

Caregiver Compensation Guidance

COVID-19 Appendix K Flexibilities

Caregiver compensation is allowed during the COVID-19 emergency. Parents, spouses, and guardians (caregivers) may provide self-administered supported living (SL1) for their individual in-service on the Community Supports Waiver (CSW) and Acquired Brain Injury Waiver (ABIW). Caregivers may provide personal assistance (PA1) for individuals on the Physical Disabilities Waiver (PDW).

- Support can be provided between the hire date and June 30, 2020
- Support can be provided up to 40 hours per week based on the individual's documented and assessed need

All support provided must follow the scope and requirements of the [SL1 service code](#) or the [PA1 service code](#).

The Support Coordinator needs to approve the hire of the caregiver by emailing the fiscal agent [Form C19 COVID-19 Caregiver Compensation Authorization](#) available on the DSPD website. Support Coordinators must also upload the document in USTEPS using the category "COVID-19 Caregiver Compensation Authorization." Before authorization, a Support Coordinator must consider:

- If another service provider is available
- The best interest of the individual
- If the Support Coordinator can provide additional budget and quality oversight. This includes:
 - Verifying that the family member is capable of performing SL1 or PA1
 - Reviewing and submitting timecards to the FMS provider

Caregivers New to SAS

Caregivers can start using the self-administered services (SAS) model to receive caregiver compensation. Contact your support coordinator to complete the paperwork needed to start SAS.

Caregivers Using Provider Model

Caregivers also have the option to seek employment with a DSPD contracted provider agency. Provider agencies typically provide supported living through the SLN service code. SAS employment guidance does not apply to an agency employment relationship.

SAS EMPLOYMENT PAPERWORK

Support Coordinators should assist families in completing the process to become a Self Administered Services (SAS) employee. All paperwork must be completed before the caregiver may receive payment. Your fiscal agent will supply you their typical new hire packet which includes Federal forms and fiscal agent payment forms. Note that caregivers who are also employers do not need to complete an employee agreement form. As with any business and financial matter, consulting with your tax advisor is always encouraged.

Background check information:

- Submit all background check paperwork to your fiscal agent.
 - DHS Office of Licensing has modified the background check process during this emergency. The modified process is detailed in the [DHS Provider COVID-19 FAQ](#) Background Screening section.

Earliest Effective Start Date

The fiscal agent will notify the caregiver when they are authorized to begin working. The caregiver may not bill for hours prior to the hire date given by the fiscal agent. Note that this replaces previous guidance that stated hours may be billed retroactive to 4/1/2020.

PLANNING, BUDGETS, AND BILLING:

Person Centered Planning and Budget

Use the SL1 service code for individuals on the CSW and ABIW, or PA1 for individuals on the PDW, regardless of the individual's age.

- Additional units may need to be added to the budget for the purpose of paying caregivers.
 - For those new to SAS, the FMS and SL1 or PA1 services will need to be added to the plan. The FMS will need units equivalent to three months of services.
- Support Coordinators may make the changes to the PCSP budget without DSPD involvement if they can maintain the plan total within the plan max.
- If additional funds are needed, or will be needed before the end of the plan cycle, Support Coordinators should submit a request to Clay Hiatt at clayhiatt@utah.gov using the "[Request Additional Services](#)" form. In general, 1760 units of SL1 will be the maximum number of new units needed.

Timesheets

Hours of support billed by a caregiver must not exceed the documented need in the person-centered plan or 40 hours per week per individual, whichever is less.

- If more than one caregiver is employed, the combined total of billed hours must not exceed the documented need in the person-centered plan or 40 hours per week, whichever is less.
- If 40 hours a week is less than the individual's documented need in the person-centered plan, non-caregiver employees are needed to provide the remaining support.
- The 40 hour caregiver maximum for an individual applies to each work week (defined as Sunday through Saturday) and may not be averaged across the two week payroll period.
- Additionally, a caregiver may not exceed 40 hours per week in cases where multiple individuals in the household receive DSPD services.

Support Coordinators must approve and submit the timesheet for caregivers. (Note: for non-caregiver employees, please continue submitting hours normally. Support Coordinator approval is not required for non-caregiver employees.)

- Caregivers should fill out their timesheet and send it to the Support Coordinator for approval.
- The FMS will accept a paper timesheet if the Support Coordinator cannot submit through the electronic system.
- Be mindful of the FMS agency's time submission deadlines and ensure your Support Coordinator receives the timesheet early enough to be able to approve it and submit it to the FMS agency on time.

Billing

When billing DSPD, fiscal agents should combine hours for services delivered by caregivers with other hours delivered by direct support professionals using the codes SL1 (CSW/ABIW) or PA1 (PDW).