



COLORADO

Department of Health Care
Policy & Financing

Adult IDD Waiver Redesign Stakeholders: Draft Service & Coverage Standards

Personal Supports

Disclaimer: Deliberative Document

This **working draft document** is provided for policy development and discussion purposes only. The notes, discussions, comments, suggestions, and recommendations made in this document should not be seen as, or be interpreted as, having any effect or change whatsoever in the current or future waiver services as currently or ultimately written; neither should they be seen as representative of the positions, comments, or feelings of all or a majority of the State of Colorado, the Department of Health Care Policy & Financing, the Office of Community Living, the Policy, Innovation & Engagement Division, or the Service Development & Evaluation Unit, individually or collectively. The service and coverage standards detailed below are subject to change and may change significantly over the course of the project.

Service Development & Evaluation Unit
Policy, Innovation & Engagement Division
Office of Community Living

Personal Supports

Service Specifications

Definition

1. Personal Supports assist the member to live and participate fully in their community by supporting the member in pursuing what is important to them as indicated in their Person-Centered Support Plan. Services include supporting member's empowerment, self-advocacy, and independence and the member's health, safety, and welfare.

Access

1. A member may access Personal Supports regardless of whether the member meets the needs-based criteria for Residential Services; however, if the member meets the needs-based criteria for Residential Services and chooses to utilize Residential Services, then that member shall not also access Personal Supports, as it would duplicate Residential Services.

Covered Services

1. Personal Support may take the form of services essential to daily independent home and community living, as indicated in the member's Person-Centered Support Plan, and which may be provided across the following areas:
 - a. Supportive Supervision as identified in the member's Person-Centered Support Plan.
 - b. Activities of Daily Living (ADLs), which include basic self-care activities of bathing, personal hygiene, dressing, toileting, eating, transferring and mobility.
 - c. Instrumental Activities of Daily Living (IADLs), which include activities related to independent living, including, but not limited to, preparing meals, managing money, shopping for groceries or personal items, performing housework, and communication.
 - d. Self-Advocacy support, which may include education or training in expressing personal preferences, experiencing healthy lifestyles, increasing self-representation, increasing self-protection from and reporting of abuse, neglect and exploitation, advocating for individual rights and making increasingly self-determined choices.

e. Emergency assistance training includes developing responses in case of emergencies, prevention planning, and training in the use of equipment or technologies used to access emergency response systems in so far as providing the training does not require qualifications beyond those of the Personal Support provider.

f. Implementation of recommended follow-up counseling, behavioral or other therapeutic interventions by staff, under the direction of a professional. Implementation of physical, occupational or speech therapies delivered under the direction of a licensed or certified professional in that discipline. Services are aimed at increasing the overall effective functioning of the member.

g. Assistance with routine health-related tasks in a person's home and community. For the purposes of this service, health-related tasks include those that an otherwise eligible Personal Supports provider is authorized to perform as exempted under state law or as delegated by a Registered Nurse. Medical and health care services that are integral to meeting the daily needs of the member (e.g., routine administration of medications or tending to the needs of members who are ill or require attention to their medical needs on an ongoing basis), including administering medications, and administering gastrostomy tubes (g-tubes) services.

2. Personal Supports includes a Member-Directed option through which the member has employer authority to recruit, hire, train, supervise, and direct non-agency workers who furnish supports.

i. Members directing their Personal Supports services are not required to hire a nurse or other health professionals to perform skilled tasks; and

ii. Member-directed Personal Supports assistance and activities and Health Maintenance skilled tasks do not require orders from a physician.

Limitations & Exclusions

1. These services are individually planned and coordinated through the member's Person-Centered Support Plan. The frequency, duration, and scope of these services are determined by the member's needs identified in the Person-Centered Support Plan.

2. Personal Supports may be provided on an episodic or on a continuing basis at home and in the community.

3. These services are provided only when neither the member nor a Legally Responsible Person is willing and capable of performing them and has no other resources to obtain this service.

3. Waiver members ages 18 to 20 who need assistance with health-related tasks may access those services under the Waiver to the extent that the services do not duplicate a service required under Early and Periodic Screening, Diagnostic and

Treatment (EPSDT) or to the extent that the Medicaid State Plan, other resources, or another Waiver service is not responsible.

4. Waiver members ages 21 and older who need assistance with health-related tasks may access those services under the waiver to the extent that the Medicaid State Plan, other resources, or another waiver service is not responsible.

5. Personal Supports is not to be delivered simultaneously during the direct provision of Caregiver Supports, Community and Personal Engagement, Employment Supports, Intensive Supports (Site-based), Residential Services, and Transition Services (Peer Mentorship or Life Skills Training).

6. Retainer payments may be made to the Personal Supports provider when the Waiver participant is hospitalized or absent from his or her home. Retainer payments must equal the amount of paid care the support worker would have otherwise provided over the period of absence of the participant. Support Workers, whether via an agency or member-directed, may collect retainer payments for an aggregate maximum of 30 days per year.

Service Requirements

[Person-Centered and HCBS Settings Final Rule service requirements].

1. Per the Person-Centered Support Plan (What is Important TO the person)
2. Choice
3. Autonomy
4. Community Integration
5. Protection of Rights

Glossary

Term	Definition
Activities of Daily Living (ADLs),	Activities of Daily Living (ADLs), which include basic self-care activities of mobility, transferring, bathing, dressing, toileting, and eating. Components of these ADLs may include such activities as grooming, hygiene, walking, and support for maintaining continence.
Authorized Representative.	Authorized Representative means an individual designated by the client or the legal guardian, if appropriate, who has the judgment and ability to assist the client in acquiring and utilizing supports and services. (Current definition in CCR 8.500).
Comprehensive Daily Access	Comprehensive Daily Access is 24/7 access to supports that ensure the health, safety, and welfare of a member and those supports that assist the member in the acquisition, retention or improvement in skills necessary to support the participant to live and participate successfully in their community.
Daily Support Time	Daily Support Time is the specified type and amount of assistance in ADLs needed by the member on a daily basis.
Empowerment	

Important For	Includes Issues of health, safety, well-being and what others see as necessary to help the person be valued and be a contributing member of their community.
Important To	Includes those things in life which helps us to be satisfied, content, comforted and happy; what matters most to the person.
Independence	
Instrumental Activities of Daily Living (IADLs)	Instrumental Activities of Daily Living (IADLs), which include activities related to independent living, including, but not limited to, preparing meals, managing money, shopping for groceries or personal items, performing housework, and communication. Components of these IADLs may include such activities as daily planning, decision-making, problem-solving, transportation management, shopping, communication devices and techniques, service animal care, laundry.
Legally Responsible Person.	Legally Responsible Person means the parent of a minor child, or the member's spouse.
Needs-Based Criteria (Residential Services)	To access Residential Services, a member must establish that they require Residential Services by demonstrating needs through the following needs-based criteria: type, frequency and duration of their daily support needs; support needs for community protection and safety; and whether their demonstrated needs require 24/7 access to supports.
Person-Centered Support Plan	A Person-Centered Support Plan means the services and supports plan developed through the Person-Centered Planning Process, an ongoing problem-solving process used to help people with disabilities plan for their future. In person centered planning, groups of people focus on an individual and that person's vision of what they would like to do in the future. This "person-centered" team meets to identify opportunities for the focus person to develop personal relationships, participate in their community, increase control over their own lives, and develop the skills and abilities needed to achieve these goals. The Person-Centered Support Plan means the written document that specifies identified and needed services and supports identified and individually tailored to support the person in addressing their identified needs, opportunities, and aims. The plan is to include Medicaid and non-Medicaid services regardless of funding source, to assist a member to remain safely in the community and developed in accordance with the department and the operating agency's rules set forth in 10 CCR 2505-10 section 8.400.
Self-advocacy	

Disclaimer: Template Placeholder (following pages)

All sections and content in the remaining pages of this Service and Coverage Standard are provided as a template placeholder for only contextual purposes of demonstrating the format of a full Service and Coverage Standard. All contents of the following sections should not be seen as, or be interpreted as, having any effect on the sections and deliberative content in the preceding pages of this document. Further, the following sections and content are not to be seen or interpreted as representative of the positions, comments, or feelings of the State of Colorado, the Department of Health

Care Policy & Financing, or any of the Department's Offices, Divisions, Sections, or Units, individually or collectively. The following sections and content of this Service and Coverage Standard are to be developed upon the Department's deliberation, development, stakeholder collaboration, and proposed determination of the content in the preceding sections.

Provider Specifications

Personal Supports: Provider Managed

Provider Type

1. Personal Supports Provider: Agency

Certification Requirements

1. Provider agencies must be certified by the state.
2. The agency shall be currently enrolled as a Medicaid provider (i.e., not involuntarily terminated).

Other Standards

1. Program Management: Baccalaureate or higher Degree from an accredited college or university in the area of Education, Social Work, Psychology, or related field, and one year of successful experience in human services; or an Associate's Degree from an accredited college and two years of successful experience in human services; or four years successful experience in human services.
2. Direct Support Staff: Be at least 18 years of age, can communicate effectively, be able to complete required forms and reports, and be able to follow verbal and written instructions. Can provide services in accordance with the member's Person-Centered Support Plan. Have completed minimum training based on State training guidelines. Have necessary ability to perform the required job tasks and have the interpersonal skills needed to effectively interact with persons with developmental disabilities.
3. All direct support staff not otherwise licensed to administer medications must complete a training class approved by the Colorado Department of Public Health and Environment (CDPHE), pass a written test and a practical/competency test.

Staffing Requirements

1. Agency staff providing Personal Supports shall be supervised by a person who, at a minimum, has met the credentials of Program Management, as outlined above.

2. All individuals providing Personal Supports, under any service delivery option, must meet the following qualifications:
 - a. Shall be at least 18 years of age.
 - b. Shall demonstrate competency in caring for the client to the satisfaction of the client and Authorized Representative.
 - c. Shall not have had a license as a nurse or certification as a nurse aide suspended or revoked or his application for such license or certification denied.
Shall be subject to a criminal background check and APS abuse registry requirements.
3. Oversight of staff shall include, but not be limited to, the following activities:
 - a. Orientation of staff to agency policies and procedures.
 - b. Arrangement and documentation of training.
 - c. Informing staff of policies concerning advance directives and emergency procedures.
 - d. Oversight of scheduling, and notification to clients of changes; or close communication with scheduling staff.
 - e. Written assignment of duties on a client-specific basis.
 - f. Meetings and conferences with staff as necessary.
 - g. Supervisory visits to client's homes at least every three months, or more often as necessary, for problem resolution, skills validation of staff, client-specific or procedure-specific training of staff, observation of client's condition and care, and assessment of client's satisfaction with services. At least one of the assigned Personal Support staff must be present at supervisory visits at least once every three months.
 - h. Following incident reporting guidelines as outlined in 8.608.6.
 - i. Investigation of complaints and critical incidents within 10 working days.
 - j. Counseling with staff on difficult cases, and potentially dangerous situations.
 - k. Communication with the case managers, the physician, and other providers on the care plan, as necessary to assure appropriate and effective care.
 - l. Oversight of record keeping by staff.

Training Requirements

1. Staff shall be provided with orientation and training on the agency's philosophy, policies and procedures, and information concerning client rights and responsibilities
2. Agencies shall assure and document that all Personal Support staff have received at least twenty hours of training, or have passed a skills validation test, in the provision of unskilled Personal Support.
3. Training, or skills validation, shall include the areas of bathing, skin care, hair care, nail care, mouth care, shaving, dressing, feeding, assistance with ambulation, exercises and transfers, positioning, bladder care, bowel care, medication reminding, homemaking, and protective oversight.

4. Training shall also include instruction in basic first aid, and training in infection control techniques, including universal precautions.
5. Training and instruction on safety and emergency procedures.
6. Training or skills validation shall be completed prior to service delivery, except for components of training that may be provided in the client's home, in the presence of the supervisor, or as provided below for IHSS agencies.

Personal Supports: Member-directed

Provider Type

1. Member-Directed Personal Support: Agency
2. Member-Directed Personal Support: Member-employed Attendant

Certification

1. An agency providing Member-Directed Personal Support must be certified by the state. and be currently enrolled as a Medicaid provider (i.e., not involuntarily terminated)

Provider Standards

All Personal Support attendants and individuals providing Personal Support Services, under any service delivery option, must meet the following qualifications:

1. Attendants shall be at least 18 years of age.
2. Attendants shall demonstrate competency in caring for the client to the satisfaction of the client or authorized representative.
3. Attendants shall not have had a license as a nurse or certification as a nurse aide suspended or revoked or his application for such license or certification denied.
4. Attendants shall be subject to and clear a criminal background check
5. Attendants employed under the self-direction service delivery option.
6. Attendants must have training and/or experience commensurate with the service or support being provided.