

Pennsylvania's Guide to Participant-Directed Services

**Department of Public Welfare
Office of Developmental Programs**

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- Bulletin 00-08-09*, "*Approved Consolidated Waiver Fiscal Year Amendment*"
- Bulletin 00-08-06*, "*Approved Person/Family Directed Support Waiver*"

Section I **(Chapters One-Nine)** **Explaining Participant-Directed** **Services**

Section I of this guide is intended to explain what you need to know about self-directing Participant-Directed Services (PDS) and provide you with as much or as little information as you need or want. Section I of the guide can be used by Chapter or as a whole document. Section I, Chapter Three (the "E-Z Guide to Participant-Directed Services") is a short and simple version of things you will need to know to get familiar with Participant-Directed Services. Chapters Four through Eight are more detailed explanations of Participant-Directed Services than what you read about in the E-Z Guide to Participant-Directed Services. Chapter Nine is a brief description of Provider-Managed Services.

Chapter One

Overview of Participant-Directed Services

Overview of Participant-Directed Services

This guide was developed to help people understand what Participant-Directed Services means and what Participant-Directed Services you can self direct.

Participant Direction, also known as self direction, means that the participant or their surrogate (representative) has decided to become a **Common Law Employer** or a **Managing Employer**. To do this, you must use an Intermediary Service Organization (ISO), now known as **Financial Management Service (FMS) Organizations**. When you become the Common Law Employer or Managing Employer you are able to make decisions about some or all of the supports and services authorized in the participant's person-centered **Individual Support Plan (ISP)**. The person who is the Common Law Employer or Managing Employer must understand and agree to the responsibility of self-directing or managing the Participant-Directed Services and supports in the participant's Individual Support Plan. Participant direction or self direction is different from selecting a provider to manage or take care of the supports and services because the person who becomes the Common Law Employer or Managing Employer does that with some support from the Financial Management Services organization.

To self direct Participant-Directed Services, the participant who is getting the supports and services must live in his or her own private residence or the residence of a family member or friend. Participants living in licensed and unlicensed agency owned, rented, leased, or operated residences may not self direct Participant-Directed Services at this time. Participants in licensed and unlicensed agency owned, rented, leased or operated residences must be given choice in their lives and will experience all the choice and control of living an Everyday Life. To self direct Participant-Directed Services, however, you must become a Common Law Employer or Managing Employer and can only do that by choosing one of the Financial Management Services organizations to self direct Participant-Directed Services.

History has shown that participants and surrogates have done an excellent job of self directing their supports and services when using one of the Financial Management Service options!

Section I, Chapter Three is an E-Z guide to Participant-Directed Services developed for ease in understanding the basic information you need to know so you can make decisions about how you want your supports and services to be managed. Once you read the E-Z guide to Participant-Directed Services, the following chapters in Section I include more detailed information on all the rules and requirements of self directing Participant-Directed Services.

Chapter Two

Who can help you?

Who can help you?

There are many people who play a part in explaining your choices for service delivery and how best to manage supports and services. The Supports Coordinator (SC), Administrative Entity (AE) or County Program, and the Office of Developmental Programs (ODP) are all responsible to provide participants full access to all choices of service management and to also explain those choices to you in a clear and objective manner. These individuals are also required to explain the policies related to those options. The Financial Management Service organizations are responsible to explain their service and how to complete any paperwork related to the use of their service.

The following is a list of people who are able to explain your choices and help you make decisions that are right for you or the person you represent. You can use this page to include contact information on the lines provided below. For support and assistance in locating the contact information for the people below, please contact your Supports Coordinator to help get you started.

- Your family and Friends:

- Your personal support person (soon to be called support broker) or advocate, if you have one:

- Your Supports Coordinator:

- The Supports Coordination Organization where your Supports Coordinator works:

- The Administrative Entity that authorizes your services (Waiver):

- The County Program that provides your funding (non-Waiver):

- Your Office of Developmental Programs Regional Office:

- The Office of Developmental Programs: **1-888-565-9435**

- Financial Management Service Providers/Organizations (Agency With Choice and/or Vendor Fiscal/Employer Agent):

Chapter Three

E-Z Guide to Participant-Directed Services

E-Z Guide to Participant-Directed Services

Making your Decision:

When you receive funding for services, you will need to make some decisions and maybe accept new responsibilities. You will now be called a **“participant”** and have an opportunity to make choices about your supports and services and who will provide them. You may decide who to hire, what to pay them (using the Office of Developmental Programs’ approved wage ranges), and decide if you need help with these things. If you live in your own private residence or in the residence of a family member or friend, you can choose one of the following ways to manage and control your supports and services, as well as the funding to pay for the supports and services. You might choose a **Provider Agency** or several provider agencies to handle things for you. You might choose one of the two types of **Financial Management Services**. You might choose a combination of providers and one of the Financial Management Service options. The Financial Management Service organizations used to be called Intermediary Service Organizations. The two options for Financial Management Services are as follows:

- If you choose to become a Common Law Employer and manage your supports and services, you can choose the **“Vendor Fiscal/Employer Agent Financial Management Service” (VF/EA FMS)** option.
- If you would like someone to **share the Common Law Employer responsibilities** with you by becoming a **Managing Employer**, you can choose the **“Agency With Choice Financial Management Service” (AWC FMS)** option.
- You might choose to use **both** a provider agency(s) and one of the two Financial Management Service options offered.

Let’s follow Carlos as he looks at the choices he needs to make.

Carlos has completed his planning meeting and will be getting funding to pay for the supports and services he needs. He is looking at the choices he has to make to use his funding to get services and supports. He contacts his Supports Coordinator and starts to look at his choices. A few of Carlos's friends offer to show him how they do things.

Carlos' friend, Gretchen needs services similar to his. He contacts her and finds out that she prefers to use **Provider Agencies** for all of her services. She doesn't want to worry about any details and she trusts the Agency to provide what she needs. Carlos knows this option works best for Gretchen, but he wants to see how Jacob does things.

Jacob gets to hire and dismiss his own staff and he likes that! He wanted to be the Common Law Employer but knew he could not do all the work to be a Common Law Employer so he asked his cousin Bob to be his **surrogate (representative)**. Bob does all of the Common Law Employer responsibilities like interviewing staff, approving time sheets, and scheduling the staff's work hours. Being Jacob's **surrogate (representative)** means that Bob is the **actual employer** of Jacob's staff, but Bob and Jacob work together to ensure that Jacob gets the services he needs in the way that he wants to get them. Bob directs the service workers who provide Jacob's services. Bob works with a Vendor Fiscal/Employer Agent Financial Management Service organization to become the Common Law Employer. Carlos discovers that this option is called the **Vendor Fiscal/Employer Agent Financial Management Service** and that Bob does almost all the Common Law Employer functions except handle the money and payments to workers directly. Jacob informs Carlos that he has a friend Sally who decided she did not need a surrogate and that she is the Common Law Employer. He also has a friend Yon who chose to be the Common Law Employer but Yon has a personal support person to assist him with some of the Common Law Employer functions. Jacob tells Carlos he could arrange a meeting to meet Sally and Yon if he would like to do so. Carlos is very interested in all of the ways you can use the Vendor Fiscal/Employer Agent Financial Management Service option so he may decide to meet

Jacob's friends Sally and Yon. He decides to look at *all* his choices.

Next, he visits his friend DuShane. DuShane is doing things differently than Jacob! He doesn't want to do all of the work needed to hire staff but he wants to take part in picking who will provide his supports and services. He works with an agency who shares the work of a Common Law Employer with him. When DuShane finds someone he wants to work for him, he interviews them and then tells the agency he likes them and wants them hired. Once approved, the agency does the work to hire and pay the person. Carlos discovers that this is called the **Agency With Choice Financial Management Service** because the agency and DuShane share the responsibility of being the Common Law Employer. DuShane is very happy with his choice because he has an important say in who works with him, when they work, and what they do. DuShane tells Carlos that he has friends who also use an Agency With Choice Financial Management Service but those friends decided they needed a surrogate or assistance from a personal support person to perform the employer duties. Carlos is pleased to know you have the same choices to pick a surrogate and use a personal support person in the Agency With Choice Financial Management Service option.

Finally, Carlos calls his friend, Tanisha. He is surprised to find out that she uses a **combination** of the Vendor Fiscal/Employer Agent Financial Management Service and a Provider Agency! Her Supports Coordinator told her it was okay to use one of the Financial Management Services organizations and a provider at the same time since that was what she needed to meet her needs. Tanisha thinks it is great that she can be the Common Law Employer, or get staff through the use of a provider. This option works best for Tanisha and she is very happy!

Now, it is time for Carlos to review his options and choose the one that is right for him. Carlos calls his Supports Coordinator and asks her to help him schedule a team meeting so that he can decide and plan for his supports and services.

You can use the chart on the next two pages of this booklet to review the choices that you have for Financial Management Services. The chart also includes what a provider does so you can compare the Financial Management Service options to provider-managed services and make the choice that is best for you.

History has shown that participants and surrogates have done an excellent job of self directing their supports and services when using one of the Financial Management Service options!

Side-by-Side Comparison Chart

Function	Vendor Fiscal/ Employer Agent Financial Management Service	Agency with Choice Financial Management Service	Provider
Hire Qualified Support Service Workers	Participant or surrogate (representative) recruits, interviews, and hires Support Service Workers. Participant or surrogate (representative) is the Common Law Employer of qualified Support Service Workers.	Participant or surrogate (representative) can recruit and interview Support Service Workers and refer prospective Support Service Workers to the Financial Management Service for assignment back to the participant <u>or</u> select Support Service Workers referred to them by the Financial Management Service. The Financial Management Service and participant or surrogate (representative) are joint-employers of Support Service Workers; the Financial Management Service is the legal employer for human resources, payroll and quality assurance purposes; the participant or surrogate (representative) is the Managing Employer.	Provider has all legal responsibilities for hiring of Support Service Workers and all aspects of service delivery in accordance with the services associated with the participant's Individual Support Plan guided by principles of Self Determination and Everyday Lives.
Ensure Support Service Workers Meet Qualification Criteria	Participant or surrogate (representative) is responsible to ensure all qualified Support Service Workers who providing Waiver services meet applicable provider qualification criteria; the Financial Management Service assists with this function as necessary and maintains documentation of qualification.	The Financial Management Service is responsible for verifying that all qualified Support Service Workers meet the applicable provider qualification criteria for providing Waiver services, which includes conducting the required background checks.	Provider is responsible for verifying that all qualified Support Service Workers meet the applicable provider qualification criteria for providing Waiver services, which includes conducting the required background checks.

Side-by-Side Comparison Chart (continued)

Function	Vendor Fiscal/ Employer Agent Financial Management Service	Agency with Choice Financial Management Service	Provider
Develop Qualified Support Service Workers' Schedules	Participant or surrogate (representative) develops Support Service Workers' work schedules and emergency back-up plans.	Participant or surrogate (representative) develops qualified Support Service Workers' work schedules and emergency back-up plans, with assistance from the Financial Management Service, as requested.	Provider develops qualified Support Service Workers' work schedules and emergency back-up plans.
Develop Qualified Support Service Worker Responsibilities	Participant or surrogate (representative) develops employee responsibilities.	The Financial Management Service develops Financial Management Service-related Support Service Workers' responsibilities; participant or surrogate (representative) develops participant-specific Support Service Workers' responsibilities.	Provider develops employee responsibilities.

What services are identified as Participant-Directed Services?

The following is a list of **Waiver** service categories* identified as Participant-Directed Services. These services are subject to the participant's approved and authorized Individual Support Plan. These services are also subject to any existing service limitation and provider limitations identified in the approved Waivers and corresponding service definitions:

- **Home and Community Habilitation (Unlicensed)**
- **Supported Employment**
- **Transitional Work Services**
- **Home Finding**
- **Homemaker/Chore**
- **Unlicensed Respite**
- **Personal Support Services**
- **Environmental Accessibility Adaptations**
- **Adaptive Appliances/Equipment**
- **Transportation (Mile) and Public Transportation**

***These services are subject to change when and if the Waivers and corresponding service definitions are amended.**

The following is a list of **base-funded** service categories identified as Participant-Directed Services. These services are subject to the approved and authorized Individual Service Plan. These services are also subject to any existing service limitations and provider limitations identified in the approved Service Definitions Bulletin and 55 Pa.Code Chapter 6350 regulations:

- **All services listed above as a Waiver service category in addition to the services listed below**
- **Education Support Services**
- **Family Aide**
- **Special Diet Preparation**
- **Recreation/Leisure Time Activities**
- **Home Rehabilitation**
- **FSS/Consumer Payment**
- **Respite Camp**
- **Support (Medical Environment)**
- **Respite (Medical Environment)**

Abbreviated list of Definitions and Acronyms:

(Complete list of definitions and acronyms can be found in Section II beginning on page 69 of this guide).

(AWC FMS) Agency With Choice Financial Management Service: One of the types of Financial Management Service options. In this model, the agency is the Common Law Employer and the participant or their chosen surrogate (representative) is the Managing Employer.

Common Law Employer: Person who is the legal employer of the staff they hire.

(FMS) Financial Management Service Provider or Organizations: A provider or organization that provides administrative services to support employer functions.

(ISP) Individual Support Plan: An integrated planning document reflecting "Person-Centered Planning", the core values of *Everyday Lives*, and Positive Approaches to result in an enhanced quality of life for everyone who receives supports and services funded by the Pennsylvania Office of Developmental Programs. The ISP includes both paid supports and services and non-paid, natural supports and services that are reflective of the participant's needs.

Liable: When someone is liable, it means they are the person who is responsible by law.

Managing Employer: In the Agency With Choice Financial Management Service option, the person is onsite and enters into a joint-employer arrangement with the Agency With Choice Financial Management Service. The Managing Employer performs some employer functions but is not the Common Law Employer.

Participant: Normally, participant refers to a person enrolled in one of the Waivers. For the purposes of the guide, however, participant refers to a person who receives funding for supports and services from the Office of Developmental Programs.

(PDS) Participant-Directed Services: The identified supports and services that have been identified as eligible for the Participant-Directed Services program that can be paid by the Financial Management Service organization.

Provider Agency: An agency that provides the supports and services needed and requested. The agency is the Common Law Employer.

Self Direct: Participant or their surrogate (representative) manages the Participant-Directed supports and services in the authorized Individual Support Plan by becoming a Common Law Employer or Managing Employer.

(SC) Supports Coordinator: The Supports Coordinator is a paid professional who is responsible for locating, coordinating, and monitoring supports and services for the participant.

(SSW) Support Service Worker: A staff person who is hired by a Common Law Employer and is paid by the Financial Management Services organization.

Surrogate (Representative): The person the participant designates to act on their behalf as the Common Law Employer or Managing Employer. The surrogate (representative) accepts the responsibility of the Common Law Employer or Managing Employer and works with the participant to make sure they are fulfilling their wishes and needs as desired. Sometimes, a surrogate is a legal representative who is legally appointed to act on behalf of the person.

(VF/EA FMS) Vendor Fiscal/Employer Agent Financial Management Service: One of the types of Financial Management Service options. In this model, the participant or their surrogate (representative) is the Common Law Employer and the Vendor Fiscal/Employer Agent Financial Management Service is the Common Law Employer agent.

Waiver Funding: A type of money the Office of Developmental Programs uses to pay for participant services. The money is part federal dollars and part state dollars and there are federal and state criteria for eligibility for waiver funding.

Non-Waiver or Base Funding: A type of money the Office of Developmental Programs or the County Program uses to pay for participant services. The money is either state dollars or a combination of state and county dollars.

Important Contact Information: Label that must be added here by the Administrative Entity or County Program that includes information on: Supports Coordination Organizations, Administrative Entity and County Program, the local Agency With Choice Financial Management Service, the local Vendor Fiscal/Employer Agent Financial Management Service for base-funded participants, and Acumen contact information for Waiver participants.

Office of Developmental Programs (ODP) Contact Information: (When calling ask for the Participant-Directed Services Point Person)

Southeast Regional Office: 215-560-2245

Northeast Regional Office: 570-963-3166

Central Regional Office: 717-772-6507

Western Regional Office: 412-565-5144

ODP Customer Services Number: 1-888-565-9475

Disability Rights Network (DRN): 1-800-692-7443

Chapter Four

Financial Management Services

Financial Management Services:

Such organizations were known in Pennsylvania as Intermediary Service Organizations, but more recently were referred to as Financial Management Service organizations. Financial Management Service organizations were developed to perform two primary functions:

- To reduce employer-related work associated with self directing services and to enhance choice and control.
- Assure supports and services are being provided in compliance with federal, state, and local tax and labor requirements related to the employment of qualified Support Service Workers (SSWs).

Why do you need to use Financial Management Service organizations?

- Federal Medicaid law prohibits participants or their chosen surrogate (representative) from receiving Medicaid funds directly.
- Only Medicaid Waiver providers may receive Medicaid funds directly.
- Due to this federal policy, an organization is needed to perform payroll and payment-related employer responsibilities for participants or surrogates (representatives) who choose to become the Common Law Employer or Managing Employer of Support Service Workers.
- The Office of Developmental Programs recognizes the complexity of performing the payroll and payment-related employer responsibilities and, therefore, encourages County Programs to utilize Financial Management Service organizations for base-funded participants choosing this option.
- Financial Management Service organizations perform “**administrative services**” to support participants or their surrogate (representative) in the management of

the participant's supports and services identified in the Participant-Directed Services portion of the participant's approved and authorized Individual Support Plan.

Why don't you get to choose the Financial Management Service organization?

The Financial Management Service organizations that are available to participants registered with Pennsylvania's Office of Developmental Programs are "**administrative services**" provided for both Waiver-funded contracts and base-funded contracts. For Waiver participants, when something is an "**administrative service**", it is not like other Waiver Services. When something is "administrative", the choice of picking the organization is not available or required.

What can you choose?

A participant or their surrogate (representative) does have the ability to select the **type** of Financial Management Service organization they want to use.

Which Financial Management Service option is right for you?

A participant or surrogate (representative) who decides to participate in the hiring and management of Support Service Workers has two "administrative" Financial Management Service options. They are as follows:

- **Vendor Fiscal/Employer Agent Financial Management Service**
- **Agency With Choice Financial Management Service**

NOTE: The fee to the Financial Management Service organization shall not be included in the Participant's Individual Support Plan "services" budget.

Vendor Fiscal/Employer Agent Financial Management Service:

- The participant or their surrogate (representative) is the “**Common Law Employer**”, also known as the “**Employer of Record**”.
- The Support Service Workers you hire are legally your employees.
- As the Common Law Employer, you assume full and legal responsibility for all employer-related functions of being the Common Law Employer. The only exceptions are those functions required of the Vendor Fiscal/Employer Agent Financial Management Service.
- The Vendor Fiscal/Employer Agent Financial Management Service is considered the “**employer agent**” or fiscal agent acting as a “check book” because their main functions are processing payroll for the Support Service Workers, processing other payments and performing payment-related activities. Acumen Fiscal Agent (AFA) is the statewide Vendor Fiscal/Employer Agent Financial Management Service organization for Waiver participants in Pennsylvania for the Office of Developmental Programs. The phone number for Acumen is: 1-866-717-6251. Please note that the Acumen Corporate Headquarters is located in Mesa, Arizona; therefore, there is a 3 hour time difference when calling. If you receive base funding, you can obtain the local Vendor Fiscal/Employer Agent Financial Management Service phone number by calling your Supports Coordinator.

Agency With Choice Financial Management Service:

- The participant or their surrogate (representative) becomes the **Managing Employer** and works cooperatively with the Agency With Choice Financial Management Service.
- **The Agency With Choice Financial Management Service is the “Employer of Record”** who will perform most of the financial functions and some other employer related duties.
- The qualified Support Service Workers are the employees of the Agency With Choice Financial Management Service.
- **The participant or their surrogate (representative) is the “Managing Employer”** performing some Managing Employer tasks with the employees.
- The participant or their surrogate (representative) and the Agency With Choice Financial Management Service will enter into a **joint-employer arrangement** and share the responsibilities of being a Common Law Employer.
- Contact your Supports Coordinator or Administrative Entity or County Program for the name and contact information for the Agency With Choice Financial Management Service in your Administrative Entity or County Program area.

Vendor Fiscal/Employer Agent and Agency With Choice Financial Management Services Comparison

Function	Vendor Fiscal/Employer Agent Financial Management Service	Agency With Choice Financial Management Service
Hire Qualified Support Service Workers	Participant or surrogate (representative) recruits, interviews, and hires Support Service Workers. Participant or surrogate (representative) is the Common Law Employer of qualified Support Service Workers.	Participant or surrogate (representative) can recruit and interview Support Service Workers and refer prospective Support Service Workers to the Financial Management Service for assignment back to the participant <u>or</u> select Support Service Workers referred to them by the Financial Management Service. The Financial Management Service and participant or surrogate (representative) are joint-employers of Support Service Workers; the Financial Management Service is the legal employer for human resources, payroll, and quality assurance purposes and the participant or surrogate (representative) is the Managing Employer.
Ensure Support Service Workers Meet Qualification Criteria	Participant or surrogate (representative) is responsible for ensuring all qualified Support Service Workers providing waiver services meet applicable provider qualification criteria; the Financial Management Service assists with this function as necessary and maintains documentation of qualification criteria.	The Financial Management Service is responsible for verifying that all qualified Support Service Workers meet the applicable provider qualification criteria for providing Waiver services including conducting the required background checks. Managing employer assists with the qualifications.
Develop Qualified Support Service Workers' Schedules	Participant or surrogate (representative) develops work schedules and emergency back-up plans for the Support Service Workers.	Participant or surrogate (representative) develops work schedules and emergency back- up plans for the qualified Support Service Workers with assistance from the Financial Management Service, as requested.
Develop Qualified Support Service Worker Responsibilities	Participant or surrogate (representative) develops employee responsibilities, job descriptions, completes evaluations, and maintains Support Service Worker personnel files.	Financial Management Service develops Financial Management Service-related Support Service Worker responsibilities; participant or surrogate (representative) develops participant-specific Support Service Worker responsibilities.
Provide Training to Qualified Support Service Workers	Participant or surrogate (representative) provides training to employees.	Financial Management Service and participant or surrogate (representative) jointly provides Support Service Worker training.
Approve Qualified Support Service Workers' Timesheets and invoices	Participant or surrogate (representative) approves, signs, and submits qualified Support Service Worker's timesheet to the Financial Management Service. Participant or surrogate (representative) collects, approves, and submits all other invoices to Financial Management Service for processing against the authorized Individual Support Plan.	Participant or surrogate (representative) approves and signs qualified Support Service Worker's timesheet; the Financial Management Service verifies information on timesheet against the authorized Individual Support Plan. Participant or surrogate (representative) collects, reviews, and submits to the Financial Management Service all other invoices in accordance with the authorized Individual Support Plan. The Financial Management Service verifies and processes in accordance with the authorized Individual Support Plan.

Vendor Fiscal/Employer Agent and Agency With Choice Financial Management Services Comparison (Continued)

Function	Vendor Fiscal/Employer Agent Financial Management Service	Agency With Choice Financial Management Service
Prepare and Distribute Qualified Support Service Workers' Paychecks, and File and Deposit Required Federal, State, and Local Taxes and Insurances	Financial Management Service	Financial Management Service
Dismiss Qualified Support Service Worker, When Necessary	Participant or surrogate (representative) may dismiss the participant's qualified Support Service Worker, when appropriate,	Participant or surrogate (representative) may notify the Financial Management Service of desire to dismiss qualified Support Service Workers from the home and receive assistance from the Financial Management Service in performing this task, upon request. The Financial Management Service is responsible for terminating qualified Support Service Workers from the Financial Management Service.

Chapter Five

Participant-Directed Services

Participant-Directed Services

Who can self direct Participant-Directed Services?

- To self direct Participant-Directed Services, the participant who is getting the Participant-Directed supports and services **must live** in his or her own private residence or the residence of a family member or friend.
- Participants living in licensed and unlicensed agency owned, rented, leased, or operated homes **may not** participate in Participant-Directed Services at this time, but must be given choice in their lives and will experience all the choice and control of living an Everyday Life.
- Participants or their surrogate (representative) **must choose** to use one of the Financial Management Services options to assist with participant-directed services.
- The participant's Individual Support Plan must have authorized Participant-Directed Services that are paid by a Financial Management Service organization.

How is this different from choosing a traditional provider to manage all my services?

- The participant or their surrogate (representative) is a Common Law Employer or Managing Employer.
- The participant or their surrogate (representative) is directly involved in deciding what services and supports you need, when you need them, and who will provide them.
- Self Direction or Participant-Direction means the participant or their surrogate (representative) decides how to meet their identified needs, with the support of family, friends, and professionals.
- The participant or their surrogate (representative) who decides that they would like choice and control through

self directing Participant-Directed Services will have **"Employer Authority"** and **"Budget Authority"**.

What is Employer Authority?

Employer Authority means you are a type of employer and as a Employer you can:

- Be more active in choosing and managing qualified Support Service Workers.
- Take on some designated responsibilities as the Common Law Employer or Managing Employer.

What are the types of Employer Authority you can choose from?

There are two Financial Management Service options to choose from that offer Employer Authority:

- Vendor Fiscal/Employer Agent Financial Management Service option: The participant or their surrogate (representative) becomes the **"Common Law Employer"**.
- Agency With Choice Financial Management Service option: The participant or their surrogate (representative) becomes the **"Managing Employer"**.

What is Budget Authority?

Budget Authority is available to Common Law Employers and Managing Employers. Budget Authority is the ability to:

- Choose the supports and services that are required to meet the participant's identified needs.
- Choose or recruit who will provide the supports and services and how much the Support Service Workers will be paid using the established wage ranges.
- Shift services and funds among the approved and authorized Participant-Directed Services included in the

Participant-Directed Services' portion of the Participant's Individual Support Plan **with** prior approval from their Supports Coordinator.

What services are identified as Participant-Directed Services?

Participant-Directed Services that are Waiver funded:

The list shown below is a list of Waiver service categories that can be paid by a Financial Management Service organization and can be in the Participant-Directed Services portion of the participant's approved and authorized Individual Support Plan for a Waiver participant. The amount of service is also subject to any existing service limitations and provider limitations identified in the approved Waivers and corresponding service definitions:

- Home and Community Habilitation (Unlicensed)
- Supported Employment
- Transitional Work Services
- Home Finding
- Homemaker/Chore
- Unlicensed Respite (includes respite camp)
- Personal Support Services
- Environmental Accessibility Adaptations
- Adaptive Appliances/Equipment
- Transportation (Mile) and Public Transportation

The above services are subject to change when and if the Waivers and corresponding services definitions are amended. Additionally, other supports and services are available to Waiver participants for inclusion in the approved and authorized Individual Support Plan based on identified needs; however, these other services and supports are not designated Participant-Directed Services and, therefore, will not be a part of the Participant-Directed Services portion of the Individual Support Plan budget.

Participant-Directed Services that are Base funded:

The list shown below is a list of base-funded service categories that can be paid by a Financial Management Service organization and can be included in the Participant-Directed portion of the approved and authorized Individual Support Plan for base-funded participants. The amount of service is also subject to any existing service limitations and provider limitations identified in the approved service definitions bulletin and 55 Pa.Code Chapter 6350 regulations:

- Home and Community Habilitation (Unlicensed)*
- Supported Employment*
- Transitional Work Services*
- Home Finding*
- Homemaker/Chore*
- Unlicensed Respite (includes respite camp)*
- Personal Support*
- Environmental Accessibility Adaptations*
- Adaptive Appliances/Equipment*
- Transportation(Mile) and Public Transportation*
- Education Support Services
- Family Aide
- Special Diet Preparation
- Recreation/Leisure Time Activities
- Home Rehabilitation
- FSS/Consumer Payment
- Respite Camp
- Support (Medical Environment)
- Respite (Medical Environment)

*These supports and services are the same as those identified for Waiver participants.

The above services are subject to change, when and if the regulations and Service Definitions are amended. Additionally, other supports and services are available to base-funded participants for inclusion in the approved and authorized Individual Support Plan based on identified

needs; however, these other services and supports are not designated Participant-Directed Services and, therefore, will not be a part of the Participant-Directed Services portion of the Individual Support Plan budget.

Chapter Six

Vendor Fiscal/Employer Agent Financial Management Service

Is the Vendor Fiscal/Employer Agent Financial Management Service Option Right for You?

What is a Vendor Fiscal/Employer Agent Financial Management Services Organization?

- A Vendor Fiscal/Employer Agent Financial Management Service Organization is an “**administrative service**” that supports a participant or their **surrogate (representative)** who wants to hire and manage their Support Service Workers.
- The Vendor Fiscal/Employer Agent Financial Management Service Organization assists the participant or their surrogate to become the “**Common Law Employer**” and performs “**employer agent**” functions, like processing payroll for the Support Service Workers, other payments, and performing payment-related activities.
- Under the Vendor Fiscal/Employer Agent Financial Management Service Organization model, **the participant or their surrogate (representative) retains full and legal responsibility for all aspects of being the Common Law Employer**, with the exception of processing payroll for the Support Service Workers, withholding and reporting taxes, obtaining and processing worker’s compensation and insurance payments, and processing payment of all other invoices.
- The Vendor Fiscal/Employer Agent Financial Management Service Organization is the Common Law Employer **agent** or fiscal agent who is often thought of as the “checkbook or check-cutting company” because the main functions of the Vendor Fiscal/Employer Agent Financial Management Service organization are to process payroll, other payments, and perform payment-related activities.

Is Using a Vendor Fiscal/Employer Agent Financial Management Service Organization right for you?

If you would like to become the Common Law Employer and have “employer authority” to hire and manage the participant’s Support Service Workers, here are a few things you should do and think about before making a final decision to use this management option:

- Contact your Supports Coordinator, Administrative Entity, or County Program to obtain information about the Vendor Fiscal/Employer Agent Financial Management Service organization option. Review all of the materials carefully to ensure you are eligible and understand the rules and responsibilities.
- After reading Pennsylvania’s Guide to Participant-Directed Services, there are a few questions you should ask yourself:

1. Do you have a circle of friends and family (natural supports) to help meet your needs? Meaning, are there people in your life who can provide services free of charge? If so, these people should be considered to provide unpaid supports and should be identified in participant’s Individual Support Plan.

- a. If you answered “no” you should think about whether or not you know people (that you trust and whom are qualified) that you can pay to provide services to you or the person you represent.
- b. If you do not have natural supports and do not know anyone that you can pay to provide supports, would you be willing to find and hire (recruit) qualified Support Service

Workers by posting an advertisement in the local paper or on the bulletin board at your community center?

2. Is it important to you to have employer authority and control over the people who provide services to you or the person you represent?
3. Do you meet the requirements, located on the next two pages of this guide, to become a Common Law Employer?
4. Do you have the skills necessary to be a **Common Law Employer and self-direct your supports and services**? If not, do you have a family member or friend who can be your surrogate (representative) and function as the Common Law Employer? Being a Common Law Employer and having employer authority means understanding and following employment laws related to recruiting, hiring, and managing Support Service Workers, in addition to **taking the responsibility and risks (liability) associated with being the Common Law Employer.**
5. Do you have the time necessary to complete all of the Common Law Employer-related responsibilities?

If you want **choice and control** and think **you want to become a “Common Law Employer”** and believe you have the skills necessary to self direct your services and supports, the Vendor Fiscal/Employer Agent Financial Management Service option may be right for you. Refer to the Agency With Choice information in

Section I, Chapter Seven, of this guide as you make your final decisions.

Things You Should Know to Become a Common Law Employer:

There are a number of things that you need to know and should think about before you decide if you would like to become a **Common Law Employer**.

They are as follows:

- The Vendor Fiscal/Employer Agent Financial Management Service organization cannot enroll you into this management option alone. You must work with the following entities:
 - The Administrative Entity or County Program.
 - Your Supports Coordinator.
 - The local Vendor Fiscal/Employer Agent Financial Management Service organization, if you are receiving base funds.
 - The statewide Vendor Fiscal/Employer Agent Financial Management Service organization (Acumen Fiscal Agent), if you are a Waiver participant.
- The Administrative Entity, County Program and/or Supports Coordinator will provide you with information about self directing Participant-Directed Services. They will do that with you at intake, during regular planning meetings, and upon request.
- Acumen Fiscal Agent will explain how to complete the paperwork located in the Acumen information packet, if you have decided you want to become the Common Law Employer.
- You should review the entire Pennsylvania guide and Acumen's information packet before finalizing your decision.
- Like all other decisions related to the approved and authorized Individual Service Plan, you should talk to your team to discuss all of your options so you can make the best decision for you or the person you represent.

Requirements to become a Common Law Employer:

- Be at least 18 years of age or older.
- Have a criminal background check as per the Older Adult Protective Services Act (OAPSA), 35 P.S. § 10225.101 et. seq., 6 Pa.Code Chapter 15, and when serving a child under age 18, conduct child abuse clearances as per the Child Protective Services Law (CPSL), 23 Pa. C.S. Chapter 63.
 - If the participant has not been a resident of the Commonwealth for the 2 years immediately preceding the date of request to become a Common Law Employer, they shall require a History Record from the Federal Bureau of Investigation (FBI), 35 P.S. § 10225.502(a)(2). This requirement also applies to a surrogate (representative).
 - The list of prohibitive offenses is located in Section II of this guide. A signature from the Common Law Employer indicating a clean background will be accepted in lieu of a background check until further notice. If the Common Law Employer does have one of the offenses on the list, a confidential review of the offense will be held to determine if this should preclude the person from becoming the Common Law Employer. That review will be done by the Office of Developmental Programs' Regional Office Participant-Directed Services Point Person. It should also be noted, that these background checks are **only** to determine the ability for the participant or surrogate (representative) to qualify as the Common Law Employer and will not impact any other role the person may have with the participant.
- When notified, participate in the required training sponsored by Office of Developmental Programs and the Vendor Fiscal/Employer Agent Financial Management Service organization.
- Sign any and all agreements and forms related to the Vendor Fiscal/Employer Agent Financial Management Service option located in Section III of this guide.

- Agree to perform all the tasks outlined in Office of Developmental Programs' Common Law Employer/Surrogate (representative) Agreement and the Bulletin 00-08-14, "*Vendor Fiscal/Employer Agent Financial Management Services*".
- Agree to work with the Supports Coordinator to develop and revise the participant's Individual Support Plan as needed and required and participate in the required monitoring.

Common Law Employer/Employer of Record Responsibilities:

General Responsibilities: As the Common Law employer, the participant or their surrogate (representative) assumes full and legal responsibility to:

- Work with the Supports Coordinator to determine the supports and services needed in the participant's Individual Support Plan and participate in the required Supports Coordination monitoring.
- Complete the required trainings offered by Office of Developmental Programs and the Vendor Fiscal/Employer Agent Financial Management Service organization.
- Sign all required agreements with Office of Developmental Programs and the Vendor Fiscal/Employer Agent Financial Management Service organization.
- Complete all required Internal Revenue Service tax paperwork provided to you by the Vendor Fiscal/Employer Agent Financial Management Service organization.
- Recruit and hire qualified Support Service Workers.
- Secure other qualified vendors or small unlicensed providers to provide needed services.
- Ensure that all required qualifications paperwork is completed prior to Support Service Workers beginning employment or services being rendered.
- Refer Support Service Workers to the Vendor Fiscal/Employer Agent Financial Management Service organization to have the required criminal background checks completed.
- Refer Support Service Workers to the Vendor Fiscal/Employer Agent Financial Management Service organization to have the required child abuse clearances completed, if applicable.
- Assign tasks, develop schedules, provide supervision, complete orientation and training, complete evaluations, and manage all day-to-day activities for the Support Service Workers in accordance with the authorized

Individual Support Plan. This includes arranging for back-up coverage when needed.

- Assure all required Support Service Workers' paperwork is completed including documentation of outcomes (i.e., Progress notes).
- Negotiate Support Service Workers' wages within the established ranges.
- Review, approve, and submit timesheets and other invoices to the Vendor Fiscal/Employer Agent Financial Management Service organization as required.
- Track utilization for the Participant-Directed Service portion of the participant's Individual Support Plan to ensure spending is in line with the authorized Participant-Directed Services and budget. Resolve issues identified as necessary.
- Notify the Supports Coordinator of any changes needed to the Participant-Directed Services' portion of the participant's authorized Individual Support Plan *before* the change occurs.
- Report incidents to the Supports Coordinator as required in Bulletin 6000-04-01, located in Section IV of this guide.
- Notify the Vendor Fiscal/Employer Agent Financial Management Service organization when any fraud or financial abuse of the authorized Individual Support Plan funds occurs or is suspected.
- Respond to surveys from the Vendor Fiscal/Employer Agent Financial Management Service organization or Office of Developmental Programs regarding satisfaction with Vendor Fiscal/Employer Agent Financial Management Services.
- Agree to pay for services rendered that were not authorized in the participant's Individual Support Plan. The Vendor Fiscal/Employer Agent Financial Management Service organization will contact the Common Law Employer if there are timesheet or invoice questions on what the Common Law Employer submitted to the Vendor Fiscal/Employer Agent Financial Management Service organization. If the Common Law Employer and Vendor Fiscal/Employer Agent Financial Management Service

organization need to contact the Supports Coordinator or Administrative Entity or County Program to resolve the situation, the Common Law Employer will initiate the contact with those Entities or Organizations.

The complete list of employer responsibilities is located in the Common Law Employer/Surrogate Agreement Form found in Section III of this guide (also located in Bulletin 00-08-14, *"Vendor Fiscal/Employer Agent Financial Management Services"*, which can be found in Section IV of this guide).

Vendor Fiscal/Employer Agent Financial Management Service Organization Responsibilities:

The primary role of the statewide Vendor Fiscal/Employer Agent Financial Management Service organization is to act as the Common Law Employer agent for the participant or their surrogate (representative) who is the Common Law Employer of the qualified Support Service Workers they hire directly. As the Common Law Employer agent, the Vendor Fiscal/Employer Agent Financial Management Service organization is responsible for processing payroll for qualified Support Service Workers hired directly by participants or their surrogate (representative) and for paying for other authorized participant-directed services delivered in accordance with participants' Individual Support Plans (to qualified, small unlicensed providers, individuals providing transportation for mileage reimbursement, and vendors). In order to fulfill this role, the Vendor Fiscal/Employer Agent Financial Management Service organization must apply for and receive approval from the Internal Revenue Service to act as the Common Law Employer agent for each participant or surrogate (representative) it represents.

Vendor Fiscal/Employer Agent Financial Management Service Organization General Responsibilities:

- Provides you with information on the Vendor Fiscal/Employer Agent Financial Management Service organization packet regarding submission and completion of paper work related to being the Common Law Employer.
- Provides you with a Common Law Employer/Surrogate Agreement Form to sign.
- Processes all necessary fiscal employer-related paperwork.
- Processes required criminal background checks, and child abuse clearances when applicable.

- Validates that all the Support Service Workers meet qualifications standards.
- Collects all required paperwork to ensure payment to Support Service Workers.
- Completes all required Internal Revenue Service (IRS) paperwork.
- Withholds files and pays taxes and workers compensation for the Support Service Workers as required by law. Reports and pays all employer taxes as required.
- Pays all qualified Support Service Workers, vendors, and small unlicensed providers (serving four [4] or less people statewide) as per the participant's authorized Individual Support Plan.
- Issues wage statements and other related forms as required by law.
- Records utilization of the Participant-Directed Services portion of the Individual Support Plan and sends reports to the Common Law Employer to assist employers in **tracking** utilization and spending that is in line with the authorized Participant-Directed Services portion of the Individual Support Plan.
- Submits service claims to Provider Reimbursement and Operation Management Information System (PROMISE) for payment by the Administrative Entity until June 30, 2009. Effective July 1, 2009, the Vendor Fiscal/Employer Agent Financial Management Service organization will bill the Provider Reimbursement and Operation Management Information System and receive payment from the State Treasury. For non-Waiver services, the County Program will reimburse their local Vendor Fiscal/Employer Agent Financial Management Service organization for approved claims submitted through the Provider Reimbursement and Operation Management Information System.
- Reports any misuse of authorized Individual Support Plan funds to the Office of Developmental Programs.
- Sends annual satisfaction survey to participant or their surrogate.

The Vendor Fiscal/Employer Agent Financial Management Service organization can only pay for the authorized services in the participant's Individual Support Plan that have been delivered by qualified Support Service Workers, vendors, small unlicensed providers, and individuals providing transportation for mileage reimbursement. The Vendor Fiscal/Employer Agent Financial Management Service organization may not pay for services that have not been authorized or for services provided in settings licensed by the Department of Public Welfare.

A complete list of responsibilities for the Vendor Fiscal/Employer Agent Financial Management Service organization is in the Vendor Fiscal/Employer Agent Financial Management Services Policy Bulletin 00-08-14, which is located in Section IV of this guide. The average time it takes to complete all the required paperwork will depend upon a number of things. In the past it has taken between 4-8 weeks. This can vary, however, based on individual circumstances.

Chapter Seven

Agency With Choice Financial Management Services

Is the Agency With Choice Financial Management Services Option right for you?

What is an Agency With Choice Financial Management Services provider?

- An **'administrative service'** provider that supports a participant or their **surrogate (representative)** who want **some level** of involvement in the management of their Support Service Workers and other supports and services authorized in the participant's Individual Support Plan.
- The Agency With Choice Financial Management Service organization and the participant or **surrogate (representative)** enter into a **joint-employment agreement** and must work collaboratively to ensure the participant receives the authorized supports and services from qualified Support Service Workers, vendors, transportation for mileage providers and small unlicensed providers.
- **The Agency With Choice Financial Management Service organization becomes the Common Law Employer/Employer of Record** who is responsible for services that include the completion of human resources paperwork for hiring qualified Support Service Workers, orientation and training of workers, payroll processing, tax reporting, insurance payments, etc.
- **The participant or surrogate (representative) becomes the Managing Employer** who recruits and refers qualified Support Service Workers for hire, participates in training workers, determines worker schedules, assigns tasks that fulfill the outcomes in the participant's authorized Individual Support Plan, manages the daily activities of the workers and notifies the Agency With Choice Financial Management Service organization when discipline or dismissal is needed or desired.

Is Using an Agency With Choice Financial Management Service organization right for you?

If you would like to become the Managing Employer and have "employer authority" to **participate** in the hiring and management of your Support Service Workers, here are a few things you should think about and do before making a final decision to use this management option:

- Contact your Supports Coordinator, Administrative Entity, or County Program to obtain information on the Agency With Choice Financial Management Service option. Review all of the materials carefully to ensure you are eligible and understand the rules and responsibilities.
- After reading the Pennsylvania Guide to Participant-Directed Services, there are a few questions you should ask yourself:
 1. Do you have a circle of family and friends (natural supports) to help meet your needs? Meaning, are there people in your life who can provide services free of charge? If so, these people should be considered to provide unpaid supports and should be identified in the participant's Individual Service Plan.
 - a. If you answered "no", you should think about whether or not you know people (that you trust and are qualified) whom you could **refer** to the Agency With Choice Financial Management Service organization to become paid Support Service Workers for you or those you represent.
 - b. If you do not have natural supports and you do not know anyone whom you can pay to provide supports, would you be willing to enter into a **joint-employment** relationship with the Agency With Choice Financial Management Service organization to find qualified Support Service Workers in a way that is acceptable to both you and the

Agency With Choice Financial Management
Service organization?

2. Is it important for you to have **some employer authority** and control over the people who provide services to you or to the person you represent?
3. Do you meet the requirements for becoming a Managing Employer located in the next two pages of this guide?
4. Do you have the skills necessary to be a **Managing Employer**? If not, do you have a family member or friend who can be your surrogate (representative), who can function as the Managing Employer? Being a Managing Employer and having employer authority means you understand and follow employment laws related to recruiting, hiring, and managing Support Service Workers. It also means having the ability to fulfill the established Managing Employer functions.
5. Do you have the time necessary to complete all of the Managing Employer responsibilities?

If you want **some choice and control** and think you want to be a **Managing Employer** the Agency With Choice Financial Management Service option may be right for you. Refer to the Vendor Fiscal/Employer Agent Financial Management Service information located in Section I, Chapter Six, of this guide before you make your final decision.

Things You Should Know to Become a Managing Employer:

There are a number of things that you need to know and should consider when you are deciding if you would like to become a **Managing Employer**. They are as follows:

- The Agency With Choice Financial Management Service provider cannot enroll you into this management option alone. You must work with the following entities:
 - The Administrative Entity or County Program.
 - Your Supports Coordinator.
 - The Agency With Choice Financial Management Service provider.
- You should review all informational materials associated with the Agency With Choice Financial Management Service option before finalizing your decision.
- In addition, if you have any additional questions about the Agency With Choice Financial Management Service model outlined in the Pennsylvania Guide to Participant-Directed Services, you should contact your Supports Coordinator.
- If you would like to learn more about or talk to the Agency With Choice Financial Management Service organization, you may contact them directly by obtaining the phone number from your Supports Coordinator, Administrative Entity, or County Program.
- Like any other decisions related to the participant's approved and authorized Individual Support Plan, you should talk to your team to discuss all of your options so you can make the best decision for you or the person you represent.

Requirements to become a Managing Employer:

- Be at least 18 years of age or older.
- Complete a State Police criminal background check as per the Older Adult Protective Services Act, 35 P.S. § 10225.101 et. seq., 6 Pa.Code Chapter 15, and when serving a child under age 18, conduct child abuse clearances as per the Child Protective Services Law 23 Pa. C.S. Chapter 63.

If the participant or surrogate (representative) has not been a resident of the Commonwealth for the two years immediately preceding the date of request to become the Common Law Employer, they shall require a History Record from the Federal Bureau of Investigation as per 35 P.S. § 10225.502(a)(2). This requirement also applies to a surrogate (representative).

The list of prohibitive offenses is located in Section II of this guide. If the Managing Employer does have one of the offenses on the list, a confidential review of the offense will be held to determine if this should preclude the person from becoming the Managing Employer. That review will be done by the Office of Developmental Programs' Regional Office Participant-Directed Services Point Person and the Agency With Choice Financial Management Service provider. It should also be noted that these background checks are **only** to determine the ability for the participant or surrogate (representative) to qualify as the Managing Employer and will not impact any other role the person may have with the participant. The Agency With Choice Financial Management Service provider will process these background checks.

- Participate in the required training sponsored by Office of Developmental Programs and the Agency With Choice Financial Management Service organization.

- Sign any and all agreements and forms with the Office of Developmental Programs and the Agency With Choice Financial Management Service organization related to the Agency With Choice Financial Management Service option located in Section III of this guide.
- Agree to perform all the tasks outlined in the Office of Developmental Programs Managing Employer Agreement Form and Bulletin 00-08-08, *"Agency With Choice Financial Management Services"*.
- Agree to work with the Supports Coordinator to develop and revise the participant's Individual Support Plan as needed and required and participate in the required monitoring.

Managing Employer General Responsibilities:

- Work with the Supports Coordinator to determine the supports and services needed in the participant's authorized Individual Support Plan and participate in the required Supports Coordination monitoring.
- When notified, complete the required trainings offered by the Office of Developmental Programs and the Agency With Choice Financial Management Service organization.
- Sign all required agreements with the Office of Developmental Programs and the Agency With Choice Financial Management Service organization.
- Complete all required paperwork provided to you from the Agency With Choice Financial Management Service organization.
- Recruit and refer for hire qualified Support Service Workers.
- Request dismissal of Support Service Workers from working if needed or desired.
- Find other qualified vendors or small unlicensed providers.
- Ensure that all required qualifications paperwork is completed prior to Support Service Workers beginning employment or services being rendered.
- Refer Support Service Workers to the Agency With Choice Financial Management Service provider to have the required criminal background checks completed.
- Refer Support Service Workers to the Agency With Choice Financial Management Service provider to have the required child abuse clearances completed, if applicable.
- Assign tasks, develop schedules, provide supervision, provide or participate in orientation and training, provide the Agency With Choice Financial Management Service organization feedback for worker evaluations and manage the day-to-day activities for the Support Service Workers in accordance with the authorized Individual Support Plan. This also includes arranging for emergency back-up coverage.

- Assure all required Support Service Worker paperwork is completed including documentation of outcomes (i.e., progress notes).
- Negotiate Support Service Workers wages within the Office of Developmental Programs' approved and established wage ranges.
- Review and approve timesheets, as well as, all other invoices for processing by the Agency With Choice Financial Management Service organization.
- Track utilization of the Participant-Directed Services portion of the Individual Support Plan to ensure spending is in line with the authorized Participant-Directed Services and budget. Work with the Agency With Choice Financial Management Service organization to resolve issues identified, as necessary.
- Notify the Supports Coordinator of any changes needed in the Participant-Directed Services portion of the authorized Individual Support Plan before the change occurs.
- Report incidents to the Agency With Choice Financial Management Service organization as required in Bulletin 6000-04-01, located in Section IV of this guide.
- Notify Agency With Choice Financial Management Service organization when any fraud or financial abuse of the authorized Individual Support Plan funds occurs or is suspected.
- Respond to surveys from the Agency With Choice Financial Management Service provider and the Office of Developmental Programs regarding satisfaction with the Financial Management Services organization.
- Agree to pay for services rendered that were not authorized in the Individual Support Plan. The Agency With Choice Financial Management Service organization will contact the Managing Employer if there are questions on a timesheet or invoice submitted to the Agency With Choice Financial Management Service organization. If the Managing Employer and Agency With Choice Financial Management Service organization need to contact the Supports Coordinator or Administrative Entity or County Program to resolve the situation, the Managing Employer

will initiate contacting those Entities or Organizations unless they request assistance from the Agency With Choice Financial Management Service organization.

A complete list of Managing Employer responsibilities can be found in both the Managing Employer Agreement Form, which is located in Section III of this guide, and Bulletin 00-08-08, *"Agency With Choice Financial Management Services"*, which is located in Section IV of this guide.

Agency With Choice Financial Management Service Organization General Responsibilities:

The Agency With Choice Financial Management Service organization is generally responsible for the following activities:

- Provides you with Managing Employer-related training.
- Provides you with an Agency With Choice Financial Management Service Agreement Form to sign.
- Hires qualified Support Service Workers that the Managing Employer refers to them to provide services.
- Completes evaluations of Support Service Workers.
- Remove Support Service Workers from working with the participant when requested by the Managing Employer.
- Terminates Support Service Workers as necessary and when appropriate.
- Processes all necessary fiscal employer-related paperwork.
- Processes required criminal background checks for Support Service Workers and Managing Employers.
- Ensures all Support Service Workers meet qualification standards and ensures orientation and training is provided.
- Collects all required paperwork to ensure payment to Support Service Workers.
- Completes all Internal Revenue Service paperwork required.
- Withholds, files, and pays taxes and workers compensation for the Support Service Workers as required by law.
- Pays all Support Service Workers as per approved timesheets and the authorized Individual Support Plan.
- Issues wage statements and other related forms as required by law.
- Pays other qualified vendors or qualified small unlicensed providers as per the authorized Individual Support Plan.

- Tracks utilization of the Participant-Directed Services portion of the Individual Support Plan to ensure spending is in line with the authorized Participant-Directed Services and budget. Provides monthly statements to managing employer for review. Works with the Managing Employer to correct identified issues as necessary.
- Submits service claims to Provider Reimbursement and Operation Management Information System for reimbursement by the Administrative Entity or County Program. Effective July 1, 2009, the Agency With Choice Financial Management Service organization will submit Waiver service claims to Provider Reimbursement and Operation Management Information System for payment through the State Treasury. The County Program will reimburse the Agency With Choice Financial Management Service organization for non-Waiver service claims approved through Provider Reimbursement and Operation Management Information System.
- Reports any misuse of the authorized Individual Service Plan funds to ODP and the Administrative Entity or County Program.
- Reports incidents as required in Bulletin 6000-04-01, *"Incident Management"*.
- Sends annual satisfaction survey as required for completion.

A complete list of Agency With Choice Financial Management Service responsibilities can be found in Bulletin 00-08-08 *"Agency With Choice Financial Management Services"*, which is located in Section IV of this guide. The average time it takes to complete all the required paperwork will depend upon a number of things. This will vary based on individual circumstances.

Chapter Eight

Facilitating Participant-Directed Services

Facilitating Participant-Directed Services:

Working together to facilitate Participant-Directed Services:

For many years in Pennsylvania, participants or their surrogates (representatives) have been able to self direct supports and services through the use of Financial Management Service Providers and Organizations. Those who have chosen to self direct their supports and services have done so with great success.

Once you are enrolled with one of the Financial Management Service options, you may find you need support so that you can fulfill all of the work that needs to get done to be a good Common Law Employer or Managing Employer. Being a Common Law Employer or Managing Employer is not easy, but there are people who can provide you support in order for you to be successful.

The Agency With Choice Financial Management Service organization, the Vendor Fiscal/Employer Agent Financial Management Service organization, your Supports Coordinator, Administrative Entity or County Program, and the Office of Developmental Programs can work with you to address your needs and concerns. If you or the person you are representing as a surrogate are not happy with the option you selected or if you need assistance fulfilling your role, your team will meet to discuss how to best support you and facilitate a solution. Some things to consider are as follows:

- If you are the participant functioning as the “Common Law Employer” in the Vendor Fiscal/Employer Agent Financial Management Service model or the “Managing Employer” in the Agency With Choice Financial Management Service model, you may just need additional training or guidance.
- You may also discuss and consider using a Personal Support or Supports Broker to assist you.

- You may consider selecting a surrogate (representative) to manage your services as the Common Law Employer.
- If you have a surrogate and they are not performing well, you may decide to select a new surrogate (representative).
- If you are a participant using the Vendor Fiscal/Employer Agent Financial Management Service option, you could also decide to change options and select the Agency With Choice Financial Management Service option and become a Managing Employer.
- You may decide to use a combination of Provider-managed services and reduce the amount of self-directed services.
- If those options do not fit your needs, you could decide to select a qualified traditional, agency-based service Provider of your choice.

Just like provider-operated services, when individuals self direct there will be situations that arise that require communication, attention, and facilitation to resolve the identified situation. It is very important for all team members to work cooperatively to support those who are self directing. Many questions have been raised like, "What should I do if the Common Law Employer or Managing Employer makes a mistake? Who should I tell?" In self-directed services you should respond the same way you do when you have an issue or concern with a provider-managed service. Open communication and facilitating discussion will be the key to good outcomes and a good resolution. It will be expected that the team maintain their existing roles of facilitation and support.

History has shown that participants and surrogates have done an excellent job of self directing their supports and services when using one of the Financial Management Service options!

Chapter Nine
Provider-Managed Services

Selecting Provider-Managed Services instead of one of the Financial Management Service Options:

Provider-Managed Services

Although provider-managed services are not considered “self direction”, there are many choice and control options associated with this service delivery model. These options should be talked about so the participant or their surrogate (representative) has all the information needed to select the best service management option for them. It is also important for participants and their surrogates (representatives) to know that they can utilize willing and qualified providers to fulfill the outcomes in the authorized Individual Support Plan while the paperwork is being completed for enrollment in one of the Financial Management Service options. Provider- managed services can also be used in combination with one of the Financial Management Service options. You can also select more than one provider to render services to meet the outcomes in the plan. For example, if your Individual Support Plan includes Home and Community Habilitation (Unlicensed) services, you can select more than one provider to render the total units of Home and Community Habilitation (Unlicensed) services authorized in your Individual Support Plan.

- In Pennsylvania the choice of qualified providers is required for all Waiver participants. It is strongly encouraged by the Office of Developmental Programs for all participants receiving services.
- Guided by the principles of Self Determination and *Everyday Lives*, providers of service have embraced giving participants or their surrogate (representative) as much choice and control as possible.
- Although the provider, once selected, has the full and legal responsibility for managing all aspects of service delivery in accordance with the services associated with that provider in the participant’s authorized Individual Support Plan, the ability for you to provide input

regarding those services and how they are delivered should always be taken into account by the provider.

- The ability to select the qualified provider of your choice has both expanded the provider network and has allowed more input into the delivery of those services.
- In Provider-managed services, the participant or their surrogate (representative) has no legal responsibility for the management of services and supports and all the “Common Law Employer” or “Employer of Record” responsibilities rest with the provider.
- This option allows for input but does not require additional responsibilities for the management of the services and supports identified in the authorized Individual Support Plan.

What should you expect when you decide to pick a Provider instead of becoming a Common Law Employer or Managing Employer?

- You should be offered a choice of qualified providers.
- You should be able to change providers if you want to by working with the provider and the Supports Coordinator.
- You should be included in decisions about your services and how they will be provided.
- You should expect services to be provided at the level identified in your authorized Individual Support Plan unless the team determines a change is required.
- You should expect the provider to give you information about utilization of services they provide for you, when requested.
- You should expect quality services utilizing a Person-Centered approach.
- You should expect open and honest communication regarding the supports and services in the authorized Individual Support Plan or in regards to service that may be needed.
- You should expect the provider staff to be qualified, trained, and courteous and to report to work on time.

Section II

Supporting Information

This section of the guide was developed to give you additional information to fully understand the terms, definitions, and acronyms related to Participant-Directed Services. Also included in this section are two documents that will help you decide if you or the people you want to hire are qualified.

Definitions and Acronyms List

[A]

(AFA) Acumen or Acumen Fiscal Agent: The statewide Vendor Fiscal/Employer Agent Financial Management Service organization on contract with the Office of Developmental Programs for Waiver participants who are the “employer of record”.

(AE) Administrative Entity: The Administrative Entity is a county/joinder or non-governmental unit with an agreement or contract with the Office of Developmental Programs to perform operational and administrative functions delegated by the Office of Developmental Programs, related to the approved Consolidated and Person/Family Directed Support (P/FDS) Waivers.

Administrative Service: An administrative service is funded through administrative (non-Waiver) dollars; therefore, an administrative service is not subject to free choice requirements.

(AWC FMS) Agency With Choice Financial Management Service: One of the types of Financial Management Service options. In this model the agency is the Common Law Employer and the participant or their chosen surrogate (representative) is the Managing Employer.

Approval and Authorization: The confirmation that services are necessary to meet assessed needs and funds are approved for a service or services. The County Program or Administrative Entity must approve the Individual Support Plan and authorize the funding before services can be delivered.

[B]

Base-funded service categories: The services that can be paid for using base (non-Waiver) dollars.

Budget Authority: The ability to:

- Choose the supports and services that are required to meet the participant's identified needs.
- Choose or recruit who will provide the supports and services and how much the Support Service Workers will be paid using the established wage ranges.
- Shift services and funds among the approved and authorized Participant-Directed Services included in the Participant-Directed Services portion of the participant's Individual Support Plan **with** prior approval from their Supports Coordinator.

[C]

Choice and Control: As it relates to Participant-Directed Services, the ability to make decisions about the supports and services needed and to manage those supports and services in the authorized Individual Support Plan.

Common Law Employer: Person who is the legal employer of the staff they hire.

Criminal Background Check: The processing of paperwork to the Pennsylvania State Police, Pennsylvania Child Abuse Registry, or the Federal Bureau of Investigation to determine if someone was convicted of a crime that would preclude them from becoming the Common Law Employer, Managing Employer, or a Support Service Worker.

[D]

[E]

Emergency back-up plan: The plan that the Common Law Employer, Managing Employer, or providers are required to develop to ensure services and supports are rendered when regularly scheduled staff are not available to provide services. Back-up plans can involve the use of paid staff and natural or community supports.

Employee: The person who is hired to work for the Common Law Employer.

Employee Wage Ranges: The Office of Developmental Programs' approved hourly wage and benefit allowances that are available to participants or surrogates (representatives) to use when hiring staff to work for them. The wage to the worker, plus the benefit allowance, can be negotiated by the participant or surrogate using these Office of Developmental Programs' approved wage ranges.

Employer Authority: The participant or surrogate (representative) is a type of employer; as a Common Law Employer, you can be more active in choosing and managing qualified Support Service Workers and take on some designated responsibilities of the Common Law Employer or Managing Employer.

Employer of Record: Another term for Common Law Employer. The Common Law Employer of record is the legal employer of the staff they hire.

Everyday Lives: The ability for individuals or participants to live an everyday life that is unique to the person, based on their personal preferences. A copy of the *Everyday Lives Making It Happen* booklet may be obtained at www.odpconsulting.net. Choose "ODP – DPW Priorities", then choose "Everyday Lives" to view the booklet. A copy may also be obtained by calling the Office of Developmental Programs' Customer Service Number 1-888-565-9435.

[F]

(FEIN) Federal Employer Identification Number: The number that the Vendor Fiscal/Employer Agent Financial Management Service organization obtains on behalf of the person or from the person becoming the Common Law Employer that identifies them as the Common Law Employer to the Internal Revenue Service for tax reporting purposes.

(FMS) Financial Management Service: A provider or organization that provides administrative services that supports some identified employer functions. Primarily a Financial Management Service processes payments and performs some employer functions on behalf of a participant or surrogate (representative).

Fraud: Generally, the term means to lie or commit an act of deceit. Examples of fraud would be stealing money or misrepresenting how the money was spent.

[G]

[H]

[I]

(IM) Incident Management: This term means the identifying and reporting of situations or accidents that meet the Office of Developmental Programs' definition of a reportable incident.

(ISP) Individual Support Plan: An integrated planning document reflecting "Person-Centered Planning", the core values of *Everyday Lives* and positive approaches to result in an enhanced quality of life for everyone who receives supports and services funded by the Office of Developmental Programs. The plan includes both paid supports and services and non-paid natural supports and services that are reflective of the participant's needs.

(ISO) Intermediary Service Organization: An old term that was used to describe the organizations now known as Financial Management Service organizations.

(IRS) Internal Revenue Service: The federal agency that is responsible for federal tax law, tax collection, and tax reporting.

[J]

Joint–Employer Agreement/Arrangement: The agreement or arrangement that is made between the Agency With Choice Financial Management Service provider and the person who becomes the Managing Employer.

[K]

[L]

(L+I) Labor and Industry: The department that governs the rules and laws related to the payment to someone who performs work.

Liable: When someone is liable, it means they are the person who is responsible by law.

[M]

Managing Employer: The person who is the onsite supervisor of the Support Service Workers in the Agency With Choice Financial Management Service option.

Medicaid Recipient: The person who receives Medical Assistance benefits.

Medicaid Waiver: The use of Medicaid funds to pay for services identified in the approved Waiver applications. A Waiver allows the Centers for Medicare and Medicaid Services (CMS) to “waive” certain federal requirements so Medicaid services can be provided in home and community settings. A Medicaid Waiver must be implemented as per the Waiver application submitted by the State, and approved by the Centers for Medicare and Medicaid Services.

[N]

Non-discrimination: Not allowing some people to be treated better than others due to prejudices.

[O]

(ODP) Office of Developmental Programs: The office within the Department of Public Welfare that is responsible for the management of supports and services to individuals with mental retardation and autism.

Office of Developmental Programs Bulletin: These are the policies written and distributed by the Office of Developmental Programs to support rules, regulations, requirements, and policies.

[P]

Participant: Normally, participant refers to the person enrolled in one of the Waivers; but for the purposes of the guide, it is the person who receives funding and supports and services funded by the Office of Developmental Programs.

(PDS) Participant-Directed Services: The list of identified services in the service definitions and approved Waivers that are available to self direct.

(PCP) Person-Centered Planning: Person-Centered Planning is a way for a participant to say what is important to them and to their life. The planning focuses on the participant's interests, strengths, and needs. It is a plan for the participant and no one else.

Principles of Self Determination: Self Determination means that with the support of family and friends, people with developmental disabilities decide how to live their lives, what supports they need, and how to spend their money in their individualized budgets. Self Determination is based on the core

principles of Choice, Control, Quality, Stability, Safety, Individuality, Freedom, Relationships, Success, Mentoring, Accountability, Collaboration, Community Integration, and opportunities to contribute to the community. For more information, please see Bulletin 00-03-05, *"Principles for the Mental Retardation System"*.

Progress Notes: The form that is required to be completed by the Common Law Employer, Managing Employer, or providers for all supports and service outcomes identified and paid for in a participant's Individual Support Plan.

Provider Management of Services: When a provider is responsible for the supports and services that are rendered.

(POA) Power of Attorney: Authority to sign or act on behalf of a person. There are different types of "power of attorney" and most power of attorneys are limited to specific functions.

[Q]

[R]

[S]

Self Determination: Self Determination means that people with developmental disabilities, with the support of family and friends, decide how to live their lives, what supports they need, and how to spend their money in their individualized budgets. Self Determination is based on the principles of Choice, Control, Quality, Stability, Safety, Individuality, Freedom, Relationships, Success, Mentoring, Accountability, Collaboration, and Community Integration, and Contributing to the Community.

Self Direction: This means the participant or their surrogate (representative) manages and directs the supports and services in the participant's Individual Support Plan. In order to self direct, you must become either a Common Law Employer or Managing Employer, use one of the Financial Management

Service options, and you must live in your own private residence or the residence of family.

Stakeholder: A person or organization that has a vested interest.

(SC) Supports Coordinator: The Supports Coordinator is a paid professional who is responsible for locating, coordinating, and monitoring supports and services with and for the participant.

(SSW) Support Service Worker: A staff person who is hired by a Common Law Employer and is paid by the Financial Management Service organization.

Surrogate (representative): The person the participant designates to act on their behalf as the Common Law Employer or Managing Employer. The surrogate (representative) accepts the responsibility of the Common Law Employer or Managing Employer and works with the participant to make sure they are fulfilling the participant's wishes and needs, as desired. Sometimes a surrogate is a legal representative, who was legally appointed to act on behalf of the person.

[T]

[U]

[V]

Vendor: A company that provides goods and services to the participant.

(VF/EA FMS) Vendor Fiscal/Employer Agent Financial Management Service: One of the types of Financial Management Service options. In this model, the participant or their surrogate (representative) is the Common Law Employer and the Vendor Fiscal/Employer Agent Financial Management Service is the fiscal agent.

[W]

Waiver: Waiver refers to the current, approved Consolidated and Person/Family Directed Support Waivers. A Waiver allows the Centers for Medicare and Medicaid Services to “waive” certain federal requirements so Medical Assistance services can be provided in home and community settings. A Medicaid Waiver must be implemented as per the Waiver application submitted by the State, and approved by the Centers for Medicare and Medicaid Services.

[X]

[Y]

[Z]

**Office of Developmental Programs Consolidated and Person/Family Directed Support Waiver Provider
Qualification Documentation Requirements**

July, 2008

Requirements	Department of Public Welfare Unlicensed Services							Supporting Documentation ¹
	Home & Community Habilitation Supported Employment Transitional Work	Home Finding Personal Support	Homemaker/Chore	Transportation	Transportation (Relative)	Respite (Unlicensed Setting)	Education Support	
Waiver services are in the columns on the right. Waiver standards, required licenses, and required certifications are listed below. An "X" in the corresponding row indicates the standard applies to the service. The documentation described in the corresponding row is verified by the employer to determine the provider's qualification. The employer maintains documentation for four years.								Providers Of Department of Public Welfare Unlicensed Waiver Services Serving 25 or Less Consolidated and Person/Family Directed Support Waiver Participants
Waiver Standards								
18 years of age and older	X	X	X	X	X	X		List of all employees with their date of hire and date of birth ²
Individual Support Plan-based Training	X	X	X			X		Attestation
Agreement to carry out Individual Support Plan responsibilities	X	X	X	X	X	X		Attestation
Criminal clearances	X	X	X	X		X		Copies of clearances for all employees ³
Act 33/Child Abuse Clearance (if providing services to people under age 18)	X		X	X		X		Copies of clearances for all employees ³
Act 73/Federal, effective 7/1/08	X		X	X		X		Copies of clearances for all employees ³
Commercial General Liability Insurance ⁴	X	X	X	X		X	X	Copy of Insurance Certificate
Professional Liability Errors and Omissions Insurance ⁴	X	X	X	X		X	X	Copy of Insurance Certificate
Workers Compensation Insurance, when required ⁴	X	X	X	X		X	X	Copy of Insurance Certificate
Automobile insurance for all automobiles owned, leased, and/or hired IF used as part of the service	X	X		X	X	X		Copy of insurance Certificate
Required Licenses								
Valid Pennsylvania ⁵ Driver's License (for any staff that provide transportation as a separate service, or as part of another service)	X	X	X	X	X	X	X	Copies of driver's licenses for all employees who drive as part of their work duties or services provided
Required Certificates								
Current State motor vehicle registration	X	X	X	X	X	X	X	List of vehicles with make, model, Vehicle Identification Number, license plate number, date of vehicle registration, & date of last inspection Include employees' vehicles if they are used to transport individuals
Public Utility Commission certification if the provider meets Public Utility Commission requirements				X ⁶				Copy of Public Utility Commission License
PA Department of Education Certificate for subject being taught							X	Copies of all Education Certificates for all employees providing education services

Footnotes are located on the next page.

Footnotes for Office of Developmental Programs Consolidated and Person/Family Directed Support Waiver Provider Qualification Documentation Requirements Chart

¹ Supporting Documentation is information that the provider submits and the employer reviews for statewide Consolidated or Person/Family Directed Support Waiver Provider Qualification

² For requalification, resubmit all information annually

³ To be completed by the Vendor Fiscal/Employer Agent Financial Management Service organization for Support Service Workers only and, therefore, must be verified for Vendors and Small Unlicensed Providers

For more information regarding background checks and prohibitive offenses, see the following websites:

<http://www.aging.state.pa.us/psonlinelearning/cwp/view.asp?a=3&Q=242721&psonlinelearningNav=|5245|#toc8a>

<http://www.dpw.state.pa.us/PartnersProviders/> (Child Welfare Services)

[Pennsylvania Child Abuse History Clearance Form \(CY-113\)](#)

[Pennsylvania State Police Request for Criminal Record Check Form \(SP4-164\)](#)

<http://www.aging.state.pa.us/aging/lib/aging/NIXON-InterimPolicy.pdf>

<http://www.dpw.state.pa.us/PubsFormsReports/NewslettersBulletins/CASSPAlerts/003677454.htm> (Increased Child Protection Provided by Act 73 of 2007)

⁴ Required for agency-based providers

⁵ A valid Driver's License from another state will be accepted in lieu of a Pennsylvania Driver's License

⁶ PUC Certification required for all Transportation services except mileage reimbursement

PROHIBITED CRIMINAL OFFENSE

Offense Code	Prohibitive Offense	Type of Conviction
CC2500	Criminal Homicide	Any
CC3927	Theft by Failure to Deposit	1 Felony or 2 Misdemeanors
CC2502A	Murder 1	Any
CC3928	Unauthorized Use of a Motor Vehicle	1 Felony or 2 Misdemeanors
CC2502B	Murder 2	Any
CC3929	Retail Theft	1 Felony or 2 Misdemeanors
CC2502C	Murder 3	Any
CC3929.1	Library Theft	1 Felony or 2 Misdemeanors
CC2503	Voluntary Manslaughter	Any
CC3930	Theft of Trade Secrets	1 Felony or 2 Misdemeanors
CC2504	Involuntary Manslaughter	Any
CC3931	Theft of Unpublished Dramas or Musicals	1 Felony or 2 Misdemeanors
CC2505	Causing or Aiding Suicide	Any
CC3932	Theft of Leased Properties	Any
CC2506	Drug Delivery Resulting in Death	Any
CC3933	Unlawful Use of a Computer	Any
CC2702	Aggravated Assault	Any
CC3934	Theft from a Motor Vehicle	Any
CC2901	Kidnapping	Any
CC4101	Forgery	Any
CC2902	Unlawful Restraint	Any
CC4114	Securing Execution of Documents by Deception	Any
CC3121	Rape	Any
CC4302	Incest	Any
CC3122.1	Statutory Sexual Assault	Any
CC4303	Concealing Death of a Child	Any
CC3123	Involuntary Deviate Sexual Intercourse	Any
CC4304	Endangering Welfare of Child	Any
CC3124.1	Sexual Assault Any CC4305 Dealing in Infant Children	Any
CC3125	Aggravated Indecent Assault	Any
CC4952	Intimidation of Witnesses or Victims	Any
CC3126	Indecent Assault	Any
CC4953	Retaliation Against Witnesses or Victims	Any
CC3127	Indecent Exposure	Any
CC5902B	Promoting Prostitution	Felony
CC3301	Arson and Related Offenses	Any
CC5903C	Obscene or Other Sexual Materials to Minors	Any
CC3502	Burglary	Any
CC5903D	Obscene or Other Sexual Materials	Any
CC3701	Robbery	Any
CC6301	Corruption of Minors	Any

PROHIBITED CRIMINAL OFFENSE (continued)

Offense Code	Prohibitive Offense	Type of Conviction
CC3901	Theft	1 Felony or 2 Misdemeanors
CC6312	Sexual Abuse of Children	Any
CC3921	Theft by Unlawful Taking	1 Felony or 2 Misdemeanors
CS13A12	Acquisition of Controlled Substance by Fraud	Felony
CC3922	Theft by Deception	1 Felony or 2 Misdemeanors
CS13A14	Delivery by Practitioner	Felony
CC3923	Theft by Extortion	1 Felony or 2 Misdemeanors
CS13A30	Possession with Intent to Deliver	Felony
CC3924	Theft by Property Lost	1 Felony or 2 Misdemeanors
CS13A36	Illegal Sale of Non-Controlled Substance	Felony
CC3925	Receiving Stolen Property	1 Felony or 2 Misdemeanors
CS13A37	Designer Drugs	Felony
CC3926	Theft of Services	1 Felony or 2 Misdemeanors

Section III

Forms and Agreements

This section of the guide includes Forms and Agreements that are required to be completed when you use one of the two Financial Management Service options. Although the Forms are very similar, they are separated by the type of Financial Management Service option for ease and use.

Vendor Fiscal/Employer Agent Financial Management Service--Common Law Employer Forms and Agreements list:

- **DP 1001:** Authorized Surrogate Designation Form
- **DP 1002:** Common Law Employer/Surrogate Agreement Form*
- **DP 1003:** Documentation of Support Service Worker (SSW) Qualifications Form*
- **DP 1004:** Emergency Back-up "Qualified" Support Service Worker (SSW) and/or Natural Non-Paid Support Designation Form
- **DP 1005:** Monthly Progress Notes

Note: The forms that have a * next to them are located in the Acumen start-up packet and will be completed for Waiver participants when you enroll with Acumen. All the above forms are located at <http://www.odpconsulting.net>

Agency With Choice Financial Management Service- Managing Employer Forms and Agreements list:

- **DP 1006:** Authorized Surrogate Designation Form*
- **DP 1007:** Managing Employer/Surrogate Agreement Form*
- **DP 1008:** Documentation of Support Service Worker (SSW) Qualifications Form*
- **DP 1009:** Emergency Back-up "Qualified" Support Service Worker (SSW) and/or Natural Non-Paid Support Designation Form*
- **DP 1010:** Monthly Progress Notes*

Note: The forms that have a * next to them are provided to you for completion by the Agency With Choice Financial Management Service organization when you enroll with that option. If you are already enrolled with an Agency With Choice you can obtain, review and complete the forms during your next meeting with the Agency With Choice provider. All the above forms are located at <http://www.odpconsulting.net>

Section IV

Relevant Policy Bulletins

This section of the guide includes a number of Office of Developmental Programs' policy bulletins and the links to obtain the policy bulletins that directly relate to the requirements of the self directing Participant-Directed Services.

Relevant Policy Bulletins list:

These Bulletins may be obtained at

<http://www.odpconsulting.net>

- **Bulletin 00-08-14:** *"Vendor Fiscal/Employer Agent Financial Management Services"*
- **Bulletin 00-08-08:** *"Agency With Choice Financial Management Services"*
- **Bulletin 6000-04-01:** *"Incident Management"*
- **Bulletin 00-07-01:** *"Provider Billing Documentation Requirements for Waiver Services"*
- **Bulletin 00-08-09:** *"Approved Consolidated Waiver Fiscal Year Amendment"* and corresponding waiver application
- **Bulletin 00-08-06:** *"Approved Person/Family Directed Support Waiver"* and corresponding waiver application

Additional links where Office of Developmental Program Policy Bulletins can be found:

<http://www.TheTrainingPartnership.org>

<http://www.dpw.state.pa.us/pubsformsreports/newslettersbulletins/003673169.aspx>