

An Introduction to the

Participant Direction Option – A Long-Term Care Benefit

Presented by:

D.D. Pickle, AHC Administrator
Bureau of Medicaid Policy



Purpose

The purpose of this presentation is to:

- Introduce the Participant Direction Option (PDO).
- Summarize the PDO requirements.
- Describe health plan responsibilities in administering the PDO.



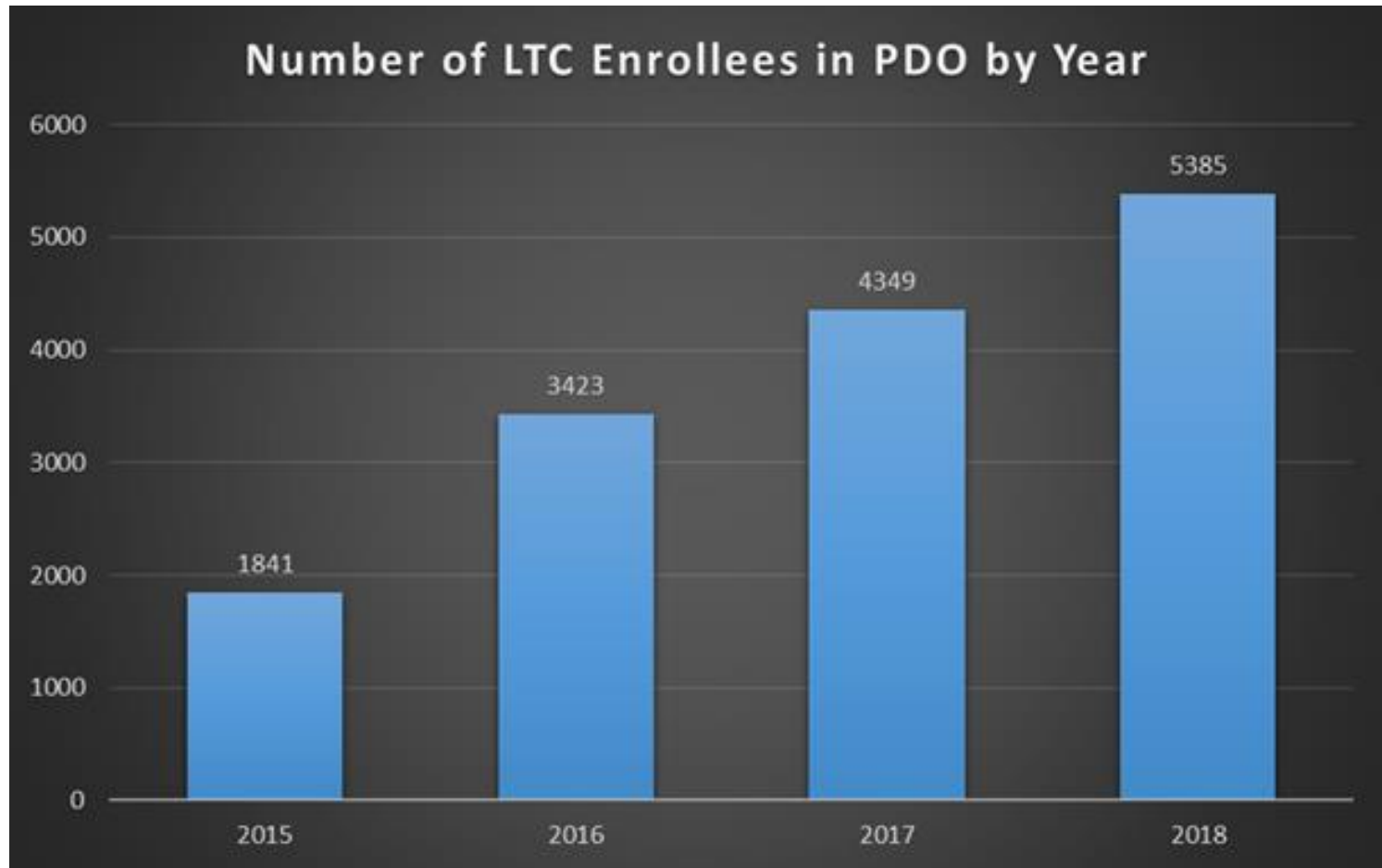
PDO Overview

PDO is:

- A service delivery model in which participants hire, train, supervise, and dismiss their direct service worker(s).
- Available to all enrollees who:
 - Have any PDO service on their plan of care.
 - Live in their own home or family home.



PDO Enrollment Success



PDO Services

One or more of the following services must be listed on the plan of care:

- Adult Companion Care
- Attendant Care
- Homemaker
- Intermittent and Skilled Nursing
- Personal Care



Key Components of the PDO

Participant – Serves as the employer. Participants may hire any qualified individual of their choosing including neighbors, family members, or friends.

Representative – Acts on behalf of the participant and manages employer responsibilities. A representative cannot be:

- Paid for their services as a representative.
- A direct service worker.



Key Components of the PDO (cont'd)

Direct Service Worker – The employee(s) directly-hired by a participant to provide PDO services.

Direct service workers:

- Are paid by the health plan based on a set rate.
- Receive payment for the approved hours and approved PDO services.
- Do not have to be in the health plan's provider network.



Key Components of the PDO (cont'd)

- Case Manager – Provides ongoing PDO-related technical assistance to the participant, including initial PDO training to the participant.
- Fiscal/Employer Agent (F/EA) Services – Each health plan is responsible for providing F/EA services. The F/EA functions include processing payroll and filing and paying all state and federal taxes on behalf of participants and their direct service workers.



Direct Service Worker Qualifications

Participants should hire direct service workers who are:

- Trained in universal precautions and HIPAA privacy standards.
- Certified in CPR and First Aid.

For attendant care or intermittent/skilled nursing services, either:

- Registered nurse, licensed in accordance with Chapter 464, F.S.
- Licensed practical nurse, licensed in accordance with Chapter 464, F.S.

For adult companion, homemaker, or personal care services:

- Certification or licensure is not required.



Emergency Back-Up Plan

- Ensures service delivery for the participant, in the event that the direct service worker(s) does not show up or is unable to provide services.
- Developed by the participant with the assistance of the case manager.
- Updated at least annually, or when the participant's plan of care is updated.



Roles and Responsibilities



Participant Responsibilities

- Recruiting, interviewing, and hiring the direct service worker(s)
- Training the direct service worker(s)
- Preparing a description of duties for the direct service worker(s)
- Scheduling the direct service worker(s) work hours



Participant Responsibilities (cont'd)

- Ensuring that the hours worked do not exceed those in the Participant/Direct Service Worker Agreement
- Ensuring required paperwork is completed and submitted to the health plan
- Activating the Emergency Back-up Plan, when necessary



Participant Responsibilities (cont'd)

- Contacting the case manager to report an intended termination of a direct service worker(s)
- Notifying the case manager of the desire to no longer participate in the PDO



General Case Manager Responsibilities

- Ensuring that enrollees who have at least one of the five eligible PDO services on their plan of care are offered the PDO initially and annually upon reassessment
- Maintaining signed documentation of the PDO choice in the case file
- Referring enrollees who choose the PDO to available case managers who have received extensive PDO training



PDO-Trained Case Manager Responsibilities

- Ensuring participants choosing the PDO understand their roles and responsibilities
- Completing the PDO Pre-Screening Tool with each prospective participant and representative, to assess their willingness and ability to manage the PDO responsibilities
- Facilitating the initiation of the required F/EA documentation



PDO-Trained Case Manager Responsibilities (cont'd)

- Training participants on employer responsibilities
- Ensuring that direct service workers meet licensure and certification requirements prior to providing services to participants
- Assisting participants as needed with finding and hiring direct service workers



PDO-Trained Case Manager Responsibilities (cont'd)

- Maintaining regular contact with the participant
- Facilitating the transition for participants and enrollees to and from the PDO service delivery system
- Ensuring that PDO and non-PDO services are not duplicative



Direct Service Worker Responsibilities

- Submitting to criminal background checks, as required by the health plan
- Reporting any suspected abuse, neglect, or exploitation of a participant to the health plan and proper authorities
- Providing adequate notice if the direct service worker will be unable to provide the scheduled service to the participant, as soon as possible



Direct Service Worker Responsibilities (cont'd)

- Communicating with the health plan or the case manager, if the participant is unable to do so, regarding any change in the participant's condition, including an admission to a health facility
- Providing a two-week notice to the participant if the direct service worker will be voluntarily terminating employment



Direct Service Worker Responsibilities (cont'd)

The direct service worker has the right to:

- Receive payment as recorded on the timesheet and outlined in the Participant/Direct Service Worker Agreement.
- Refuse to perform services and duties not listed in the Participant/Direct Service Worker Agreement.



Training



Pre-Screening and Participant Training

The PDO Pre-Screening Tool is:

- Used by the case manager to conduct a pre-screening with each prospective participant and representative.
- Used to help the prospective participant and representative assess their ability and willingness to participate in the PDO.



Pre-Screening and Participant Training (cont'd)

Once a participant completes the Pre-Screening Tool, the case manager should have them apply for an employer identification number (IRS SS-4).

The case manager provides the PDO participant with a copy of the PDO Participant Guidelines, “My Choices”.



Pre-Screening and Participant Training (cont'd)

Participant Training:

- Is provided by case managers extensively trained in the PDO.
- Includes:
 - Completing federal and state tax documents
 - Interviewing
 - Emergency Back-up Plans
 - Training direct service workers
 - Evaluating direct service worker job performance
 - Completing and submitting timesheets
 - Requesting assistance when needed



Direct Service Worker Training

The participant is responsible for training the direct service worker.

The case manager provides information or resources to the participant, as requested, on other training topics such as:

- Bathing
- Dressing
- Home and fire safety
- Safe transfers
- Nutrition



Health plan and F/EA Requirements



Case Manager Assignment

When the PDO is chosen by an enrollee, the health plan assigns a case manager, trained extensively in the PDO, within two business days.



PDO Materials

- Enrollment Packet
- Hiring Packet
- Participant Packet



PDO Materials: Enrollment Packet

- PDO Consent Form
- PDO Representative Agreement
- Background screening materials
- IRS Form 2678: Employer/Payer Appointment of Agent
- IRS Form 8821: Tax Information Authorization
- Participant Agreement
- Customer service information



PDO Materials: Hiring Packet

- Payroll schedule
- Department of Homeland Security USCIS Form I-9
- Direct Deposit Form
- Customer service information
- Internal Revenue Service Form W-4
- Background Screening information
- Participant/Direct Service Worker Agreement



PDO Materials: Participant Packet

- Payroll schedule
- Instructions for submitting timesheets to the health plan
- Blank timesheets



PDO Materials: Participant/Direct Service Worker Agreement

The agreement must include the following:

- ✓ Service(s) to be provided
- ✓ Direct service worker work schedule
- ✓ Participant/Direct Service Worker relationship
- ✓ Job description and duties
- ✓ Hourly rate
- ✓ Agreement statement
- ✓ Dated signatures



PDO Materials: Timesheet

Timesheets:

- Are signed by the participant and the direct service worker.
- Must include an attestation statement.



PDO Materials: Pay Schedule

The pay schedule:

- Is distributed at least annually in writing to participants.
- Includes pay dates.
- Includes timesheet deadlines.



Fiscal/Employer Agent (F/EA) Services

The health plan must have a separate Federal Employer Identification Number (FEIN) that is used only for purposes of representing participants as employers.

The health plan may subcontract any of the F/EA functions.

Subcontract(s) must be submitted to the Agency.



Fiscal/Employer Agent (F/EA) Services (cont'd)

If subcontracts are used for any of the F/EA duties, the health plan must:

- Execute an IRS Form 8655: Reporting Agent Authorization Form with the subcontractor.
- Obtain informed consent from the participant that the health plan will use a subcontractor to perform certain F/EA duties.



Initiation of F/EA Services for the Participant

To initiate F/EA services, the health plan must:

- Send a Participant Packet to the participant within three business days of choosing the PDO.
- Send the Enrollment Packet to the participant within three business days of the request.
- Provide technical assistance to the participant with completing enrollment, as necessary.



Initiation of F/EA Services for the Participant (cont'd)

- Process the complete and accurate Enrollment Packet within three business days of receipt.
- Obtain an individual FEIN for each participant solely for the PDO.
- Submit IRS Form 8821 and Florida Forms DR-1: Florida Business Tax Application and DR-835: Power of Attorney Form on behalf of each participant, to the appropriate tax agencies.
- Inform the participant of set pay rates for the direct service worker(s).



Initiation of F/EA Services for the Direct Service Worker

To initiate F/EA services for the direct service worker(s), the health plan must:

- Send the Hiring Packet to the participant within three business days of the participant's request.
- Provide technical assistance to the participant and/or prospective direct service worker(s) with completing the forms contained in the Hiring Packet, as necessary.



Initiation of F/EA Services for the Direct Service Worker (cont'd)

- Process the complete and accurate Hiring Packet within three business days of receipt, including:
 - ✓ Ensuring Level 2 background screening.
 - ✓ Verifying the direct service worker(s) information (i.e., Social Security numbers, citizenship, or legal alien verification documentation).
 - ✓ Verifying the direct service worker(s) qualifications.
 - ✓ Reporting the direct service worker(s) to the Agency for Workforce Innovation.



Payroll Responsibilities

The health plan must complete the following payroll and F/EA tasks:

- Collect and process timesheets submitted by the participant.
- Disburse payroll (no less than twice per month) by direct deposit or pre-paid card to each direct service worker.
- Compute, maintain, and appropriately withhold all employer and direct service worker(s) taxes.



Payroll Responsibilities (cont'd)

- Process applicable direct service worker garnishments, liens, and levies.
- Deposit direct service worker aggregate payroll deductions per federal and state tax deposit requirements.
- Deposit employer aggregate tax deductions per federal and state tax deposit requirements.
- Refund over-collected FICA for direct service worker(s).



Payroll Responsibilities (cont'd)

- File and adjust IRS Form 941: Employer's Quarterly Federal Tax Return.
- File a single IRS Form 940: Employer's Annual Federal Unemployment (FUTA) Tax Return.
- Process and distribute IRS Forms W-2 to the direct service worker(s).
- Maintain documentation of payments to all federal and state entities.



Payroll Responsibilities (cont'd)

- Track payroll disbursed to all direct service workers and provide reports.
- Provide written notification to the case manager and participant if utilization is below 10% of the monthly hours as approved on the plan of care for more than one month.
- Follow-up with the participant, direct service worker(s), or case manager to resolve any timesheet issues.



Payroll Responsibilities (cont'd)

- Obtain workers' compensation coverage for the participant's direct service workers, which must be funded by the health plan.
- Comply and support participant compliance with state workers' compensation audits.
- Prepare for and support participant preparation for unemployment claim proceedings.



Payroll Responsibilities (cont'd)

- Maintain records in compliance with Fair Labor Standards Act.
- Maintain documentation of all voided and reissued payroll.
- Respond to requests for direct service worker(s) employment verification.

• 54



Payroll Responsibilities (cont'd)

- Perform all duties regarding disenrollment of a participant from the PDO.
- Stay current with all federal and state requirements, rules, and regulations.



Health Plan Responsibilities

The health plan must:

- Employ PDO-trained staff in the enrollee and provider call centers to assist participants and their direct service workers regarding PDO related activities.
- Maintain books, records, documents, and other evidence of PDO-related expenditures using Generally Accepted Accounting Principles (GAAP).



Health Plan Responsibilities (cont'd)

- Disenroll participants who do not adhere to the requirements of the PDO.
- Provide the newly chosen health plan with the participant's FEIN and State Unemployment Tax Act (SUTA) information, should the participant transfer to a different health plan.
- Provide a PDO Report to the Agency on a monthly basis, as specified in the Report Guide.



Background Screening

Background Screening is required for all direct service workers and all representatives.

The health plan must:

- Pay for Level 2 background screening for at least one representative per participant and at least one direct service worker for each service per participant, per Contract year.
- Receive the results of the background screening and make a determination of clearance, adhering to all requirements in Chapter 435, F.S. and Section 408.809, F.S.



Disenrollment

A participant may be disenrolled from participation in the PDO, if the participant does not follow the PDO requirements.

Involuntary disenrollment of the participant by the health plan does not constitute a right to a fair hearing per the 1915(c) Waiver.



Questions?

Questions can be emailed to
flmedicaidmanagedcare@ahca.myflorida.com

