



Utah Department of
Health & Human Services
Services for People with Disabilities

SELF-ADMINISTERED SERVICE (SAS) BOOK

for the

Community Support Waiver (CSW)

Community Transition Waiver (CTW)

Acquired Brain Injury Waiver (ABIW)





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PROGRAM OVERVIEW

Terms & Definitions

Division of Services for People with Disabilities (DSPD): DSPD is the Utah state agency responsible for administration of state and federal funding for people with disabilities. DSPD provides many different services that are intended to help people with disabilities to participate more fully in their communities, and to lead self-determined lives.

Person: Person means an individual who is receiving DSPD services.

Employee: An Employee is any individual that is hired to provide services to a Person.

Employer: The Employer is the Person or their representative, typically a family member, who is responsible for the administration of the Person's Self-Administered Services.

Support Coordinator: The Support Coordinator helps with identifying, understanding and coordinating needed DSPD services. The Support Coordinator provides ongoing support to ensure that the needs of the Person are appropriately identified and that services match the Person's needs. They also monitor the Person's budget for services and their use of the services. The Person has the right to choose their Support Coordinator and will have the opportunity to interview available Support Coordinators. The Person also has the right to change their Support Coordinator at any time.

Person-Centered Support Team (PCST): A PCST is a team that includes the Person, their Support Coordinator, and members of their circle of support who participate in the planning and delivery of services with the Person. PCST members may include the Person's guardian, family, friends, professionals, and Employees that are providing services.

Person-Centered Support Plan (PCSP): A PCSP is a plan developed by the PCST that outlines the services and supports that are necessary for the Person to meet their needs. A PCSP is developed based upon the Person's own preferences, strengths, interests, goals, and their health and safety needs.



Terms & Definitions continued

Fiscal Agent: A Fiscal Agent is an organization that provides essential services in support of self-administration, ensuring the Employer is in compliance with employment laws and Waiver rules. Fiscal Agents issue payroll, process and monitor Employee background screenings and assist with managing the service budget. Use of a Fiscal Agent is required with Self-Administered Services.

Medicaid Home and Community Based Waivers

DSPD services are mostly funded through Medicaid Home and Community Based Waivers (Waivers). Waivers are federally and state approved programs that have been developed to meet the needs of people with disabilities who prefer to receive long term care services and support in their home and community, as an alternative to an institutional setting, such as an intermediate care facility (ICF) or skilled nursing facility. Waivers allow Medicaid to pay for support and services that help people live safely in their own homes and communities.

There are five Waivers that DSPD services are funded from: Community Support Waiver (CSW), Community Transition Waiver (CTW), Acquired Brain Injury Waiver (ABIW), Physical Disability Waiver (PDW), and Limited Supports Waiver (LSW). These Waivers are designed to:

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



DSPD Service Delivery Models: The Person can choose to have their services delivered through a Provider-Based Agency, Self- Administered Services, or a combination of both Provider-Based Agency and Self- Administered Services.

- **Provider-Based Agency** is a private company that has a contract with DSPD to provide services to people with disabilities. It is their responsibility to hire qualified staff to provide services, and to ensure services are delivered correctly. The Person can choose one or more Provider-Based Agencies to receive services from in order to meet their specific needs.

For more information on what services are offered through Provider-Based Agencies and how to receive services from a Provider-Based Agency, contact your Support Coordinator.

- **Self-Administered Services (SAS)** is a service delivery model that offers an alternative to receiving services from a Provider-Based Agency by allowing the Person, or their representative (often a family member) to become the Employer. SAS services are provided in the home of the Person or in their community. It is the responsibility of the Employer to choose, hire, train, schedule, and supervise qualified Employees to provide services to the Person and ensure SAS rules are being followed.

SAS is available to all who have an Employer capable of administering the service delivery model and who wish to hire their own Employees. SAS is a part of DSPD's goal to allow the maximum amount of independence and choice in the lives of the people receiving DSPD services.

SAS services can be canceled or changed to Provide-Based Agency services by either the Person or DSPD.





Available SAS Services

Under each Waiver description, a list of SAS services is provided that is available to that specific Waiver. There is also a summary of each service (below), under “SAS Service Description Summaries.”

Community Support Waiver (CSW) and Community Transition Waiver (CTW) provide services for people with a diagnosis of intellectual disabilities or related conditions.

SAS Service Options	Service Code
Chore Services	CH1
Companion Service	CO1
Family Training and Preparation	TF1
Homemaker Service	HS1
Personal Assistance Service	PA1, PA2
Respite	RP1, RP6
Respite-Group	RP7, RP8
Supported Living	SL1, SL2
Transportation Service	DTP

Acquired Brain Injury Waiver (ABIW) provides services for people with an injury that occurs to the brain after birth.

SAS Service Options	Service Code
Chore Service	CH1
Homemaker Service	HS1
Respite	RP1, RP6
Supported Living Service	SL1, SL2
Transportation Service	DTP



SAS Services Summaries

Complete service descriptions, including general and specific requirements and limitations, are posted on the DSPD website at dspd.utah.gov

Chore Service (CH1) provides support with heavy household chores. CH1 is typically routine, and helps to maintain a clean, sanitary, and safe living environment for a Person when they are unable to complete the chore activities on their own. CH1 can only be provided when there is no other relative, caregiver, landlord, or other volunteer that is capable of, or responsible for, the chore. CH1 may include: washing floors, walls, and windows; snow removal and lawn care; securing loose rugs, tiles, and moving heavy furniture to provide safe access.

Companion Service (CO1) provides one-on-one non-medical care, socialization, and supervision for a Person. CO1 includes assistance with tasks like meal preparation, shopping, and laundry; and occasional assistance with light housekeeping chores necessary for the care and supervision of the Person. CO1 may include transportation such as driving the Person to social activities.

Homemaker Service (HS1) provides support for general household activities. HS1 helps to maintain a Person's home in a clean, sanitary, and safe living environment. Activities include: meal preparation, laundry, and light housekeeping. HS1 can be a routine service when the Person is unable to complete the household activities themselves, and there is no other relative, caregiver, or volunteer capable of providing the support. It can also be provided when the individual usually responsible for such activities is temporarily absent, or is unable to do them.

Personal Assistance Service (PA1) provides hands-on care of both medical and non-medical support needs for a medically-stable Person. PA1 includes help with activities of daily living such as eating, bathing, dressing, toileting, transferring, using the phone, shopping, and preparing meals. PA1 may also include transportation such as driving the Person to activities and appointments. PA1 is intended to reinforce a Person's strengths, while substituting or compensating for the absence, loss or impairment of physical or cognitive functions.



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SAS Services Summaries Continued

Respite (RP1, RP6, RP7, & RP8) provides care to a Person to give relief to, or during the absence of, the normal caregiver. Respite can be provided in a Person's home, the Employee's residence, or other approved settings. Respite may include transportation. **RP1** is respite provided one-to-one and does not include overnight care. **RP6** is overnight respite provided one-to-one. **RP7** is respite provided in group care with up to 3 Persons and does not include overnight care. **RP8** is overnight respite provided for a group of up to 3 Persons.

Transportation Service (DTP) is a mileage reimbursement service. DTP may be used to help the Person gain access to their community, and when there is a need to drive longer distances to support the Person. DTP can only be used when a service does not include transportation, and when family, neighbors, friends, or other community agencies are unable to provide the transportation. Additionally, DTP cannot be used for medical transportation.

Family Training and Preparation (TF1)

provides short-term training of skills that are necessary to function effectively as a SAS Employer. Training may also include building skills for families in other areas such as parenting, daily living, social skills, advocacy, and communication.

Supported Living (SL1 & SL2)

provides one-on-support, supervision, skills building, and assistance, for a Person to live independently. Assistance and skills building include activities of daily living such as eating, bathing, dressing, toileting, transferring, using the phone, shopping, and preparing meals. Support may also include assistance and skills building with homemaker and chore responsibilities, managing money (budgets & bills), advocacy, communication, and personal care. This service may include transportation such as driving the Person to activities, appointments, and to have access to the community. **SL2** is Supported Living service when the Employee is the spouse of the Person receiving the service.



SAS Employee Limitations and Requirements

Employee Limitations

- A Person's parents, step-parents, or guardians cannot be a paid Employee to provide services to the Person.
- A Person's spouse can only be an Employee to provide Supported Living. A spouse Employee cannot provide more than forty hours of services a week.
- An Employee paid to provide services to the Person cannot be the Person's Employer. Example: If a Person's spouse is an Employee, the spouse can not be the Person's Employer.
- Employees are at-will status. At-will status means the Employee or Employer can 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.

Age Requirements

- An Employee must be at least 18 years of age to provide services that require driving the Person.
- An Employee can be at least 16 years of age to provide services to a Person *unless the service requires driving the Person*. A 16 or 17 years of age Employee may provide a service that includes transportation in the service description, as long as that Employee is NOT providing any transportation.
- All United States and Utah Labor Laws must be followed.



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Employee Training: Employees must demonstrate competency to provide services. Employees will receive training from the Employer that prepares them to complete the job functions for the service provided. The Employer determines if the Employee has demonstrated competency and is qualified to provide the service. Employee training includes the following items:

- Knowing where to find information or who to contact in case of a question or unusual event.
- Emergency evacuation procedures for a fire or other disasters.
- If applicable, understanding the medication the Person takes, including:
 - Identification of medication and medication side effects;
 - Knowing what the medication is for, the correct dose, when and how it should be taken;
 - Documentation of the Person taking their medication. Documentation includes, what times, what kind and how much of the medication did the Person take; and
 - The Employee must contact the Employer, and if needed, the correct medical professional to report if any prescription medication errors happens
- Being able to recognize illness or symptoms of health changes.
- Critical health care issues, and functional limitations.
- Dietary allergies, issues such as swallowing or eating difficulties and preferences.
- What the Person likes and non-negotiable routines.
- If the Employee is working for a Person receiving services through the Acquired Brain Injury Waiver training needs to be completed in the following additional areas:
 - Effects of brain injuries on behavior and functional impact of brain changes;
 - Job functions related to the treatment and rehabilitation process, treatment plans and behavioral supports; and
 - Understanding of the family's perspective on the brain injury.



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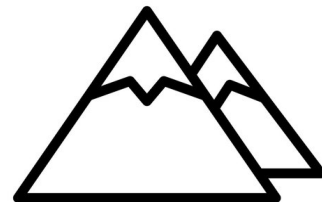
SAS Employee Limitations and Requirements Continued

Background Screenings: Employees must maintain an approved statuses of their background screening completed by the Utah Department of Health and Human Services, Division of Licensing and Background Checks, Office of Background Processing (Office of Background Processing).

This process is completed through the Fiscal Agent. New Employees must submit an initial completed background screening application, including fingerprints, before they can work. New Employees are only approved to work for thirty days without an approved background screening and only under the direct supervision of someone who possesses an approved background screening, or the Person's parent or guardian. If thirty days has passed and the background screening has not been approved, the Employer must obtain written approval from DSPD or the Office of Background Processing to continue to work, under supervision, with the Person.

Employees must have an approved initial background screening to continue employment. After the initial approved background screening, the Employee's criminal history will be continually monitored through the Direct Access Clearance System (DACs). The Fiscal Agent will verify Employee's employment annually, which will prompt a recheck of DACs. Employees are not required to do anything additional for annual background screenings.

Personal Funds: Employees cannot loan or give money to a Person, nor can they accept a loan or money from a Person.





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SAS Employee Limitations and Requirements Continued

Transportation: When transportation is provided for a Person. The Employee must be at least 18 years of age and have a valid driver's license, vehicle registration, and automobile insurance. Drivers with problematic records cannot be allowed to provide transportation. The following service requirements apply when an Employee is driving a Person:

- The Vehicle must have working door locks, and the doors are locked while the vehicle is moving.
- The Person cannot be left unattended in the vehicle.
- The Person remains seated while the vehicle is in motion.
- The Person uses seat belts, or a car seat if required by law. If the Person is in a wheelchair, seat belts or locking mechanisms need to be used to immobilize the wheelchair during driving.
- Keys are removed from the vehicle when the driver is not in the driver's seat unless the driver is actively operating a lift on the vehicle that requires the keys to be in the ignition to operate the lift.
- The Person arrives safely at the arranged destination and as close to the scheduled time as reasonably possible.
- The Person cannot be left alone, even in emergency situations or when the health and safety of others may be in question.





ROLES & RESPONSIBILITIES

Support Coordinator Responsibilities

Responsibilities include:

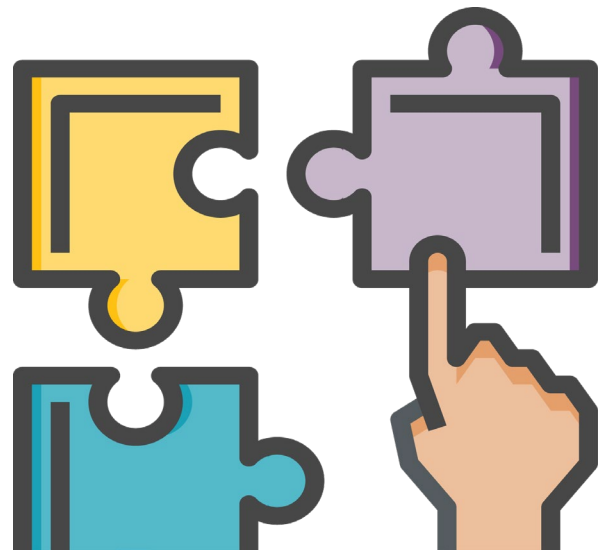
- Explain and identify service options.
- Providing help on understanding SAS services and how to effectively manage SAS services, this is a combined effort with the Fiscal Agent.
- Coordinate the initial and annual PCSP meeting.
 - Provide support to enable the Person to lead the meeting to the extent they choose.
 - Ensure that any decisions made are agreed upon by the PCST, and reflect what is most important to the Person, their current needs, desires, interests, and goals.
 - Review the Person's current PCSP, if applicable, and talk about any changes that need to be made to supports and services.
 - Review the SAS agreement.
 - Review the PCSP with the Person, ensure the Person understands their PCSP, and the Person receives and signs a copy of their PCSP.
- Help with the PCSP annual service and budget allocation. Support Coordinators will assist with monitoring both the spending and the remaining budget for the plan year.
 - The Support Coordinator will request and get approval from the DSPD Request for Services (RFS) committee before additional services are provided.



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Support Coordinator Responsibilities Continued

- Have monthly contact with the SAS Employer in-person or via telephone or email.
 - Review and evaluate services being provided to the Person.
 - Ensure that Employee responsibilities are being completed.
- Monitor services by conducting face-to-face visits with the Person according to the services provided. Visits are at least every ninety (90) days.
- Monitor documentation by assisting in the initial and annual documentation requirements. Complete annual SAS compliance reviews.
- Complete notes on visitation outcomes and various correspondences such as monthly service summaries, incident reports, follow up activity, and medical reports.





Fiscal Agent Responsibilities

Responsibilities include:

- Having a Utah based customer service office.
 - The office will have available customer service staff to help in-person or via telephone between the hours of 9:00 AM and 5:00 PM, Monday through Friday (excluding legal holidays).
 - Customer service staff will be able to help all customers including those who speak Spanish and have a hearing impairment.
 - Voicemail messages and email inquiries will be returned within twenty-four hours of their receipt Monday through Thursday. Messages and emails received Friday through Sunday evening will be returned on the Monday following the weekend.
- Have a process for receiving and resolving grievances from the Person, Employers, and Employees.
- Ensuring the privacy of all identifying information of the Person, Employers, and Employees. If a breach or suspected breach is discovered the Fiscal Agent will immediately notify the affected individual(s) and provide fraud protection for at least one year.
- Provide the Employer an enrollment forms packet for employment and payroll setup. The packet will include the Fiscal Agent's contact information, payroll schedule, and required enrollment forms. The Fiscal Agent will provide training and information to help the Employer to correctly complete the required forms in the packet.
- Monitor and maintain current records.



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Fiscal Agent Responsibilities Continued

- Provide training to Employers in effective administration of SAS services, including:
 - Methods for interviewing;
 - Selecting and hiring Employees;
 - Legal requirements for retaining and discharging Employees;
 - Methods of Employee supervision;
 - Anti-fraud controls; and
 - Proper completion of Employee timesheets.
- When needed and approved by the Person's Support Coordinator, provide additional training to the Employer including:
 - Identifying needs for successful service delivery and Employee expectations;
 - Effectively communicating expectations to Employees;
 - Employee management skills such as interviewing, hiring, scheduling, terminating, completing timesheets, evaluating performance, back up coverage; and
 - Addressing problems such as changing levels of personal needs, grievance procedures, emergency coverage, exploitation, and abuse.
- Help to ensure Employees meet qualifications for the services they will be providing.
- Assist the Employer in obtaining optional benefits for Employees, including the processing of insurance premiums such as health or life and manage any withholding for benefits when applicable.
- Process workers compensation insurance premiums.



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Fiscal Agent Responsibilities Continued

- Ensure Employees follow background screening requirements by obtaining and processing, through the Office of Background Processing, a completed background screening application for all Employees at the time of their hire and annually thereafter. The Fiscal Agent will provide notification to the Employer of background screening approvals and denials within 24 hours of receipt from the Office of Background Processing.
 - Employees may need to submit a copy of their driver's license or state identification card, a copy of their social security card, and fingerprints.
 - Incomplete background screening applications will be returned to the Employer with a request for the missing information or documentation.
 - New Employees must submit a background screening application prior to being paid, and payments will not be approved after 30 days of hire without an approved background screening, unless there is a written approved extension from DSPD or the Office of Background Processing.
- Ensure required payroll documentation is received and remains current prior to paying Employees.
- Ensure timesheets are completed correctly and timely, including:
 - The name of the Employee;
 - The Person's name and Personal Identification Number (PID);
 - Proper authorization signatures;
 - The time the Employee started and ended service delivery, and when required by Medicaid, verified through Electronic Visit Verification (EVV);
 - The service code of the service provided; and
 - A description of specific service activities provided.



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Fiscal Agent Responsibilities Continued

- Process Employee timesheets and issue payroll for Employees.
 - Payments will only be made to qualified Employees. The Fiscal Agent will decline payments to Employees who do not have an approved background screening or other required service elements.
 - Employees will only be paid for services as outlined in the Person's PCSP. Services that are not in the Person's PCSP will not be paid for.
 - Make payments for services identified in the Employee agreement, and per approved payroll documents.
 - Wages will be directly issued to the Employee.
 - Wages are determined by the Employer and must be between the federal minimum wage and the maximum allowed rate for the service. The Fiscal Agent will provide the Employer with a document showing the minimum and maximum allowable Employee hourly rate by service code.
 - Payroll will be issued at least on a semi-monthly basis;
 - When requested, the Fiscal Agent will provide check-level details of expenditures with paychecks.
 - As required by law, all judgments, garnishment, tax levies, and any related holds on an Employee's funds will be processed.
- Have available to the Employer, a monthly report showing the Person's budget balance.



Employer Responsibilities

Forms referenced in this section can be found on the DSPD webpage or a link to the form is in the “Documents Link” section. The Employer’s responsibilities include:

- Select a Fiscal Agent, and maintain current Employer and Employee information.
 - You can select any Fiscal Agent that has a contract with DSPD. To help you make your choice you may do research such as contacting the Fiscal Agents to request information about them and ask them questions or look at the Fiscal Agents web pages. The available Fiscal Agents are:
 - Acumen Fiscal Agent, phone: 888-221-7014, website acumenfiscalagent.com
 - Morning Sun Financial Services, phone: 801-484-0787 or 888-657-0874, website: morningsunfs.com
 - Premier Financial Management Services, phone 801-317-1900, website: premier-fms.com
 - Valentine CPA, A Professional Corp, phone: 801-444-3710, website: the-tax-coach.com
 - Notify the Fiscal Agent and Support Coordinator if an Employee is terminated and complete any required Employee termination documentation required by the Fiscal Agent and Support Coordinator.
 - Notify the Fiscal Agent of any changes to the Employee’s contact information such as phone number or address.
 - You can change Fiscal Agents at any time. If you want to change Fiscal Agents, you need to notify the Support Coordinator and Fiscal Agent. A 2-9-T Notice of Termination of FMS Services form needs to be completed and submitted to the Support Coordinator.



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Employer Responsibilities Continued

- Maintain a completed Self-Administered Services Agreement form 2- 9SA (SAS Agreement).
 - The SAS Agreement is a binding contract with DSPD that allows for the self-administration of services.
 - The SAS agreement is completed for the first time when initiating services, and annually thereafter. It is traditionally completed during the meeting to develop the PCSP.
 - The SAS Agreement should be kept with other records and be available for review upon the request of the Support Coordinator or DSPD.
- Selecting, hiring, firing, and training Employees.
 - Employees can be family members or people you already know.
 - Employers can develop job posting online, work through DWS, or access services such as indeed.com and hiremycare.com.
- Ensure Employees are following SAS services requirements and limitations as outlined in this SAS book and in the full SAS services general requirements and specific SAS service descriptions on the DSPD webpage.
- Develop, maintain and train Employees on support strategies.
 - A support strategy identifies the steps in place to reach the Person's goal(s). You may work with the Person and their Support Coordinator or PCST to decide on goal(s) and develop the support strategies.
 - Support strategies can be completed on the DSPD Support Strategies form and are due annually to your Support Coordinator within thirty days of the PCSP meeting.
 - Ensure that Employees understand, and are familiar with, the Person's goal(s) and support strategies, including knowing where they are located.



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Employer Responsibilities Continued

- Develop, update as needed, and train Employees on service-specific training and applicable sections of the Person's PCSP.
 - Service specific training can be completed on the DSPD Service Specific Training form.
 - Ensure that Employees are trained on, understand and are familiar with the service specific training and applicable portion of the PCSP, including knowing where a copy is located.
- Develop, update as needed, and train Employees on the emergency contact and information form.
 - There is not a DSPD emergency contact and information form. The Employer needs to create their own.
 - Ensure that Employees understand and are familiar with the emergency contact and information form, including knowing where it is located.
- Complete a quarterly summary of services every three months.
 - A quarterly summary of services is a narrative that describes services provided and what happened during the previous three months to address the support strategies and actions taken to meet the Person's PCSP goal(s).
 - Quarterly summaries are due to the Support Coordinator by the 15th day after the end of the quarter. These summaries can be completed on the DSPD Quarterly Summary form, via phone, email or a written note. They should be shared in a way that works for you and the Support Coordinator to document services and outcomes.
 - If quarterly summaries are not received for two consecutive quarters, payments may be withheld until the pay period after summaries are submitted. If the summaries are not provided by the third quarter, DSPD may require the Person to use Provider-based Agency services and not participate in SAS.



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Employer Responsibilities Continued

- Ensure all elements outlined in this SAS book are complied with.
- Ensure DSPD, Department of Health and Human Services (DHHS), and State or federal auditors have immediate access to all Employee, Employer, and Person records.
 - Maintain records for at least six years after the Person is no longer receiving SAS services. If you cannot maintain the records, you can contact the Support Coordinator or DSPD and DSPD will take the records and maintain them.
- Follow payroll documentation and EVV requirements as directed by the Fiscal Agent.
- Notify the Support Coordinator if any of the following occurs:
 - The Person moves.
 - DSPD services remain when the Person is moving within Utah.
 - If the Person moves out of Utah, all DSPD services are closed. 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.
 - The Person is in the hospital or nursing home.
 - Death of the Person (unless the Employer is the Person).
- Ensure incident reporting requirements outlined in the “Incident Reporting” section are followed and Employees are trained on the requirements.
- Ensure payroll time lines outlined in the “Payroll Time Line Section” are followed and Employees are trained on the timelines.



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Employer Responsibilities Continued

- Ensure that all required Employer and Employee paperwork is completed. The forms will be provided to the Employer by the fiscal agent or can be found on the DSPD webpage. Forms include:
 - IRS Forms W-4, SS-4, and 2678
 - U.S Citizenship and Immigration Services form 1-9
 - 2-9C Self-Administered Services Employment Agreement
 - 2-9EA Self-Administered Services Employment Agreement
 - 5-3 Code of Conduct Certification





Employee Responsibilities

Employee responsibilities include:

- Complete all required training prior to working with the Person unsupervised.
- Notify the Employer of any contact changes such as phone number or address.
- Be familiar with the service definitions, applicable portions of the PCSP, and the Service Specific Training form. Know where a copy of the Services Specific Training form is located.
- Be familiar with the Support Strategies form and know where a copy is located.
- Be familiar with the emergency contact and information form and know where a copy is located.
- Provide support as outlined in the PCSP.
- Keep any data, logs, comments or required information current.
- Follow the Code of Conduct. Annually review the Code of Conduct and sign the signature page.
- Follow payroll documentation, time lines and EVV requirements.
- Complete all forms required by the Fiscal Agent, Employer, Support Coordinator and DSPD.
- Follow SAS services requirements and limitations as outlined in this SAS book and in the full SAS services general requirements and specific SAS service descriptions on the DSPD webpage.
- Follow all incident-reporting requirements.
- Share important information to develop future goals and services.



Minimum Wage & Overtime Compensation

Forms referenced in this section can be found on the DSPD webpage or a link to the form is in the “Documents Link” section.

The United States Department of Labor on minimum wage and overtime compensation apply to SAS services. Overtime is defined as an Employee’s work hours that exceed 40 hours per week. A workweek is defined as Sunday through Saturday.

What you need to know:

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 the Person’s budget.

The Employer should try to avoid the use of Employee overtime. If the Person needs additional funding for overtime to meet their health and safety, the following four factors will be considered to assess Employer’s efforts to avoid overtime situations:

1. The Employer will responsibly schedule Employees.

Employee overtime may be avoided if you commit to schedule Employee working hours thoughtfully and responsibly.

2. The Employer will recruit qualified Employees from multiple resources.

DSPD understands the ongoing difficulty which may be experienced in obtaining qualified Employees. There are many resources available to find qualified Employees. 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 (DWS).



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Minimum Wage & Overtime Compensation Continued

3. The Employer will track plan expenditures and plan accordingly through the PCSP.

All Employers should closely monitor expenditures against the Person's plan budget. This can be achieved through monitoring expenditures for regular and overtime wages as reported to the Employer by the Fiscal Agent and through ongoing communication with the Person's Support Coordinator.

Employers should be familiar with the start and end date in the Person's PCSP, 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 the Person's Support Coordinator regarding planned or unplanned changes of service needs.

4. The Employer will offer a reasonable wage to qualified Employees.

Employers should ensure a reasonable wage is being offered to Employees. The Employer can choose to pay their Employees at a rate lower than the maximum allowable rate; however, it may limit the options for obtaining or retaining qualified Employees.

The Employers will also need to monitor compliance with minimum wage per the DOL rules. The current minimum wage is \$7.25 per hour.

If, for reasons beyond your control, overtime use creates a need to request additional funding, the Employer must complete the DSPD "Self-Administered Services Overtime Increase Request Form" and submit it to the Person's Support Coordinator. 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 the Person will not experience a reduction in their services.



Incident Reporting

Employers and Employees are required to know what types of incidents to report, and reporting timelines. The Employer or Employee must notify the Support Coordinator of any reportable incidents that occur, 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 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 Adult Protective Services (APS), Child Protective Services (CPS), or the nearest law enforcement agency of actual or suspected incidents of abuse, neglect, exploitation, or maltreatment.

Additionally, in these situations, the Support Coordinator will 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:

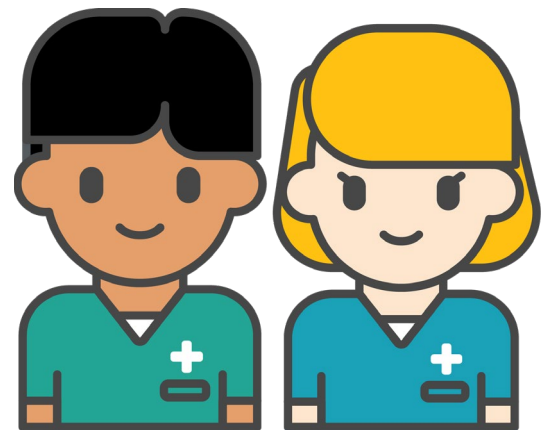
- Actual and suspected incidents of abuse, neglect, exploitation, or maltreatment;
- Drug or alcohol abuse;
- Medication overdoses or errors reasonably requiring medical intervention;
- Hospitalizations due to medical or psychiatric conditions;
- Attempted suicides;
- Aspiration or choking which resulted in an emergency medical intervention;
- Missing person over two hours, or considered endangered;
- Evidence of seizure in a person with no seizure diagnosis;
- Significant property destruction (Damage totaling \$500.00 or more is considered significant);
- Physical injury reasonably requiring a medical intervention;



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Incident Reporting Continued

- Law enforcement involvement;
- Use of mechanical restraints, seclusion rooms or highly noxious stimuli that is not outlined in the Behavior Support Plan, as defined in R539-4; or emergency behavior interventions;
- Any other instances the Person or representative determines should be reported;
- Public or media attention for incidents that have been referred to by elected officials;
- Incidents that involve alleged or confirmed waste, fraud, or abuse of Medicaid funds; and
- Death (all fatalities expected or unexpected need to be reported).





Timeline for Payroll

Completed payroll documentation must be submitted to the Fiscal Agent by the deadline of the 1st and 16th of each month or as instructed by the Fiscal Agent.

Payroll documentation received on or before the 1st of the month will be paid on or before the 15th. Payroll documentation 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. Questions about payroll schedules and processes can be answered by your Fiscal Agent.

To avoid possible delay or denial of payment:

- Payroll should be submitted no later than twenty days after the last day of the billing period in which services were provided.
- Payroll may not be processed by the Fiscal Agent without prior Support Coordinator approval if it is received more than thirty days following the month services were provided.
- All payroll must be submitted no later than fourteen days after the Person is no longer receiving SAS services.
- The fiscal year deadlines supersede other payroll timelines. The fiscal year is from July 1st through June 30th.
 - Employee payroll for services performed on or before June 30th must be submitted to the Fiscal Agent no later than July 2nd.
 - Fiscal Agent billings for services performed on or before June 30th must be submitted to DSPD no later no later than July 14th.



Record Keeping

Forms referenced in this section can be found on the DSPD webpage or a link to the form is in the “Documents Link” section.

Daily File

Maintain a daily file for the Employee to use each time they work. Include the following documents in the daily file:

- A way for the Employee to document any incidents that happen while they are working;
- Emergency contact and information form;
- Current support strategies;
- Current service specific training;
- Current applicable portions of the Person’s PCSP; and
- Optional - Living will and or Do Not Resuscitate declaration.

Service Documents

Maintain the following documents in a service documents file:

- Current PCSP;
- Copy of quarterly summaries;
- Payroll documentation;
- Copy of any incident reports; and
- Other relevant information determined by the Employer and the Support Coordinator.



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Record Keeping Continued

Employer File Information:

Maintain the following documents in an Employer file:

- Current signed 2-9SA Self-Administered Agreement; and
- Copy of IRS forms: Agent Authorization 2678 and FEIN SS-4. These forms are provided by the Fiscal Agent. You return the completed original forms to the Fiscal and keep a copy for your records.

Employee File

Maintain the following documents in a confidential Employee file for each Employee:

- Copy of current auto insurance policy and driver's license (if transporting);
- Copy of social security card;
- Copy of IRS forms: W-4 and I-9 These forms are provided by the Fiscal Agent. You return the completed original forms to the Fiscal and keep a copy for your records;
- Signed copy of 5-3 Code of Conduct Certification (reviewed and signed annually);
- Current signed copy of 2-9EA Self-Administered Services Employment Agreement;
- Current signed copy of 2-9C Application for Certification; and
- Current completed background screening results and any related background screening documentation.



MEDICAID WAIVER SERVICES

Administrative Rule & Waiver Services

Utah Administrative Rules governing the use and administration of SAS are available from the Utah Department of Administrative Services, through the DSPD website.

Avoiding Fraud and the Misuse of Funds

The use of 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 SAS and DSPD services.. Additionally, the misuse of funds may result in criminal action, imprisonment, and substantial fines and paybacks.

The Employer must follow all DSPD and Medicaid requirements. Work closely with the Support Coordinator and Fiscal Agent to ensure you understand and are following all requirements. The Employer is required to account for all the funds disbursed. Examples of fraud and misuse of funds include, but are not limited to:

- An 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;
- Approving payment for more hours than were actually worked;
- Approving payment for hours of work when the Employee did not work or was unavailable to work (out of town, in jail, in the hospital, on vacation, away at school, etc.); and
- Approving payment for hours of work when the Person was receiving services from another source (at school, in the hospital, etc.).



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Avoiding Fraud and the Misuse of Funds Continued

If findings from an investigation confirm the Employer has engaged in fraud and misuse of funds, funds paid must be paid back to the state by the Employer.

To help avoid the misuse of funds, the Employer should ensure the following:

- Employees do not claim work times that conflict or overlap with other Employees' work times by comparing payroll information from all Employees;
- Employees payroll does not include working on days or times when the Person is receiving services from a different source such as school, or hospital;
- Employees are not claiming more hours on payroll than they actually worked;
- Employees are proving the services they are being paid for;
- Work times are billed as a one-on-one service (meaning one Employee to one Person). The only exception to this is group respite services (RP7-RP8) that allow up to three people to be served at the same time;
- The same Employee does not bill for multiple services during the same work times;
- Pay rates are within the designated range for services listed in the documentation provided by the Fiscal Agent;
- All of Employee pay goes to the Employee. The Employer does not receive payment or take a portion of the Employee's pay;
- If the Person's situation changes, contact the Support Coordinator and inform them. If unexpected high use of services occurs in one month, that can be an indicator of misuse of funds. Additionally, there should not be a high use of services at the end of the plan year, unless justified and approved by the Support Coordinator;
- Employees meet all requirements before working; and
- Notify the Fiscal Agent and Support Coordinator of any Employee changes.



SAS DOCUMENT LINKS

Community Supports and Transition Waiver

[2-9SA Self-Administered Service
Agreement](#)

[2-9EA Employee Agreement](#)

[2-9C Application for Certification](#)

Acquired Brain Injury Waiver

[2-9SA Self-Administered Service
Agreement](#)

[2-9EA Employee Agreement](#)

[2-9C Application for Certification](#)

Additional Forms and Links

[Code of Conduct](#)

[5-3 Code of Conduct Certification](#)

[IRS W-4 Employee Withholding](#)

[USCIS I-9 Employment Eligibility
Verification](#)

[Support Strategies](#)

[Monthly Summaries](#)

[Service Specific Training](#)

[2.9-T Notice of Termination of FMS Service](#)

[2.9-OT Overtime Increase Request Form](#)

[Complete SAS Services Descriptions](#)

[DSPD Web Page](#)