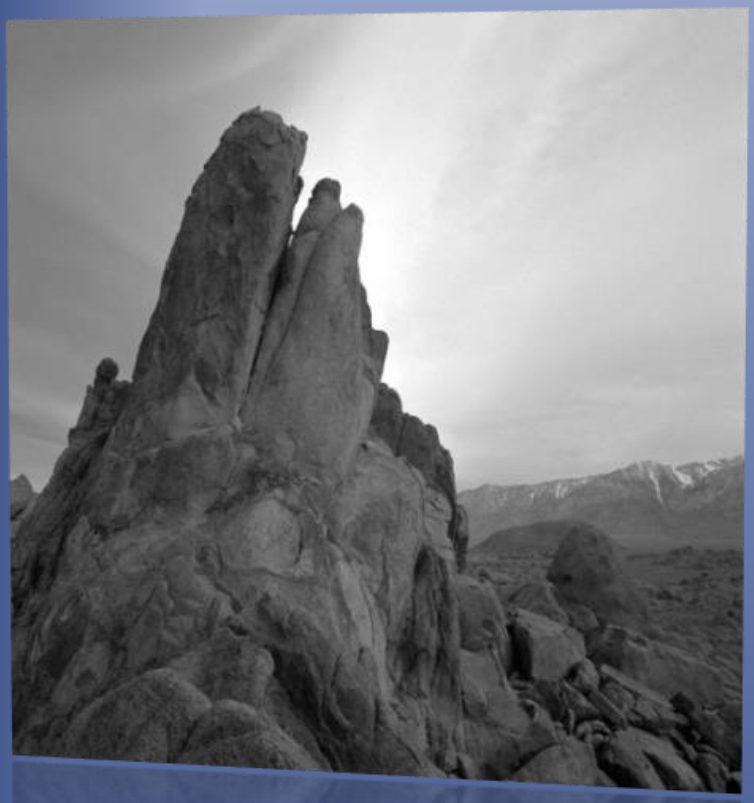

Self-Administered Services Support Book

Physical Disabilities Waiver Edition - Revised (2019)

Division of Services for People with Disabilities

TABLE OF CONTENTS Page Number

Section 1: Program Overview

Introduction to Self-Administered Services

The Physical Disabilities Program allows people with disabilities to select services that are provided within their home. People with disabilities are able to hire, train, and supervise the Employee/s providing the support to the person. They also assure that the services stay within the person's allocated budget.

The Division of Services for People with Disabilities (DSPD) allocates an annual budget that obtains authorized supports for the person receiving funding. The funding is provided through DSPD as outlined in the state of Utah's Home and Community Based Services Waiver (Medicaid 1915C). Medicaid waivers allow a person who qualifies for services in a nursing home, to receive support services in their own home and community. Medicaid waivers are designed to:

- Promote access, inclusion, and the development of valued social roles for people with disabilities in their local communities.
- Provide support, so that adults with disabilities can live safely in the neighborhoods they choose.
- Improve the independence of people with disabilities.
- Promote cost savings over an SNF alternative.

The Physical Disabilities Waiver (PDW) serves people who have suffered a physical impairment resulting in the functional loss of 2 or more limbs, and requiring at least 14 hours per week of personal assistance

Program Funds are only disbursed to pay for services that are outlined in the Person Centered Supports Plan (PCSP) and only after the services are performed. All SAS payments are made directly to the person performing the services (the Employee) through a Fiscal Agent under contract with DSPD.

As you use this program, you will be required to use a Fiscal Agent. The Fiscal Agent will provide financial services for the person, or the person's designated representative, including: (a) verifying the qualifications of the worker, (b) federal, state, and local tax withholding/payments, budget status reports, and (c) processing the Medicaid paperwork and paying the Employees.

The Administrative Case Manager monitors the budget and ensures that the services are part of the Person Centered Support Plan. If there are any concerns that arise, the Administrative Case Manager contacts the person receiving services,, to resolve the

issues. Self-Administered Services are a part of DSPD's goal to allow the maximum amount of independence and choice in the lives of the people we serve.

DEFINITION OF TERMS

Direct Services: Services delivered by an Employee in the physical presence of the person.

DSPD: Division of Services for People with Disabilities. DSPD is the state agency responsible for administration of state and federal funding for people with disabilities.

Employer: The person receiving DSPD services, or their representative. This person takes on the responsibility of hiring, training, supervising, and preparing payroll for Employees contracted to perform services.

Employee: Any individual hired to provide services to a person receiving Self-Administered Services.

Financial Fraud: A willful or neglectful misuse of funds made available to provide a person's support. For example: reporting duplicated time claims, submitting claims for work not provided, or requiring a worker to return a portion of their wages to the employer.

Fiscal Agent: An individual or entity contracted by DSPD to perform fiscal, legal, and management duties, including payroll processing duties for Self- Administered Services. If you use Self-Administered Services, you will be required to process payroll through a Fiscal Agent.

Home and Community-Based Waiver: An approval from Medicaid to allow states to "waive" certain requirements in order to use Medicaid funds for an array of home and community-based services as an alternative to institutional care.

Medicaid Financial Eligibility Change: The Person receiving DSPD services or their representative is responsible for maintaining financial eligibility documentation with Department of Workforce Services (DWS) and for reporting variances as they occur. For example: monthly spend down, inpatient status of person, or changes in location such as out-of-state.

Monthly Summary: A log report will be developed by the Administrative Case Manager on a monthly basis regarding a person's progress towards goals/needs.

Person-Centered Support Plan (PCSP): A plan developed from an assessment, and a process designed to focus on a person's individual desires. The PCSP should include but is not limited to: preferences, strengths, interests, goals, relationships, health and safety issues, and any matters that determine appropriate support for a meaningful life.

Person-Centered Budget: State and Federal Medicaid funds that are allocated to the person being served though DSPD to obtain appropriate supports authorized under the waiver.

Rates: The amount that DSPD pays to a SAS worker for hourly services/supports for a person. The rate includes both the direct wage of the SAS worker, and the employer's (person directing SAS) portion of taxes. Employers must pay a rate between Federal minimum wage and the maximum Medicaid rate allowed as noted on the Fiscal Agent pay schedule. The employer can choose the amount of support received by adjusting the direct rate that is paid to the Employees providing services. Rates can be changed as needed by the employer.

Self-Administered Services (SAS): A service option for people receiving DSPD funds that allows a person to hire, train, and supervise Employees to provide their supports, and manage their allowed budget.

Service Specific Training: A document that contains important information to know about the individual/s. This may include but is not limited to: medical needs, physical needs, dietary needs, and what is needed to implement the Support Strategies.

Administrative Case Manager: A person employed by DSPD to provide assistance in developing needed services and support to a person receiving DSPD funding. The Administrative Case Manager also monitors the use of the services and the Person-Centered Budget. The Administrative Case Manager may train a person regarding strategies on how to hire employees

Support Strategies: Steps followed by the SAS Employee to support the person in achieving goals identified in the Person-Centered Support Plan. These are the items reported on the SAS worker's time card in the comment section.

CHOOSING APPROPRIATE SERVICES

Administrative Case Managers provide ongoing support to ensure that the needs of the person receiving services are appropriately identified, and that services selected match the person's needs.

Self-Administered Services Self-Administered Services are available to all who are capable of administering the program, and for those who wish to hire their own Employees. The person is responsible to, hire, train, supervise and schedule Employees, and to approve Employee timesheets. Individuals must work with their Fiscal Agent and Administrative Case Manager to meet DSPD and Medicaid requirements.

SERVICE OPTION DESCRIPTIONS

Self-Administered Options

Financial Management Services/Fiscal Agents: A requirement under Self-Administered Services. Fiscal Agents: (a) process payroll for Employees including federal, state, and local tax withholding/payments, unemployment compensation fees, wage settlements, fiscal accounting reports, (b) complete tax forms and (c) provide monthly accounting of budgets

Personal Assistance: Includes assistance with medical and non-medical activities of daily life such as supporting basic healthcare needs, bathing, toileting, dressing, grooming, eating, accessing the community, and incidental housekeeping and chore activities.

Personal Emergency Response Systems: Provides devices that enable individuals to live independently, or with minimal support to summon assistance in an emergency. Examples of this include but are not limited to pill dispensers and HELP call buttons.

AVAILABLE SERVICE OPTIONS FOR SELF-ADMINISTERED SERVICES

All services are based on the assessed needs of the individual. The Administrative Case Manager can help to explain what each of these services represents.

Physical Disabilities Waiver (PDW) serves people with a physical impairment resulting in the functional loss of 2 or more limbs, and requiring at least 14 hours per week of personal assistance

Service Options for Self-Administered Services	Code
Financial Management Services	FMS
Personal Assistance Service	PA 1

Please Note:
New Standards on Minimum Wage and Overtime Compensation

The U.S. Department of Labor (DOL) recently issued new standards on minimum wage and overtime compensation that affects the Self-Administered Service (SAS) system. As a result, the Division of Services for People with Disabilities (DSPD) has modified the SAS service codes. All daily units have been converted to quarter hour units at an equivalent conversion rate.

Replacing daily codes with quarter hour codes will provide an easier method of measuring actual hours worked by employees, and will meet the new minimum wage and overtime requirements as outlined by the Department of Labor. Please keep in mind, overtime is defined as work hours that exceed 40 hours per week based on the hours of each of your employees. A workweek is defined as Sunday through Saturday.

What you need to know:
Daily service units will not be available after March 31, 2016.

Employees who work over 40 hours in the workweek will need to be paid overtime for all time worked over the 40 hours. The cost of the overtime (time-and-a-half) will come out of your budget.

If you need additional funding for overtime to meet the health and safety needs, the following four factors will be considered to assess the your efforts to avoid overtime situations:

1. You will responsibly schedule employees:
Employee overtime may be avoided if you commit to schedule employee working hours thoughtfully and responsibly.

2. You will recruit qualified staff from multiple resources:
DSPD understands the ongoing difficulty you may experience in obtaining qualified employees. There are many resources available to you to find qualified staff and DSPD encourages the use of as many methods as necessary when recruiting employees. You can develop job postings online and work through the Utah Department of Workforce
Services.

3. You will track plan expenditures and plan accordingly through the Person Centered Support Plan:
You should closely monitor expenditures against the plan budget. This can be achieved through monitoring expenditures for regular and overtime wages as reported to you by your Fiscal Intermediary and through ongoing communication with your administrative case manager.

You should be familiar with the start and end date in the Person Centered Support Plan, be able to recognize service codes, and be aware of the ongoing expenditure of those services. Part of managing budget expenditures includes recognizing annual trends, monitoring regular and overtime wages, and communicating with your administrative case manager regarding planned or unplanned changes of service needs.

4. You will offer a reasonable wage to qualified employees:
You should ensure a reasonable wage is being offered to your employee(s). While attempting to stretch support dollars by accessing a lower salary range for your employees may prove to be a reasonable choice, it may limit your option for obtaining or retaining qualified employees.

You will also need to monitor compliance with minimum wage per the Department of Labor rules. The current minimum wage is $7.25 per hour. As an employer, if you discover you are limiting wages to stretch the amount of support, it would be

important to meet with your administrative case manager and discuss appropriate seasonal and year round support needs.

If, for reasons beyond your control, overtime use creates a need to request additional funding, DSPD asks you to complete the Self Administered Services Overtime Increase Request Form and submit it to your administrative case manager. Requests for funding additional services resulting from the use of overtime will not be considered without the submission of this form. DSPD will provide an expedited review for requests for additional funding due to overtime so that you will not experience a reduction in your services.

Self-Administered Service Agreement

A Self-Administered Service agreement (SAS agreement) is a binding contract with DSPD that allows for the self-administration of services. The service agreement is completed for the first time when initiating services, and annually thereafter. It is traditionally completed during the person centered planning meeting. The service agreement should be kept with other records and be available for review upon the request of the Administrative Case Manager.

Regular communication with Administrative Case Manager helps to identify service needs for the person.

The person is considered the SAS program Employer of Record. The SAS program Employer of Record agrees to be responsible for all SAS activity and record keeping, as well as assurances of compliance.

Links to the agreements for the Physical Disabilities Waiver are found in Section 4 Forms and Links. You can also access the SAS agreements online. Self-Administered Services agreements are listed as:

- 2-9EA Employee Employment Agreement.
- 2-9SA Employer Service Agreement
- 2-9C Employee Application for Certification
- 2-9T Notice of FMS Transfer or Termination
- 2-9OT Self-Administered Services Overtime Increase Request Form

SECTION TWO: ROLES AND RESPONSIBILITIES

Adminstrative Case Manager Responsibilites

The overall responsibility of the Administrative Case Manager is to:

- Explain and identify service options.
- Coordinate the initial and annual Person Centered Supports Plan (PCSP) meeting. During the meeting, goals and interests of the person are identified in order to support independence, and enhance self-determination.
- Assist with PCSP annual budget allocation. Administrative Case Manager will monitor both the spending and the remaining budget for the plan year. This includes all prescribed services for each of the persons they serve.
- Monitor services by conducting face-to-face visits with the person served no less frequently than every ninety (90) days.
- Monitor documentation by assisting in the initial as well as annual documentation requirements.
- Complete and submit to DSPD annual SAS audit forms for each person served.
- Provides basic support towards understanding SAS services. This will be a combined effort with the Fiscal Agent.
- Post to DSPD USTEPS log notes on visitation outcomes and various correspondences such as provider/employer monthly service summaries, Form 1-8 Incident Reports and follow up activity, and medical reports, etc.

FISCAL AGENT RESPONSIBLITIES

The Fiscal Agent oversees the financial responsibilities of SAS. Their responsibility is to:

- Provide a document packet to the person containing various DSPD and Employer forms. These forms should include but are not limited to: Fiscal Agent

Appointment, Employer FEIN SS-4, Employee forms (including: W4, I-9, BCI form), Employee Certification Form 2-9C, Employee Agreement Form 2-9 EA, time card(s) required for services and instructions on how to complete the forms. Links to some of these forms are provided under Section 4 Forms and Links.

- Ensure required payroll paperwork is received and remains current prior to paying Employees.
- Send paychecks directly to Employees, withholding all required taxes; issue an annual W-2 income and tax summary for each Employee.
- Follow set pay periods; payments occur at least two times per month.
- Make payments for services identified in the Employee agreement, and per employer, and Employee approved (signed) time cards.
- Monitor and maintain current records.
- Ensure time cards reflect worker shift as a.m. or p.m., and do not include duplicated or overlapping periods.
- Ensure time cards have proper authorization signatures, and have been submitted on time.
- Send a monthly report showing employer payments and budget balance.
- Decline payments to Employees who do not pass a background check. Discontinue payments to Employees who do not renew their background check before it expires. *Please note on some occasions it may take several weeks for notification of a completed background check.*
- Maintain a customer service call center.

LIMITATIONS

The Fiscal Agent cannot:

- Make payments outside of the set pay schedule or without the DHS/DSPD Service Authorization Form 1056 generated by the Administrative Case Manager to authorize payment.
- Make payments without a completed background screening on potential Employees and annually on on-going Employees.
- Provide workers compensation insurance.

  * As an employer you may choose to offer those you employ health life or workers compensation insurance at your own expense. The Fiscal Agent will deduct these premiums at your request.

EMPLOYEE RESPONSIBILITIES

Employees provide direct care to the person receiving services. Employee responsibilities include but are not limited to:

- Complete all required training (documented on Form 2-9C) prior to working with the person unsupervised.
- Be familiar with the Service Definition for PA 1 and Specific Training Form (2-9C) and know where a copy is located.
- Be familiar with the Supports Strategies and know where a copy is located.
- Be familiar with the emergency contact and information form, and know where a copy is located.
- Provide supports outlined in the Support Strategies.
- Keep any data, logs, or required information. Keep comments on timesheets current.
- Follow the Code of Conduct. Annually review the Code of Conduct and sign the signature page.
- Complete payroll forms, timesheets, comment sections, and follow pay periods and submission timelines.
- Fill out a Background Check Application Form on an annual basis and ensure it is submitted to the Fiscal Agent in a timely manner. This ensures continuous approved background check status.
- Follow all incident reporting requirements including immediate notice and completion of Form 1-8. Know where incident report forms are located.
- Share important information to develop future goals and services.

The following forms need to be completed in order for reimbursement of direct care services to occur. These forms also confirm all Medicaid requirements have been met. The Fiscal Agent is required to have the following:

- W-4 Employees Withholding Allowance Certificate
- I-9 Employee Eligibility Verification Form (there are two sections that need to be completed by you and your employer). Include copies of 2 forms of ID. See reverse side of I-9 for the list of accepted documentation and further instructions.
- A Form 2-9EA Employment Agreement

- Background Check Application Form
  The Employee's social security card and identification such as a current driver's license will need to be copied and attached to the back ground screening application processed by the DHS Office of Licensing. The employer will need to see the originals and keep a copy of the Employee's social security card and identification to fill out the I-9 form.

  To meet Medicaid Requirements, the following forms need to be completed.
- A form 2-9C Employee Certification provided in the Fiscal Agent packet also available online, and under Section 4 Links. Complete all areas identified and indicate knowledge of Requirements for Certification by signing and dating each area completed.

- A Department Code of Conduct and any Division Code of Conduct

- Read completely and sign the signature sheet.

EMPLOYER RESPONSIBLITIES

The person receiving services becomes the Employer under the Physical Disabilities Program. The person's responsibility is to:

- Sign and annually update the Self-Administered Services Agreement Form 2-9SA.
- Select a Fiscal Agent, and inform both the Administrative Case Manager and the Fiscal Agent of any updates or changes to Employee status for all hires or released workers.
- Develop and maintain Support Strategies.
- A Support Strategy is an annual requirement that identifies the steps to reach a goal that has been decided by the individual receiving services and their support team. You may work with your Administrative case Manager to develop support strategies. Support strategies are due to your Administrative Case Manager within 30 days of the Person Centered Planning meeting.
- Ensure that Employees understand, and are familiar with, the Support Strategies, and know where they are located.

- Develop and update the Service Specific Training on the Specific Training Form (2-9C) page.
- Ensure that Employees understand and are familiar with the Service Specific Training and know where a copy is located.
- Develop and update the emergency contact and information form.
- Ensure that Employees understand, and are familiar with, the emergency contact and information form, and know where it is located.
- Maintain Employee personnel and training records for six years.
- Ensure Employees meet DSPD training requirements.
- Ensure Employees are 18 years of age or older, and complete the Employment Agreement Form. For overnight or transportation services the age requirement is 18 and over.
- Receive review and sign timesheets with Employees and submit according to the Fiscal Agent's payroll schedule.
- Responsible for recruiting, screening, hiring, firing, and training Employees.
- Responsible for ensuring Employee's providing direct services have a cleared background check Background checks are to be completed *annually* for any Employee providing services.
- The Person or person's Representative shall notify the Administrative Case Manager if any of the following occurs:
    - (a) If the person moves; in moving from one area of Utah to another, DSPD services are retained. Moving out of Utah closes all DSPD services. A new application for DSPD services would be required and the person would be placed on the waiting list if they return to Utah after moving out of the state.
    - (b) If the person is in the hospital or nursing home; or
    - (c) Death of the person.
- Ensure that all required paperwork is filled out by the Employee including:
    - A Form 2-9C Employee Certification Complete all areas identified and indicate knowledge of Requirements for Certification by signing and dating each area completed
    - A Department Code of Conduct and any Division Code of Conduct
    - W-4 Employee Withholding Allowance Certificate This form is used by fiscal agent to adjust Employee taxes for claimed exemptions.
    - I-9 Employee Eligibility Verification Form (there are two sections that need to be completed by you and your employer). Include copies of 2 forms of ID. See reverse side of I-9 for the list of accepted documentation and further instructions.

- Form 2-9EA Employee Agreement provided in the Fiscal Agent packet also available on the DSPD website.

Background Screening

Background Screening Application also referred to as a background check is an initial and annual review of any individual providing direct care support to an individual in services.

The employee's social security card and identification such as a current driver's license or state I.D., will need verification by the employer. The employer will need to send in a copy of the driver's license or state ID, and the social security card to the fiscal agent.

Everyone over the age 18 who receives pay for services (including relatives) will need to submit two completed fingerprint cards with their background screening application. Renewal applicants (those with a current screening on file with the Office of Licensing submitted after September 1, 2015) only need to submit fingerprints at their renewal if they are a resident and/or use identification not issued by a WIN state (Utah, Washington, Oregon, Idaho, Montana, Wyoming, Alaska or Nevada).

The fiscal agent will submit the forms and notify you when the background screening is complete, and provide certification for your records. This process can be delayed if information on the application is not legible, or the fingerprint cards have significant smudging or sequence errors. The background screening application should be sent to the fiscal agent you have decided to work with by mail or fax. New employees may not work, even supervised, until the background screening application has been submitted by the fiscal agent to the Department of Human Services, Office of Licensing by mail or hand delivered.

ACUMEN Fiscal Agent
PO BOX 539
OREM, UT 84059-0539
888-221-7014

LEONARD CONSULTING, LLC
1059 E 900 S
SLC, UT 84105
801-359-4699

MORNING STAR Financial Services
PO BOX 9323
SLC, UT 84109
801-484-0787
888-657-0874

VALNTINE CPA, A Professional Corp
944 E GORDON AVENUE
LAYTON, UT 84040
801-444-3710

Incident Reporting

Employers must provide proper training to staff regarding incident reporting. Employers and employees are required to know what types of incidents to report, and reporting timelines. It is required that the employer or employee notify the administrative case manager of any reportable incidents that occurs, while the person is in the care of the employee within 24 hours of the occurrence. Notification may be in the form of a phone call, email or fax.

The administrative case manager will fill out the incident report entry in the USTEPS/UPI. The employer and their employees will need to comply with the mandatory reporting requirements of the Utah Code 62A-3-305 and 62A-4a-403 by immediately notifying APS (Adult Protective Services) intake, or the nearest law enforcement agency of actual or suspected incidents of abuse, neglect, exploitation, or maltreatment.

Additionally, in these situations, the administrative case manager shall document in the incident report that prevention strategies are developed and implemented, (when applicable), and that verification (during face-to-face visits) of safeguards and interventions are in place. The following incidents require the filing of a report:

(a) Actual and suspected incidents of abuse, neglect, exploitation, or maltreatment per the DHS/DSPD Code of Conduct and Sections 62-A-3-301 through 321 for adults and Sections 62- 4a-401 through 412 for children;

(b) Drug or alcohol abuse;

(c) Medication overdoses or errors reasonably requiring medical intervention;

(d) Hospitalizations due to medical or psychiatric conditions;
(e) Attempted suicides;

(f) Aspiration or choking which resulted in an emergency medical intervention;

(g) Missing person over two hours, or considered endangered;

(h) Evidence of seizure in a person with no seizure diagnosis;

(i) Significant property destruction (Damage totaling $500.00 or more is considered significant);

(j) Physical injury reasonably requiring a medical intervention;

(k) Law enforcement involvement;

(l) Use of mechanical restraints, time-out rooms or highly noxious stimuli that is not outlined in the Behavior Support Plan, as defined in R539-4; or emergency behavior interventions;

(m) Human rights violations such as the unauthorized use of restraints seclusion rooms or the infringement of a person's privacy rights;

(n) Any other instances the person or representative determines should be reported;

(o) Public or media attention for incidents that have been referred by elected officials;

(p) Incidents that involve alleged or confirmed waste, fraud, or abuse of Medicaid funds;

(q) Death (all fatalities expected or unexpected need to be reported).

After receiving an incident report, the administrative case manager shall review the report and determine if further review is necessary.

Time Sheets

The timesheet is an important document and provides internal controls that reduce misuse or fraud when used properly. It reflects the implementation of labor agreements and payroll obligations. A timesheet entry needs to be completed each time the Employee works. The time sheet should indicate the exact time (including a.m. and p.m.) the shift begins and ends. The Employee is required to make a brief comment on the timesheet of the service provided during the shift. The Employer may contact the Fiscal Agent with any questions concerning filling out a timesheet or using a Fiscal Agent on-line or telephone-based reporting system. Complete and correct information must be provided on the timesheet or the Employee will be asked to make necessary corrections, which may delay the Employee's payment.

Timesheets will be reviewed by both the Employer and the Fiscal Agent for correct billing information. The Fiscal Agent deducts taxes, and provides payment directly to Employees during normally scheduled payroll practices. Following a payroll, a person's SAS budget with the Fiscal Agent is updated and the SAS employer is provided a current and historical summary of payments and remaining budget. The Administrative Case Manager will not have access to the processed time sheets. Time sheets are sent directly from the Employer to the Fiscal Agent, which are then processed through the Fiscal Agent, and are not, in practice, redistributed to any other parties. It is the Employer's responsibility to share time sheet information with the administrative case manager if the Employer finds it necessary, or the administrative case manager requests it.

Follow the Utah Timesheet Instructions Below:

1. Enter Employee name (LAST NAME, FIRST NAME)
2. Enter Employee ID (Social Security Number or Fiscal Agent Employee number)
3. Enter the person receiving services' name (LAST NAME, FIRST NAME)
4. Enter the person's ID number (DSPD 0-nine digit number)
5. Enter the service date(s) - the date(s) that were worked (Month/Day/Year)
6. Enter the time work began and ended. Indicate a.m. or p.m. hours (12:00 noon is p.m. and 12:00 midnight is a.m.)
7. Enter the corresponding service code using the following letter codes as applicable:

PA1 - Personal Assistance

8. Enter comments regarding the services provided. This should be brief and related to the goal addressed in the Support Strategy.
9. Ensure the Employee and the employer sign the time sheet. "Pre-signed" forms are not allowed. The employer may not "sign" for the Employee.
10. Enter dates by the signatures.

Time Line for Payroll

The Employer may fax, mail, or electronically submit signed/approved timesheets to the Fiscal Agent by the deadline of the 1st and 16th of each month or as instructed by the Fiscal Agent. Timesheets received on or before the 1st of the month will be paid on or before the 15th.

Timesheets received on or before the 16th of the month will be paid on or before the 30th. Variations in the payroll schedule may occur due to holiday and weekend dates. Refer to the Payroll Schedule provided by the Fiscal Agent. This schedule may be included in the Daily File.

The Employee must inform the Employer of any changes in contact information, such as address or name change, so the Fiscal Agent can be notified.

Payroll may NOT be processed by the Fiscal Agent without prior Administrative Case Manager approval if it is received more than 30 days following the month services were provided.

The Fiscal Agent receives time sheets, reimburses Employee's, and submits payment documentation to DSPD, which is processed on a weekly basis. Questions about payroll schedules and processes can be answered by your Fiscal Agent.

Employee Rate Information

To establish or change your Employee's rate of pay, turn in an Employee Rate Information Form. This form is included in the Fiscal Agent's packet.

Termination of Employment

Termination of an Employee requires a Fiscal Agent Employee termination form be submitted to your Fiscal Agent in addition to the final timesheet.
Complete the appropriate section for the Employee Termination Form provided in the Fiscal Agent packet.
Blank forms of/for your fiscal agents are located at one of the following websites:

Acumen Fiscal Agent:
acumenfiscalagent.com

Leonard Consulting, LLC:
leonardconsultingllc.com

Morning Star Financial Services:
morningstarfs.com

Valentine CPA, A Profesional Corporation:
https://www.the-tax-coach.com

SAS Compliance Review

The administrative case manager will annually review your file to ensure SAS compliance. Please ensure you have the appropriate documents available upon request. Below is a document checklist that provides a list of the forms you will need to have in a file.

Document Checklist

The table below lists the required documentation to participate in Self- Administered Services and identifies who receives copies of each document.

SAS DOCUMENT CHECK LIST			
DOCUMENT NAME	**ACTION**		****DSPD REVIEWS**
Agent Authorization 2678	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy		NO
Employer FEIN SS-4	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy		NO
Copy of Driver's License (for BCI, I-9 and if transporting)	Employer sends to Fiscal Agent, Employer keeps copy		NO
BCI (annually)	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy of approval letter		YES
I-9 Employee Verification	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy		YES
W-4 Form Tax Withholding	Fiscal Agent sends, Employer returns to Fiscal Agent, Employer keeps copy		NO
Proof of Insurance if Transporting	Employer collects copy from Employee when applicable, Employer keeps copy		NO
Employee Certification 2-9C	Fiscal Agent sends, *DSPD Document, Employer keeps originals in file for all Employees		YES
Employment Agreement 2-9EA	Fiscal Agent sends, Employer sends 2-9EA for each employee hired, *DSPD Doc, Employer keeps copy		YES
Service Agreement 2-9 SA	**Administrative case Manager with DSPD sends,** *DSPD Document, Employer keeps copy		YES
Person Centered Support Plan	Administrative Case Manager provides to Employer at least annually		YES
Time Sheet with Comments	Fiscal Agent sends, Employer sends in to Fiscal Agent, Employer keeps copy		YES
Employee Code of Conduct Department and Division	Fiscal Agent sends, Employer keeps originals in file for all Employees		YES

Service Specific Training	*DSPD Document, Employer keeps documentation of training in file		YES
Support Strategies	*DSPD Document, Employer develops and keeps in file		YES
Emergency Contact and Incident Report Forms	*DSPD Document, Employer keeps original in file, also blank incident reports available		YES
Monthly Summaries	Various forms of documentation SCE documents on USTEPS		YES

*DSPD Document is defined as a document available on the DSPD website. Modifications are allowable for Support Strategies and Emergency Contact forms.

**DSPD reviews are completed by reviewing SAS Compliance Review Checklist. SCE's complete these on an annual basis.

Record Keeping

Daily File: A recording system for Employees to use each time that they work; this system is referred to in this support book as a "daily file."
Items to include in a daily file:

- Blank Incident Report Form also referred to as a Form 1-8.
- Emergency Contact and Information Form
  An emergency contact form is used to provide contact information in the case of an emergency. This can include but is not limited to: Current home phone number and address, pertinent health care information and parent or family contact information.
- Current Support Strategies
- Service Specific Training
- Blank Timesheets
- Optional - Living will and or Do Not Resuscitate declaration

Employee File Information:
Maintain the following documents in a confidential Employee file

- Copy of auto insurance policy (if transporting)
- Copy of Employee's driver's license (if transporting)
- Copy of social security card
- Original W4
- Original I-9
- Signature sheet of the Code of Conduct (reviewed annually)
- Signed copy of the Employee Agreement
- Signed copy of Employee Certification

- Copies of Background Screening Applications submitted and any denial

Section 3 Medicaid Waiver Services

Administrative Rule and waiver services

Utah Administrative Rules governing the use and administration of Self-Administered Service is available on the Utah Department of Administrative Services website, or through the DSPD website, and can also be accessed through the link provided in Section 4 Links.

Avoiding Fraud and the Misuse of Funds

The use of Self-Administered Services, like all DSPD services, requires following all Medicaid Rules and Regulations. Misrepresentation of the use of Medicaid funds could result in the loss of the right to self-administration and may result in criminal action, imprisonment, and substantial fines and paybacks. Be a responsible employer by working closely with your Administrative Case Manager and Fiscal Agent, and follow the DSPD and Medicaid requirements. DSPD is required to account for all the funds disbursed.

Examples of fraud and misuse of funds that may result in inspection of records, payback of funds and criminal actions include, but are not limited to:

- One Employee billing for more than one service at the same time
- More than one Employee billing for services at the same time
- Employers asking Employees to bill for hours not really worked or approving to pay for more hours than were actually worked
- Asking Employees to give kickbacks
- Approving payment for hours of work when the person was receiving services from another source (at school, in the hospital, etc.)
- Approving payment for hours of work when the Employee was unavailable to work (out of town, in jail, on vacation, away at school, etc.)

The examples listed above are all actual cases that have been investigated and in some cases prosecuted.

When an investigation finds employers have engaged in fraud and misuse of funds, funds paid must be paid back to the state by the Employee. In order to avoid payback make sure that:

- You compare timesheets from all Employees to make sure that the work times recorded do not conflict or overlap with other Employees' work times
- Your Employees record only one service during a time period (do not record multiple services at the same time)
- Your Employees have not recorded working on days or times when the person is not available to receive services
- Your Employees are not recording more hours on timesheets than actually worked
- Work times are billed as a one-on-one service (meaning one Employee to one person).
- Pay rates are within the designated range for services listed in the Fiscal Agent Packet.
- The employer does not receive payment or take a portion of the Employee's pay.
- An Employee providing overnight services, working during typical hours of sleep, or providing transportation is at least 18 years of age.

Each month the Fiscal Agent (your payroll agency) will review timesheets for accuracy and appropriate usage of services. The Administrative Case Manager may request timesheets to clarify any issues identified by the FMS. You may be asked to clarify if the following situations are found:

- Unexpected high use of services occurs in one month. If a person's situation changes, contact your Administrative Case Manager immediately and inform him/her of your needs and possible changes in your expected use of service before submitting timesheets. High use of services at the end of the plan year, unless justified and approved by your Administrative Case Manager.
- Billing for new Employees prior to notifying the Administrative Case Manager.

Each Administrative Case Manager must have a copy in their file of the Form 2-9C, the Employee's completed certification. You must inform both your Administrative Case Manager and Fiscal Agent of any staff changes.

Staff Limitation

The following may not be employed to work for pay with a family member:

- Spouses

The types of relatives to who payment is made: With the exception of parents of adult children who are only allowed to be paid under specific circumstances, there are no restrictions to payments made to relatives of the person.

Specific circumstances under which payment is made to a parent, step-parent of the person:

1. When a person lives in a rural area within five miles of a population center of less than 2,500 when there are no other resources to provide supports within a reasonable geographic area (15 miles) from the person and the person conducts on ongoing recruitment of resources other than a parent.

2. For the time when the parent who has specialized training for safely operating health related technology for the Person including but not limited to the operation of a ventilator, G peg tube feeding, home dialyses infusion, and wound care performs those tasks because the person can demonstrate they have no other dependable or qualified resources available to do so.

3. If the person is functionally quadriplegic and is dependent on others to perform health and safety related supports and other routine activities of daily living.

4. If the person needs supports critical to their health and safety during nontraditional work hours such as during the night.

At-will Employee status applies to all SAS Employees. This allows the Employee or employer to terminate employment with or without notice for any reason, resulting in no disciplinary action or penalty, with the exception of abuse, neglect or exploitation (which must be reported to proper authorities by law).

Section 4: SAS Forms and Links

Employer Forms

2-9SA Self-Administered Service Agreement

Physical Disabilities Waiver
http://hspolicy.utah.gov/files/dspd/Forms/2.9-SA(PDW)%20Self-Administered%20Services%20Agreement%20-%20PDW.pdf

Employee Forms

Form 2-9C- Application for Certification

Physical Disabilities Waiver
http://hspolicy.utah.gov/files/dspd/Forms/2-9C(PDW)%20Application%20for%20Certification%20to%20Provide%20Limited%20Services%20for%20Self-Administered%20Services%20(PDW).pdf

2-9 EA Self-Administered Employee Agreement

Physical Disabilities Waiver
http://dspd.utah.gov/pdf/2.9-EA(PDW)%20Self-Administered%20Services%20Employment%20Agreement%20(PDW).pdf

General Self-Administered Service Forms

Code of Conduct

Department Code of Conduct
Department Code of Conduct

Division Code of Conduct
Division Code of Conduct

1-8 Incident Report Form
http://hspolicy.utah.gov/files/dspd/Forms/1-8%20Incident%20Report%20Form.pdf

Background Screening Application
Background Check Application Form

Background Screening Tutorial
http://www.dspd.utah.gov/docs/TUTORIAL%20BSA%20NEW%20BUILDING.ppt

Support Strategies
http://www.dspd.utah.gov/docs/selfadministered/Support%20Strategies.pdf

Monthly Summaries
http://www.dspd.utah.gov/docs/selfadministered/Monthly%20Summary.pdf

Service Specific Training
http://www.dspd.utah.gov/docs/selfadministered/Service%20Specific%20Training.pdf

Self- Administered Services Overtime Increase Request Form
Self Administered Services Overtime Increase Request Form

Notice of Termination of FMS Service
http://hspolicy.utah.gov/files/dspd/Forms/2.9-T%20%20Notice%20of%20Termination%20of%20FMS%20Services.pdf

Administrative Rule
http://www.rules.utah.gov/publicat/code/r539/r539.htm

DSPD Self-Administered Services Link
http://www.hsdspd.state.ut.us/selfadminmodel.htm

Fiscal Agent Links

Acumen Fiscal Agent
https://www.acumenfiscalagent.com/

Leonard Consulting, LLC
http://leonardconsultingllc.com/

Morning Star Financial Services
http://morningstarfs.com/

Valentine CPA, A Professional Corporation
https://www.the-tax-coach.com

Fiscal Agent Forms
W4: http://www.irs.gov/pub/irs-pdf/fw4.pdf
I-9: http://www.uscis.gov/files/form/i-9.pdf
2-9EA: Form 2-9EA

Additional Supports and Resources

Independent Living Centers

OPTIONS for Independence

Serving: Box Elder, Cache, and Rich
1095 North Main
Logan, UT 84341
(435)753-5353 or (800)753-2344

OPTIONS- Box Elder Satellite

1080 N. Main, Suite 105-A
Brigham City, UT 84302
(435)723-2171

Roads to Independence (formerly Tri-County Independent Living Center)

Serving: Morgan, Weber and Davis Counties
3355 Washington Blvd.
P.O. Box 428
Ogden, UT 84401
801-612-3215 or toll-free in Utah (866) 734-5678

Utah Independent Living Center

http://www.uilc.org/centers.html

3445 South Main Street
Salt Lake City, Utah 84115–4418
(801) 466-5565

Ability First

Serving: Utah, Wasatch, Juab, and Sanpete Counties.
491 North Freedom Boulevard
Provo, UT 84601
(801)373-5044 or toll-free in Utah (877)421-4500

Ability First- Manti Satellite

50 S Main St Suite #26
Manti, UT 84642
(435)835-4930

Active Re-Entry Independent Living Center

Serving: Daggett, Duchesne, Uintah, Carbon, Emery, Grand, and San Juan Counties.
10 South Fairgrounds Road
Price, UT 84501
(435)637-4950

Moab Satellite Office

182 North 500 West
P.O. Box 122
Moab, UT 84532
(435)259-0245

Uintah Basin Satellite Office

P.O. Box 580
Vernal, UT 84078
(435)789-4021

Red Rock Center for Independence

Serving: Millard, Sevier, Beaver, Piute, Wayne, Iron, Garfield, Washington, and Kane Counties.
515 West 300 North, Suite A
St. George, UT 84770-4555
(435)673-7501 or (435)673-8808

Red Rock- Beaver County Outstation

(435)691-7724

Red Rock- Iron County Outstation

(435)669-6954

Red Rock- Sevier County Outstation

(435)979-6416

The Utah Caregiver Alliance
caregiveralliance.com
Toll Free: (866)-404-9080
The Utah Caregiver Alliance has created an online resource registry to connect caregivers with qualified care providers and vendors, as well as networking caregivers with other caregivers. UCA is also helping families form cooperatives to pool resources and create services and supports, and to provide outreach and training to families to ensure success.

The Division of Workforce Services
http://jobs.utah.gov/
Toll Free: (888)-920-9675
The Division of Workforce Services can assist you with posting your job listing on their site. You may be asked to provide your employer ID number that you have been given by your fiscal agent.

ADDITIONAL RESOURCES

Utah Parent Center
http://www.utahparentcenter.org/
Phone: 801-272-1051
Toll-Free in Utah: 1-800-468-1160
Spanish: 801-272-1067

United Way 2-1-1
www.uw.org/211

Utah Brain Injury Alliance

http://biau.org/
Phone: 801-716-4993
Toll-Free: (800)-281-8442
Española: 801-716-4996

Utah State Office of Rehabilitation
http://www.workabilityutah.org/work/usor.php
Phone: 801- 538-7530
Toll free: (800) 473-7530

Family to Family Network
http://www.utahparentcenter.org/projects/family-to-family/
Phone: 801- 272-1051
Toll-free in Utah: (800) 468-1160

Frequently Asked Questions

Q: When are background checks due?

A: Back ground checks are completed on an annual basis, and upon hire through the Background Check Application Form . This form is processed by the Fiscal Agent and sent to the Department of Human Services, Office of Licensing. Employees can provide direct services while an initial background check is being processed for up to 30 days; however this can only be done under direct supervision of someone who possesses a cleared background check. The 30 day window is only applicable for initial hires, and is not applicable toward annual reviews. Individuals working with expired background screening checks will be denied payments. Therefore, the Fiscal Agent will remind the Employer to process a renewal approximately 45 days prior to the lapse date of the current background check.

Q: How do I pick a Fiscal Agent?

A: There are currently four contracted Fiscal Agents to choose from when starting Self-Administered Services. You can call the listed Fiscal Agents and ask questions, as well as visit the website and research your options.

Q: Can I change Fiscal Agents?

A: Yes you can change Fiscal Agents at any time; however you will be required to provide notification to the Fiscal Agent to allow transition from one service provider to another. A Notice of Termination of FMS (Fiscal Agent) services is available online, and can be filled out and submitted by your Administrative Case Manager. Links to the Notice of Termination are listed under Section 4 General Self-Administered Service Forms.

Q: How and where do I find Employees?

A: Often the best Employees are those you already know. You can network within your community to assess who you think might be a good fit for you. .
You can develop job postings online, or post hard copies in local college campuses. You can also advertise at the Department of Workforce Services. Details are provided under Section 4 Additional Supports and Resources, Department of Workforce Services. The Utah Caregiver Alliance has created an online resource registry to connect caregivers with qualified care providers and vendors, as well as networking caregivers with other caregivers. UCA is also helping families form cooperatives to pool resources and create services and supports, and to provide outreach and training to families to ensure success. Contact information is provided under Section 4 Additional Supports and Resources, Utah Caregiver Alliance

The Division of Services for People with Disabilities aims to provide services to people with disabilities in the least restrictive manner possible. Self-Administered Services allow people to live in the community and take control of their own lives. For more information on SAS or other offered services, contact DSPD.

Address:
195 North 1950 West
Salt Lake City, Utah 84116

Phone: (801) 1-844-ASK-DSPD /1-844-275-3773
Fax: (801) 538-4279
TTY: (801) 538-4192

Email: dspd@utah.gov Web: www.dspd.utah.gov