

Assessment Process

1. Consumer participates in the Pre-Enrollment Informational Meetings to learn more about the Self-Determination Program (SDP). After participating in the meeting the consumer would let the regional center know if they are interested in enrolling in SDP. The regional center would forward the names to DDS to add to the names of potential participants. DDS randomly select the first 2,500 participants in the program.
2. Consumer receives confirmation of his/her selection into the SDP.
3. Training occurs for SDP participants and providers, including training on the federal home and community-based service settings rule. Trainings are made available via community forums, webinar, regional center websites, direct mailings, flyers, and other means.
4. The participant receives instruction on use of the assessment tool during the required SDP Orientation/enrollment process by the regional center.
 - a. As part of the person-centered planning process, the participant in partnership with the regional center, service provider, and Financial Management Services provider, uses the assessment tool to evaluate all settings where services will be provided.
 - b. At the participant's discretion, the assessment process may include the participant's independent facilitator, client rights advocate, family member, or any other individual chosen by the participant.
 - c. As services are changed or added, person centered and individual program plans are updated to include new settings.
5. The completed assessment is maintained by the regional center
6. The regional center documents that the settings comply with the rules and DDS maintains a database for use in ongoing monitoring by DDS and DHCS.

Who is required to get a background check?

Anyone who provides direct personal care services to participants in the Self-Determination Program must obtain a background check and receive clearance before working. This includes family members who provide direct personal care services.

Providers who furnish direct personal care services to more than one Self-Determination Program participant are required to get only one background check. Program participants or their financial management services (FMS) provider can also request proof of clear background checks from any other Self-Determination Program service provider.

Why are background checks required?

Background checks help to protect the health and safety of participants and their families. Background checks also help participants find trustworthy candidates to hire.

Where do providers get background checks?

Providers must first get their fingerprints taken at a “Live Scan” location. For listings throughout California, see <https://oag.ca.gov/fingerprints/locations>.

A Self-Determination Program participant’s FMS provider can also tell candidates where to get Live Scan fingerprints and how much it will cost them.

Proposed Budget Categories with Proposed SDP Services

Budget Category	Proposed Services from the SDP Application
Living Arrangement	<ul style="list-style-type: none"> √ Respite √ Live-In Caregiver √ Homemaker √ Community Living Supports √ Housing Access Supports √ Family Assistance and Support √ Training and Counseling Services for Unpaid Caregivers √ Supports Broker √ Financial Management Services
Employment and Community Participation	<ul style="list-style-type: none"> √ Advocacy √ Participant-Directed Goods and Services √ Individual Training and Education √ Employment Development Services √ Employment Supports √ Technology √ Transition/ Set –Up Expenses √ Transportation √ Integrative Therapies √ Independent Facilitator
Health and Safety	<ul style="list-style-type: none"> √ Environmental Accessibility Adaptations √ Personal Emergency Response System √ Home Health Aide √ Communication Support Services √ Skilled Nursing √ Specialized Therapeutic Services √ Nutritional Consultation √ Behavior Intervention √ Specialized Medical Equipment and Supplies √ Crisis Intervention √ Dental Services √ Lenses and Frames √ Optometric/Optician Services √ Psychology Services √ Speech, Hearing and Language Services

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Proposed Services for SDP Application

- Advocacy Services
- Behavioral Intervention Services
- Communication Support
- Community Integration and Employment Supports
- Community Living Supports
- Crisis Intervention and Support
- Dental Services
- Environmental Accessibility Adaptations
- Family Assistance and Supports
- Financial Management Service
- Home Health Aide
- Homemaker
- Housing Access Supports
- Independent Facilitator
- Individual Training and Education
- Integrative Therapies
- Lenses and Frames
- Live-In Caregiver
- Nutritional Consultation
- Optometric/Optician Services
- Participant-directed Goods and Services
- Personal Emergency Response System
- Psychology Services
- Respite
- Skilled Nursing
- Specialized Medical Equipment and Supplies
- Specialized Therapeutic Services
- Speech, Hearing and Language Services
- Technology
- Training and Counseling Services for Unpaid Caregivers
- Transition/Set-Up Expenses
- Transportation
- Vehicle Modifications and Adaptations

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Self-Determination Program Services



Learning Objectives

- Be able to recognize Self-Determination Program services
- Understand that paid and unpaid services selected are identified through the person-centered planning process and are included in the individual program plan
- Understand that use of generic resources is required and can maximize a participant's individual budget

Services

- Self-Determination Program participants choose from the approved services in the Self-Determination Program HCBS Waiver
- Participants can purchase services from entities that are not vendored with the regional centers
- All services must be included in participants' individual program plans

Examples of Services

- Respite — provides payment on a short-term basis for relief to those persons who normally care for and/or supervise participants
 - Not subject to a cap on hours

Examples of Services

- Community Integration Services —
provides payment for services tailored to participants' specific personal skills
outcomes to prepare or support
community participation, independence,
and interdependence
 - Camping

Examples of Services

- Live-In Caregiver — provides payment for the additional costs of rent/food for an unrelated live-in personal caregiver
- Integrative Therapies — provides payment for alternative medicines such as acupuncture and chiropractic

Examples of Services

- Participant-Directed Goods and Services – provides payment for services, equipment or supplies not otherwise provided through the Self-Determination Program Waiver or through the Medi-Cal State plan that address an identified need in the IPP and meet certain requirements.

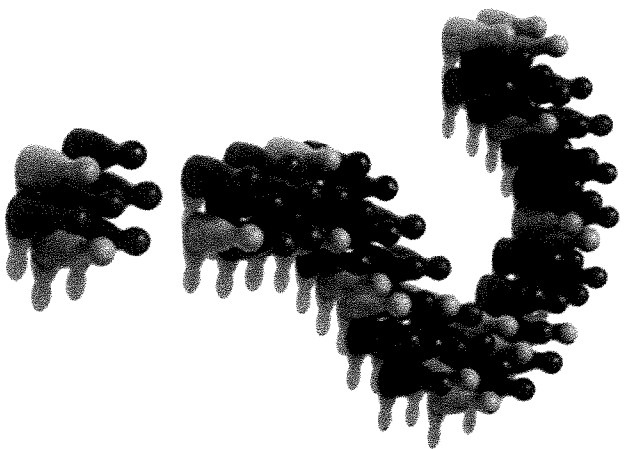
What Services Are Not Covered?

- Costs of participants' Room and Board
- Services that are not approved in the Home and Community-Based Services Waiver
- Services provided in settings that do not conform to new Federal HCBS regulations that became effective in March 2014
- Generic Resources

Generic Resources

- Available to the general community, not just regional center consumers
- Must be used first
- Allow Self-Determination Program participants to extend their individual budgets further

Questions



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Financial Management Services

Learning Objectives

- Understand the role of the Financial Management Services (FMS) provider and requirements for FMS participation in the Self-Determination Program
- Know the differences between 3 FMS models:
 - Fiscal Agent
 - Fiscal/Employer Agent (F/EA)
 - Co-Employer
- Understand the relationships between the Self-Determination Program participant, FMS provider, independent facilitator, and regional center

FIMS Provider Description

- Ensures there are financial resources for participants to implement their Individual Program Plans throughout the year by helping participants to manage their funds
- Distributes the funds contained in their individual budgets
- Gets paid from funds allocated through participants' individual budgets

General FMMS Responsibilities

- Required to be vendored by a regional center
- Provide participants and regional center service coordinators with a monthly individual budget statement
- Receive, track and disburse funds based on participants' IPP and budget
- Verify provider qualifications
- Ensure that service providers have all applicable state licenses, certifications or other documentation and are not on the federal debarment list.


FMS Models

- 1) Fiscal Agent – The FMS provider is the bill payer/check writer only
- 2) Fiscal/Employer Agent (F/EA) – The participant is the actual employer and the FMS provider helps the participant with specific employment tasks and processes payroll/withholds taxes
- 3) Co-Employer – The FMS provider is the Employer of Record, and has the employer responsibility/liability; shares employer roles with the participant

Cost of FMIS

FMMS Model Examples

	Situation	Fiscal Agent	F/EA	Co-Employer
Example 1	Annie, a 50-something regional center consumer lives in the home of her mother. Her sister who also resides in the home, attends to Annie and ensures she receives the services and supports listed in her IPP, including but not limited to, attendance at a day program twice a week, and incontinence supplies.	✓		
Example 2	Walter's son, Barry, who has been a regional center consumer since 1982, requires daily attendant services to help him with basic daily activities. Employees are recruited through the local community college's Gerontology Department. Barry is responsible for hiring and terminating caregivers, in addition to obtaining worker's compensation insurance.		✓	
Example 3	Marsha, a registered nurse, has 6-year old twins with intellectual disabilities and complex health care and social needs. To coordinate the significant array of services and supports, such as skilled nursing, therapies, and transportation, Marsha has elected to recruit help through her professional network, but has limited time and expertise to manage employees and the employer-related duties.			✓



**RELATIONSHIPS TO THE
FINANCIAL MANAGEMENT
SERVICES PROVIDER**

Participant

- Selected by participant
- Relationship and duties vary based on model:
 - FA – few services purchased through any resource; primarily check-writing service
 - F/EA – many services and/or direct employees
 - Co-Employer – FMS and participant are co-employers of support workers

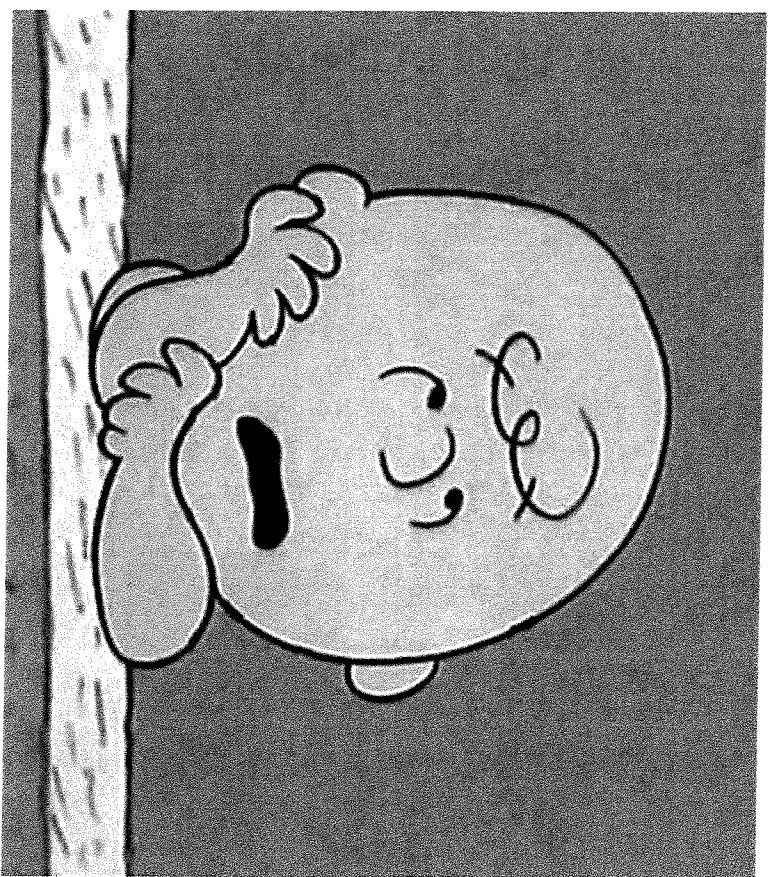
Independent Facilitator

- Relationship varies based on model chosen:
 - Few services purchased = minimal contact
 - More services = more contact

Regional Center

- Manages vendorization process
- Monitors for quality assurance
- Provides individual budget
- May be responsible for Independent Facilitator roles if participant chooses not to have one

Questions



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FINANCIAL MANAGEMENT SERVICES (FMS) OPTIONS

<p>For all FMS the participant decides how the budget is used to purchase services consistent with the IPP The FMS handles bill paying and payroll processing; maintains all financial records and submits monthly budget reports to the regional center and participant.</p>		
Fiscal Agent	Co-Employer	Fiscal Employer Agent
<p>The participant only uses agencies for services. The FMS cuts checks for the services and income is reported as 1099 (independent contractor) income</p>	<p>Used when the participant wants to hire qualified individuals.</p> <p>Employer Authority: The participant hires employees who must meet minimum legal requirements of: 1-9, background checks (when required), and any required licensure. The participant is responsible for 1)recruiting, hiring, training, scheduling; 2) setting employee's wages within the confines of the budget; 3) authorizing and submitting timesheets; 4) ending employment with advice and consultation from the FMS</p>	<p>Used when the participant wants to hire qualified individuals</p> <p>Employer Authority: The participant hires employees who must meet minimum legal requirements of: 1-9, a background checks (when required), and any required licensure. The participant is responsible for 1)recruiting, hiring, training, scheduling; 2) setting employee's wages within the confines of the budget; 3) authorizing and submitting timesheets; 4) ending employment with advice and consultation from the FMS</p>
	<p>Budget Authority: The participant has the authority to purchase any services to meet their needs</p>	<p>Budget Authority: The participant has the authority to purchase any services to meet their needs</p>

Co-Employer (Cont'd)

Fiscal Employer Agent (Cont'd)

	provided those services are appropriate, listed in their IPP and enumerated in their budget.	provided those services are approved, listed in their IPP and enumerated in their budget.
	Employer: The FMS is the primary employer. The participant is the managing employer.	Employer: The participant is the sole employer
	Insurance: The FMS provides worker's compensation coverage, general liability coverage, unemployment insurance	Insurance: The Participant provides worker's compensation coverage, general liability coverage, unemployment insurance. The Participant must provide the FMS with Declarations of Insurance and verify that the FMS receives of notice of cancellation of insurance
	Reporting: The FMS reports under their Federal Employment Identification Number (FEIN) and California EDD number as the primary employer	Reporting: The Participant obtains a Federal Identification Number (FEIN) and California EDD number with the assistance of the FMS and designates the FMS as their Fiscal Agent therein
	Tax Payments: The FMS handles payroll processing, ensures withholding of all state and federal payroll taxes.	Tax Payments: The FMS has responsibility for payroll processing and joint responsibility / liability for withholding federal and state payroll taxes.
	Liability: The FMS and their insurance carriers are liable for	Liability: The participant and their insurance carriers are liable for

Co-Employer (Cont'd)

Fiscal Employer Agent (Cont'd)

	<p>labor claims and may request that the Participant assist. Technically, the participant may be jointly liable in some instances.</p>	<p>labor and other insurance claims with technical assistance from the FMS</p>
	<p>Standards: The FMS is expected to adhere to all state and federal requirements with regards to OT, Minimum Wage and Labor Laws (i.e. offering two pay cycles/ month, defining pay cycles, defining vendor pay cycles, sick pay accrual, etc...) This may be stated in program design. Also, the FMS may be required to carry a bond to insure against a dereliction of fiduciary duty.</p>	<p>Standards: The FMS is expected to adhere to all state and federal requirements with regards to OT, Minimum Wage and Labor Laws (i.e. offering two pay cycles/ month, defining pay cycles, vendor pay cycles, sick pay accrual, etc...) This may be stated in program design. Also, the FMS may be required to carry a bond to insure against a dereliction of fiduciary duty.</p>
<p>Desired Qualities: The FMS should make every effort to provide a service that is both approachable and flexible as possible. Additionally, the FMS should do everything within its power to insure timeliness in all payments, whether to providers or vendors.</p>	<p>Desired Qualities: The FMS should make every effort to provide a service that is both approachable and flexible as possible. Additionally, the FMS should do everything within its power to insure timeliness in all payments, whether to providers or vendors. The FMS understands that if it fails to provide quality services, then it runs the risk of losing vendorization.</p>	<p>Desired Qualities: The FMS should make every effort to provide a service that is both approachable and flexible as possible. Additionally, the FMS should do everything within its power to insure timeliness in all payments, whether to providers or vendors. The FMS understands that if it fails to provide quality services, then it runs the risk of losing vendorization.</p>

Co-Employer (Cont'd)

Fiscal Employer Agent (Cont'd)

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Independent Facilitator



Learning Objectives

- Understand the roles, responsibilities, and training required for Independent Facilitators
- Understand the relationship between participants, financial management services providers, and regional centers

Roles and Responsibilities per statute (SB468)

- Helps participants explore different service options which can include a combination of paid and unpaid natural supports and services funded through their individual budget
 - Participants who elect not to work with Independent Facilitators may request that regional center service coordinators fulfill the role
- Receives training in the principles of self-determination, person-centered planning, and other responsibilities at his or her own cost

Roles and Responsibilities

- Chosen and directed by the participant
- Does not provide any other services to the participant, pursuant to his or her IPP
- Is not employed by an entity or person providing services to the participant
- Any fees are paid from a participant's individual budget
- Be familiar with state law and the federal Self-Determination Program Waiver.

May assist with:

- Allocating the individual budget based on needs identified in the Person-Centered Plan
- Locating, accessing and coordinating services
- Identifying immediate and long-term needs
- Advocating on behalf of the participant in the person-centered planning process and development of the IPP
- Obtaining services and supports

Other Relationships

- May be available during development of the participant's individual budget
- May advocate on behalf of the participant ensuring that service coordinators are aware of the individual's preferences
- May be a liaison to the regional center and Financial Management Services provider.

Discussion

