid on time.
- Making emergency information available to your personal attendant.

## Personal Attendant

- Always being on time
- Being honest and open about his/her feelings
- Knowing his or her own skills and limitations and able to discuss them
- Providing reliable, safe, high quality services, as directed
- Making a work schedule with your employer
- Respecting employer and his or her right to privacy and confidentiality
- Notifying employer as soon as possible when he or she knows he or she will be late or unable to work
- Giving at least two weeks notice before making changes or quitting
- Completing job duties as directed

# Quality Assurance

The individual will follow up with his or her case manager, regularly, every 90 days, to ensure that the program is working as planned, or to address any problems that arise.

If a negative report is made, a case manager will file an incident report with the Indiana Family and Social Services Administration (FSSA). An internal committee within FSSA will review quality complaints.

Unresolved, negative quality reports will lead to appropriate action which may include dismissal, removal from the provider registry.

Employees will be notified, in writing, of any complaints and of action to be taken. There is a process in place for appeal.

# Abuse and Neglect

***Abusive behavior is completely unacceptable and is against the law.***

- ❑ **Physical abuse** means any action that causes physical pain or injury including but not limited to hitting, pushing, pinching, or kicking.
- ❑ **Sexual abuse** includes but is not limited to rape; any unwanted sexual contact, or sexual harassment.
- ❑ **Emotional and verbal abuse** includes but is not limited to name calling, intimidation, yelling, and swearing.
- ❑ **Neglect** is defined as the lack of attention and due care.
  - Your personal attendant failing to show up for work is neglectful behavior.
  - Failure to provide the appropriate care, water, food or medication is neglectful behavior.

# Abuse and Neglect

***Abusive behavior is completely unacceptable and is against the law.***

**Protect yourself at all times. There are many things you can do to help protect yourself:**

- Check the person's references.
- Let all your personal attendants know that you will not tolerate abuse or neglect and should something occur you would file charges with the proper authorities.
- Make sure your personal attendant knows you are not isolated; you have a network of support from family and friends.
- Do not minimize any situation you feel as threatening.
- Do not think the situation will go away by itself.
- Tell someone else immediately, if you feel afraid or intimidated by your personal attendant.
- Have someone with you when you terminate the personal attendant's employment.
- Contact your case manager to arrange for alternative care.

# Terminating a Personal Attendant

**You should terminate employment immediately if your personal attendant has:**

- Stolen something from you
- Been abusive physically or mentally
- Severely violated your agreement
- Broken the law. This should also be reported to the police.

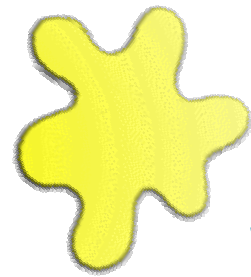
**If you have to terminate your personal attendant's employment:**

- Keep written records of the event(s) and reasons for termination. This will protect you in case of a later dispute.
- Keep employment records for at least six months.
- Have your keys and any other items that belong to you returned.
- Notify your case manager and the fiscal intermediary immediately.
- Consider changing door locks if there has been bitterness over the termination.



# Terminating a Personal Attendant

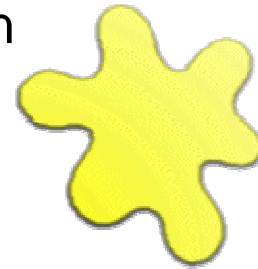
- Have another person present when terminating a personal attendant, or dismiss over the phone if possible.
- Offer a letter of reference there are parts of the job they have done well.
- Plan in advance. Have back-up worker ready to start in case your personal attendant quits right away.
- Give your personal attendant two weeks notice if it will not put you in a risky or uncomfortable situation.
- Notify the fiscal intermediary upon termination of a personal attendant.



# Sticky Situations

# Sticky Situations

By planning ahead, you can avoid many sticky situations. The following slides discuss common situations and how to avoid them.



Many of these situations are avoided by:

- communicating effectively with your employees,
- hiring responsible employees,
- respecting one another, and
- treating your working relationship professionally.

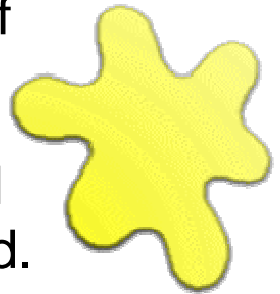
# Sticky Situations

*Tasks not performed properly or completely*

It is important that the activities that you need are being done for you. First, because you and your case manager have determined that you need these activities for daily living.

In addition, this is a Medicaid program. If someone is not performing the services that they are hired and paid to do, that could constitute fraud and Medicaid investigate take action if fraud is suspected.

Enforcement could result in losing your eligibility for this and other programs, as well as prosecution of all parties involved.



# Sticky Situations

## *Communication Problems*

Begin by communicating effectively. Recognize when there is a problem as soon as possible and address it with your employees.

Talk with your case manager, a representative or someone else to discuss how to handle a situation, and follow our guidelines for giving feedback.

Sometimes it is difficult to think of effective ways to communicate. Take some time, talk it over with someone to practice if you need to.



# Sticky Situations



## *Firing a Personal Attendant*

Sometimes things do not work out, for any number of reasons. Ending a work relationship does not have to ruin a relationship with a friend or family member.

Again, communication is the key. Address problems as they arise. Avoid arguments and try to communicate your feelings assertively.

If there has been a change in work performance, and you cannot resolve the issue, you may have to let someone go. Try to find some good that they have done for you and offer a letter of reference.

Be honest and talk about it. Chances are, your employee knows that things are not working out, but they don't want to let you down.



# Sticky Situations

## *Going over budget*

As the employer, you are now responsible for staying within your budget each month. You should develop a schedule for your employees that stays within that budget. If an emergency arises during the week, try to compensate for it throughout the rest of the month. For example, if you go over by 2 hours one week, schedule the next 2 weeks with one hour less, if possible.

If you are not able to adjust your schedule, contact your case manager as soon as possible.

If you consistently go over your budgeted units, you may be responsible for the amount that you go over. In addition, you may become ineligible for this program and your case manager may transition you back to more traditional services that you are presently receiving.

# Where To Go For Help / Customer Service Hotline

General Customer Svc	Public Partnerships (866) 264-2296
Fraud	Attorney General (800) 382-1039  Medicaid Fraud (317) 232-1217 (800) 457-4515
Abuse & Neglect	Adult Protective Services (800) 992-6978



# Next Steps

Thank you for your interest in our program. You can help by:

- **Contact individuals who may be eligible for services.**
- **Help someone request an enrollment packet by calling (866) 264-2296.**
- **Direct an interested individual to talk about this program with their case manager.**
- **Help an individual through the process of enrolling in the program.**
- **Offer to perform the functions of a Representative or find someone who can perform that role.**
- **Help an individual get answers to questions.**
- **Help an individual locate potential employees.**
- **Be supportive of an individual who is enrolling in the Self Directed Attendant Care program.**