

1320-A - SELF-DIRECTED ATTENDANT CARE

EFFECTIVE DATES: 03/02/20, 03/21/22

APPROVAL DATES: 12/05/19, 01/13/22

I. PURPOSE

This Policy applies to ALTCS E/PD and the Fee-For-Service (FFS) Program Tribal ALTCS. This Policy establishes requirements for the Self-Directed Attendant Care (SDAC) member service delivery option in adherence to AAC R9-28-508.

II. DEFINITIONS

For purposes of this Policy:

LATE VISIT	The Direct Care Worker (DCW) arrives for the visit more than 60 minutes after the scheduled start time.
MEMBER	The term “member” means the member or the member’s legal guardian in sections pertaining to member responsibilities under the model.
MISSED VISIT	The Direct Care Worker (DCW) fails to appear for the scheduled visit.
SHORT VISIT	The Direct Care Worker (DCW) provides services for a time period that is less than the scheduled length of time.

Additional definitions are located on the AHCCCS website at: [AHCCCS Contract and Policy Dictionary](#).

III. POLICY

The SDAC is a Member-directed option which allows members to have more control over how attendant care services are provided. The member-directed options are not a service, but rather define the way in which services are delivered and are available to ALTCS members who live in their own home. The options are not available to members who live in an alternative residential setting or nursing facility. Member independence and personal choice are the primary objectives of the SDAC member-directed option. Members choosing to participate in this service shall be interested in actively taking responsibility for managing their own health care.

Throughout the Policy, the term “member” means the member or the member’s legal guardian.

The member-directed options represent a philosophical approach to service delivery that maximizes a member's ability to:

1. Identify their own needs.
2. Determine how and by whom their needs are met:
 - a. Choose which tasks to receive from their Direct Care Worker (DCW) within the scope of the service plan,
 - b. Select the days and times for service delivery, and
 - c. Recruit, hire (select), manage, supervise and terminate (dismiss) the DCW of their choice, including family members. Parents of minor children are prohibited from serving as a paid DCW. In addition, a Spouse as Paid Caregiver is not permitted to receive reimbursement for SDAC services.
3. Define what constitutes quality of care in the delivery of their services.

Within SDAC, members utilize a DCW to perform tasks such as homemaking, personal care, and general supervision. As specified in this Policy, the DCW may also provide limited Skilled Services under specific circumstances.

A member shall be competent to direct care or shall have a legal guardian. A member's legal guardian may make the decision to elect SDAC for the member and assist them in directing the care on behalf of the member. If the member has a legal guardian, the legal guardian shall be present, with the member, when SDAC services are provided. The legal guardian may not serve as the member's DCW when SDAC has been selected.

The number and frequency of authorized services are determined through an assessment of the member's needs by the ALTCS case manager with the member and/or the member's family, member/guardian/designated representative, in tandem with the completion of the cost-effectiveness study. Refer to the AHCCCS Medical Resource page for information regarding service codes and modifiers. Members are not precluded from receiving other medically necessary services. Refer to AMPM Policy 1240-A for more detailed information about the services ALTCS members can direct under SDAC.

Within SDAC there are three individuals who are critical to the effective implementation of the member's individualized service plan. These include the member, ALTCS case manager, and the DCW. Each of these individuals has tasks and responsibilities which shall be met in order for the service plan to be successful.

A. ROLES AND RESPONSIBILITIES UNDER SELF-DIRECTED ATTENDANT CARE

1. Member Roles and Responsibilities

Under SDAC, members have the right to make decisions about how to best have their needs met, including who will provide their services and when they will be provided. The SDAC Member-Directed Service Delivery Option allows members to make decisions about the services the DCW will provide and how to receive them. Under SDAC the member has two roles, employer and member:

a. Member Responsibilities as Employer.

As the employer of the DCW, the member has responsibilities including, but not limited to:

- i. Recruiting, interviewing, and hiring the DCW(s),
- ii. Training the DCW(s) in the manner in which duties will be performed and/or requesting assistance and authorization if additional assistance is mandatory. Training shall include use of the Electronic Visit Verification (EVV) system as specified in AMPM Policy 540,
- iii. Directing the care received from the DCW(s),
- iv. Preparing a description of duties for DCW(s),
- v. Scheduling the DCW(s),
- vi. Monitoring the DCW(s) hours to ensure that hours do not exceed those authorized by the ALTCS case manager. If more hours are necessary to meet their needs, the member shall contact the ALTCS case manager in advance and request re-assessment for medical necessity and cost effectiveness of services and hours,
- vii. Supervising DCW(s), including termination of employment if warranted,
- viii. Ensuring that all mandatory paperwork is accurately completed and sent to the Fiscal and Employer Agent (FEA) as requested by the FEA,
- ix. Require DCWs to utilize EVV to document service delivery and verify service delivery at the point of care or within a timeframe specified by the FEA for the visit to the billed and the DCW paid for services. Members are prohibited from delegating service verification responsibility to another individual. Failure to accurately represent actual time worked is subject to a Medicaid fraud investigation,
- x. Reporting any payroll issues to the FEA, and
- xi. Reporting any DCW resignation and/or termination to both the FEA and the ALTCS case manager.

b. Member Responsibilities.

Under SDAC, the member is expected to direct their care and work collaboratively with the ALTCS case manager to ensure that their needs are met. The member has responsibilities including but not limited to:

- i. Participating in the development of the service plan,
- ii. Developing and updating, as necessary, a Contingency (Back-up) Plan (Attachment A) with assistance from their ALTCS case manager,
- iii. Adhering to the Contingency (Back-Up), reporting all Short, Late, or Missed Visits, and reporting to the ALTCS case manager all incidents when the Contingency (Back-Up) Plan was not followed,

- iv. Monitoring the quality of care provided, including fraud, waste, and abuse (including neglect) by the DCW, and reporting any problems or concerns to the ALTCS case manager. Any unresolved dissatisfaction with the DCW should be reported to the ALTCS case manager. The ALTCS case manager will assist the member to determine if issues can be resolved or if the preferable alternative is a change in DCW,
- v. Consulting with the ALTCS case manager when assistance is mandatory due to dissatisfaction issues related to SDAC and/or the DCW,
- vi. Contacting the ALTCS case manager in advance if more hours are necessary to meet their needs by requesting a re-assessment for medical necessity and cost effectiveness of services and hours,
- vii. Notifying the ALTCS case manager and physician of any change in health condition,
- viii. Notifying the ALTCS case manager of admission or discharge to a hospital or other care facility. In the event the member is unable to notify the ALTCS case manager directly of admission or discharge, the member is mandatory to designate another responsible individual to report this information to the ALTCS case manager. Refer to 42 CFR 438.100 for a review of member rights, and
- ix. Performing visit maintenance including reconciling visit data and/or adding documentation within the EVV system (when data is missing or incomplete) for a visit within a timeframe specified by the FEA. It is permissible for members to delegate the visit maintenance responsibility to the FEA, but members shall be responsible for providing the missing/incomplete information to the FEA within a timeframe specified by the FEA.

B. CASE MANAGER ROLES AND RESPONSIBILITIES UNDER SELF-DIRECTED ATTENDANT CARE

In addition to the ALTCS Case Manager Standards as specified in AMPM Section 1620, the ALTCS case manager is responsible for:

- 1. Informing and educating members and/or legal guardians about SDAC including verifying that members electing SDAC understand their roles and responsibilities. Evidence of such discussion shall be included in case notes.
- 2. Referring interested members and/or legal guardians to available resources for further information about and/or facilitating member participation in SDAC.
- 3. Facilitating initiation of documentation as mandatory by the FEA.
- 4. Advising the member as needed regarding the hiring and training of the DCW. This includes the need for specialized assessment, education, and training by a registered nurse when skilled care is involved.
- 5. Assisting the member to assess their training needs and authorizing training based on that assessment as appropriate.

6. Facilitating the development of the Contingency (Back-Up) Plan for short, missed or late service visits and discuss the member's preference on what to do should a visit be late or missed. The Case Manager shall assist the member in determining the member's Service Preference Level by discussing the member's caregiving needs associated with the member's Activities of Daily Living (ADL), such as mobility, transferring, toileting, bathing, grooming, and eating and Instrumental Activities of Daily Living (IADL), such as housekeeping, meal preparation and grocery shopping, abilities and cognitive, behavioral and medical status. The contingency plan shall be discussed with the member at least quarterly:
 - a. A copy of the contingency plan shall be given to the member when developed and at the time of each review visit,
 - b. The member is permitted to change decisions about these preference levels and the Contingency/Back-Up Plan at any time, and
 - c. The Case Manager shall document the contingency planning in the case file and shall clearly indicate the member's involvement in the planning exercise.
7. Documenting in the case notes incidents of a short, late or missed visit reported by the member when the Contingency (Back-Up) plan was not followed. The case manager is also required to discuss with the member what action needs to or can be taken to meet the service need.
8. Assisting the member as needed in finding a replacement DCW (generally from an agency) to provide services when the member reports that the DCW is unavailable and the member requests assistance. Services need to be provided within the timelines specified by the member's Member Service Preference Level, specified in the member's Contingency Back-Up Plan.
9. Facilitating any needed transition from the SDAC to traditional service delivery system or transition back to SDAC when requested and appropriate.

C. DIRECT CARE WORKER ROLES AND RESPONSIBILITIES UNDER SELF-DIRECTED ATTENDANT CARE

The DCW is an employee of the member and provides the direct care services, as specified in AMPM Policy 1240-A, the member needs in order to be able to maintain independence in their own home. The DCW is to carry out the duties, as assigned, in the manner directed by the member, as appropriate, and as authorized by the ALTCS case manager.

The DCW shall meet certain pre-employment requirements and has certain rights and responsibilities:

1. DCW Pre-Employment Requirements
Pre-employment requirements include, but are not limited to, the following:
 - a. Demonstrate proof of citizenship or legal residency,
 - b. Present two documents that establish identity. At least one of the documents shall include a photograph,
 - c. Provide all mandatory employment documentation as mandatory by State, or Federal requirements,

- d. If the worker will be driving the member, they shall provide proof of current Arizona driver's license and insurance,
- e. If requested by the member, submit to criminal background checks and references, and
- f. Demonstrate proof of certification in CPR and First Aid. Note, CPR and First Aid are mandatory prior to employment and are not reimbursable services:
 - i. Training in First Aid and CPR shall be provided or sponsored by a nationally recognized organization (e.g., American Heart Association, American Red Cross, etc.), using an established training curriculum, and
 - ii. Training sessions shall be held in person, so that the participant may demonstrate learned skills such as, mouth to mouth resuscitation and chest compressions. Web-based training without the benefit of on- site return demonstration of skills is not acceptable.

2. DCW Ongoing Responsibilities

Responsibilities of the DCW include but are not limited to the following:

- a. Treating the member with dignity and respect. This includes respecting personal beliefs, culture, religion, and privacy as well as respect for the member's personal property,
- b. Keeping personal information about the member and/or their family confidential,
- c. Communicating effectively with the member, including communicating with the member using their preferred communication method or device,
- d. Providing safe care as instructed by the member. Universal precautions shall always be utilized,
- e. Completing mandatory and other training that the member identifies as necessary to meet their unique needs,
- f. Documenting completed tasks as specified in the service plan within the requested timeframes, and as instructed by the member,
- g. Immediately reporting an emergency situation by calling 911. Report urgent situations to the proper authority,
- h. Reporting any suspected abuse, neglect, or exploitation of a SDAC member to the ALTCS case manager and proper authorities,
- i. Communicating with the member's ALTCS case manager (when the member is indisposed) regarding any change in the member's condition as well as an admission to a health facility as appropriate,
- j. Utilizing EVV to document service delivery and complete payroll records accurately and within timelines as instructed by the member and mandatory by the FEA. Failure to accurately represent actual time worked is subject to a Medicaid fraud investigation,
- k. Providing adequate notice of planned absence or as soon as it is known that the DCW is unable to complete the scheduled assignment. This includes notifying the member in advance if the DCW will not be able to make the assignment, shall be absent for a portion of a scheduled assignment or will be arriving late to a scheduled assignment,
- l. Providing a two-week notice to the member if they will be voluntarily terminating employment, and
- m. Informing the FEA and member of any changes to DCW demographics (e.g., address, telephone number).

3. Rights of the DCW

The DCW has certain rights as an employee of the member. These include, but are not limited to, the following:

- a. To be treated with dignity and respect by the member and their family and friends. This includes respect for personal beliefs, culture, religion, and privacy,
- b. To have time worked recorded and paid properly,
- c. To refuse to perform tasks that might be adverse to the member's health,
- d. To refuse to perform a task that the DCW believes poses a danger to their own health,
- e. To refuse to perform tasks that the DCW believes have not been adequately trained to perform and which are not included/specified in the service plan.

IV. SCOPE OF ATTENDANT CARE SERVICES UNDER SELF-DIRECTED ATTENDANT CARE

A. NON-SKILLED TASKS WHICH MAY BE PROVIDED BY DCW

The non-skilled tasks of attendant care that are provided by a DCW under SDAC are as specified in AMPM Policy 1240-A.

B. LIMITED SKILLED SERVICES MAY BE PROVIDED BY DCW

1. In addition to the non-skilled services and tasks described above, the DCW may also provide limited skilled services when the services are included in the member's service plan. Under AAC R9-28-508(G), the skilled services are limited to only the following:
 - a. Bowel care, including suppositories, enemas, manual evacuation, and digital stimulation,
 - b. Bladder catheterizations (non-indwelling) that do not require a sterile procedure,
 - c. Wound care (non-sterile),
 - d. Glucose monitoring,
 - e. Glucagon as directed by the health care provider,
 - f. Insulin by subcutaneous injection only if the member is not able to self-inject,
 - g. Permanent gastrostomy tube feeding, and
 - h. Additional services requested in writing with the approval of the Director and the Arizona State board of Nursing.
2. The following requirements shall be met in order to receive limited skilled services:
 - a. The member shall be medically stable, and
 - b. A registered nurse licensed under ARS Title 32, Chapter 15, shall visit the member and DCW before a skilled service is performed to:
 - i. Assess, educate, and train the member and DCW regarding the specific skilled service the member requires, and
 - ii. Determine in writing that the DCW understands how and demonstrates the skill to perform the processes or procedures mandatory to provide the specific skilled service.

V. MEMBER TRAINING UNDER SELF-DIRECTED ATTENDANT CARE

The member independence and personal choice are the primary objective of SDAC. The members choosing to participate in this service shall be interested in actively managing their own health care and be willing to take responsibility for obtaining and maintaining SDAC services.

The ALTCS case manager will assist the member to assess their own training needs as they relate to directing their own care. These training needs will be determined by using the “What are my Training Needs” Form (available in the SDAC Member Manual specified further below). There is no mandatory member training for SDAC participation. Training is available to assist the member to succeed in directing their own care. Training requires prior authorization from the ALTCS case manager.

A. MEMBER TRAINING

1. The SDAC Member Manual

Each member who selects SDAC will receive a comprehensive manual containing information about this service option. The manual describes tools that are available to assist the member in determining their needs, develop an employment contract, and train, supervise, and evaluate the DCWs that they hire. The SDAC Member Manual has been standardized and approved by AHCCCS for all Contractors.

2. Training of the Member

The member training may be provided by AHCCCS registered providers. The member training in the following topics will be available for all members who select SDAC:

- a. Hiring and managing and firing DCWs,
- b. Evaluating monthly reports from the FEA,
- c. Understanding services available in your community,
- d. Requesting help when you need it,
- e. Safety and health, and
- f. Compliance with EVV including orientation to devices and visit maintenance.

VI. DIRECT CARE WORKER ASSESSMENT AND TRAINING

Under SDAC, all DCWs hired by members shall receive training as specified below.

A. MANDATORY TRAINING

1. Universal Precautions – The Universal Precaution training may be provided by the member or a provider agency. If provided by a registered provider, it is a reimbursable service but shall be authorized by the ALTCS case manager. Regardless of who provides the training, the DCW shall maintain proof that this training was completed.

2. HIPAA Training – The HIPAA Training may be provided by the member or a provider agency. If provided by a registered provider, it is a reimbursable service but shall be authorized by the ALTCS case manager. Regardless of who provides the training, the DCW shall maintain proof that this training was completed.
3. The skilled services training specific to member’s need as appropriate and provided by a registered nurse.

B. OPTIONAL TRAINING

In addition to the mandatory training, there are extensive training materials included in the AHCCCS SDAC Member Manual. Optional training is covered by AHCCCS in accordance with the requirements specified in this Policy. The member may provide and review this material to train the DCW or may request training be done by an outside agency arranged by the Contractor to provide this training. Training requires prior authorization from the ALTCS case manager. Optional training is covered when the training is appropriate to meet the needs of the member and when authorized by the ALTCS case manager.

Listed below are examples of topics included in the SDAC Member Manual that may be used as training for the DCW.

1. Bathing.
2. Dressing.
3. Transfer.
4. Home and Fire Safety.
5. Disease specific topics such as Arthritis, Chronic Heart Failure or Depression.
6. Medication Side Effects.
7. Nutrition/Obesity.
8. Caregiver Burnout.

VII. FISCAL AND EMPLOYER AGENT SERVICES UNDER SELF-DIRECTED CARE

AHCCCS requires the services of a qualified FEA for those members who choose SDAC. FEAs shall be registered AHCCCS Providers. The FEAs shall meet all applicable Federal and State requirements. All FEA services shall be authorized by the ALTCS case manager.

1. Initiation of FEA Services For member

The role of the FEA is to educate the member concerning all mandatory documentation and either assist (or on behalf of) the member to complete all mandatory documentation, review the documentation, and file the paperwork with the proper Federal and State authorities. The FEA shall confirm with the member whether the member wants assistance with mandatory documentation or would like the FEA to complete and file documentation on their behalf. Regardless of the members' choice, FEAs shall provide regular progress updates to the member regarding the status of documentation.

To initiate services for a member, the FEA shall complete at least the following tasks (Unit of service is event based; one per member, per initiation of SDAC service):

- a. Obtain Federal Employer ID Number (FEIN) for the member,
- b. Review and file mandatory documentation,
- c. Maintain copies of all mandatory documentation, or
- d. Train the member on their roles and responsibilities to comply with EVV including training on deadlines for visit maintenance and verification of service delivery.

2. Initiation of FEA Services for DCW

The role of the FEA is to assist the potential DCW to become an employee. After the member has identified the individual(s) who will be employed as their DCW, the member shall notify the FEA. The FEA shall contact the identified individual(s) to facilitate the process allowing the DCW to become an employee:

- a. To initiate services for the DCW, the FEA shall complete at least the following tasks one per DCW:
 - i. Prepare and distribute employee DCW hiring packets,
 - ii. Obtain and verify all documents mandatory by AHCCCS, State, and Federal authorities necessary to allow the SDAC member to employ the DCW, or
 - iii. Maintain copies of all mandatory documentation.
- b. Verify the DCWs are trained on their roles and responsibilities to comply with EVV.

3. On-going Services

The FEA functions as the payroll department for the SDAC member. As such, the FEA provides monthly services related to payroll. Additionally, the FEA shall complete and file all mandatory payroll documentation:

- a. Minimally the following tasks shall be completed by the FEA (one per month, per member):
 - i. Perform all employer payroll duties, including:
 - 1) Distribution of payroll (should be done no less than twice a month),
 - 2) Completion of mandatory tasks related to payroll taxes including withholding, deposit, and filing of mandatory documentation, and
 - 3) Comply with all Federal and State mandatory year-end employer filing requirements.

- ii. The Contact ALTCS case managers and/or members about over- and under-utilization of services problems identified with time sheets, or other payroll related issues,
- iii. Provide toll-free customer service assistance to employers and employees related to all FEA activities, and
- iv. Provide monthly and ad-hoc utilization reports as requested by the member, ALTCS case manager, Contractor, or AHCCCS related to utilization of hours and cost:
 - 1) The FEA shall provide requested information within the mandatory timelines, and
 - 2) FEAs will not receive additional reimbursement for providing requested information.
- b. The FEA has the responsibility to procure workers compensation insurance for the member's DCW, and
- c. Comply with EVV.

Notify members of timelines for performing visit maintenance and verifying service delivery in accordance with AMPM Policy 540, and If delegated by the member, perform visit maintenance within the EVV system when data is missing or incomplete for a visit.

- 4. Background Checks. It is recommended, but not mandatory, that background checks be completed on all DCWs hired within SDAC (Unit of service is event based; one per DCW):
 - a. If a member requests that a background check be completed, the FEA will complete this service,
 - b. The FEA will provide the background check results to the member and ALTCS Program Contractor so that a determination to hire can be considered by the member, and
 - c. All background checks shall be authorized by the ALTCS case manager.