

## Consumer Directed Attendant Support Services (CDASS)

### 8.7514.G CDASS Member/AR Responsibilities

1. Member/AR shall complete the following responsibilities for CDASS management:
  - a. Complete training provided by the Training and Support Contractor. Members who cannot complete training shall designate an AR.
  - b. Complete and submit an ASMP at initial enrollment when a Member's Allocation changes by 25% or more and whenever required based on the Member's needs.
  - c. Determine wages for each Attendant not to exceed the rate established by the Department.
  - d. Determine the required qualifications for Attendants.
  - e. Recruit, hire and manage Attendants.
  - f. Complete employment reference checks on Attendants.
  - g. Train Attendants to meet the Member's needs. When necessary to meet the goals of the ASMP, the Member/AR shall verify that each Attendant has been or will be trained in all necessary health maintenance activities before the Attendant provides direct care to the Member.
  - h. Terminate Attendants when necessary, including when an Attendant is not meeting the Member's needs.
  - i. Operates as the Attendant's legal employer of record.
  - j. Complete necessary employment-related functions through the Financial Management Services (FMS) Contractor, including hiring and termination of Attendants and employer-related paperwork necessary to obtain an employer tax ID.
  - k. Ensure all Attendant employment documents have been completed and accepted by the FMS Contractor prior to beginning Attendant services.
  - l. Follow all relevant laws and regulations applicable to the supervision of Attendants.
  - m. Explain the role of the FMS Contractor to the Attendant.
  - n. Budget for Attendant care within the established monthly and CDASS Certification Period Allocation. Services that exceed the Member's monthly CDASS Allocation by 30% or higher are not allowed and cannot be authorized by the Member or AR for reimbursement through the FMS Contractor unless prior approval is obtained from the Department or its designee.
  - o. Authorize Attendant to perform services allowed through CDASS.

- p. Ensure all Attendants required to utilize Electronic Visit Verification (EVV) are trained and complete EVV for services rendered. Timesheets shall reflect time worked and capture all required data points to maintain compliance with Section 8.001, et seq.
  - q. Review all Attendant timesheets and statements for accuracy of time worked, completeness, and Member/AR and Attendant signatures. Timesheets shall reflect actual time spent providing CDASS.
  - r. Review and submit approved Attendant timesheets to the FMS by the established timelines for submission of timesheets for Attendant reimbursement.
  - s. Authorize the FMS Contractor to make any changes in the Attendant wages.
  - t. Understand that misrepresentations or false statements may result in administrative penalties, criminal prosecution, and/or termination from CDASS. Member/AR is responsible for assuring timesheets submitted are not altered in any way and that any misrepresentations are immediately reported to the FMS Contractor.
  - u. Complete and manage all paperwork and maintain employment records.
  - v. Select an FMS Contractor upon enrollment into CDASS.
2. Member/AR responsibilities for Verification:
- a. Sign and return a responsibilities acknowledgement form for activities listed in Section 8.7514.G to the Case Manager.
3. Members utilizing CDASS have the following rights:
- a. To receive training on managing CDASS.
  - b. To receive program materials in accessible format.
  - c. To receive advance Notification of changes to CDASS.
  - d. To participate in Department-sponsored opportunities for input.
  - e. To transition to alternative service delivery options at any time. The Case Manager shall coordinate the transition and Referral process.
  - f. To request a Reassessment if the Member's level of service needs have changed.
  - g. To revise the ASMP at any time with Case Manager approval.

**8.7514.R CDASS Attendant Reimbursement**

1. Attendants shall receive an hourly wage not to exceed the rate established by the Department and negotiated between the Attendant and the Member/Authorized Representative (AR) hiring

the Attendant. Wages shall be established in accordance with Colorado Department of Labor and Employment standards including, but not limited to, minimum wage and overtime requirements. Attendant wages may not be below the state and federal requirements for the location where the service is provided. The Financial Management Services (FMS) Contractor shall make all payments from the Member's Allocation under the direction of the Member/AR. Attendant wages shall be commensurate with the level of skill required for the task and wages shall be justified in the Attendant Support Management Plan (ASMP).

2. Attendant timesheets that exceed the Member's monthly CDASS Allocation by 30% or more are not allowed and cannot be authorized by the Member or AR for reimbursement through the FMS Contractor unless prior approval is obtained from the Department or its designee.
3. Once the Member's yearly Allocation is used, further payment will not be made by the FMS Contractor, even if timesheets are submitted. Reimbursement to Attendants for services provided when a Member is no longer eligible for CDASS or when the Member's Allocation has been depleted are the responsibility of the Member/AR.
4. Allocations that exceed the cost of providing services in a facility cannot be authorized by the Case Manager without Department approval.