

**OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD)
FREQUENTLY ASKED QUESTIONS AND ANSWERS**

***Questions/Answers are new

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NOTE: ALL RESPONSES WITHIN THE OCDD FREQUENTLY ASKED QUESTIONS/ANSWERS ARE APPLICABLE ONLY DURING THE DECLARATION OF EMERGENCY (EMERGENCY EVENT COVID-19). ONCE THE STATE OF EMERGENCY IS LIFTED, ALL EXEMPTIONS WILL BE VOID. AT THE TERMINATION OF THE EMERGENCY ALL PROGRAMS WILL REVERT TO THE PRIOR RULES, POLICIES, AND PROCEDURES.

GENERAL INFORMATION QUESTIONS

Worker Related Questions	
Question	Response
I understand that there is an exception where the worker can reside with you during time of crisis, are we allowed to stay with worker? Instead of the worker staying at the employer's home, like in our case our employee is my son's grandmother, can we stay at her home and she clock-in for a normal work period?	Yes. The current exemptions allow the recipient to live in the worker's home and/or for the worker to live in the recipient's home while receiving the hours prior approved in their plan of care.
Is there a provision that would allow one Direct Support Worker to work over his or her allotted 40 hours in a week? How will the DSW be paid in the event that she works over 40 hours? (Straight time or time and a half)	Yes, there is a provision that would allow one Direct Support Worker to work over his or her allotted 40 hours per week. You should reach out to your service provider for questions regarding how your support worker will be paid.
How long can a Direct Support Worker work for 24 hours in a row? Is there a limit? What if the Direct Support Worker is living with the participant?	The current exemption does not have a limit on the number of hours worked in a row. However, caution should be given to having a person work an extended amount of time several days in a row without any relief because this could lead to other

<p>Explain the 16 hour reference in the memo. What is meant by requiring justification for changing night hours to day hours?</p>	<p>problems / concerns with health and safety. A provider or person in self-direction can only “bill” for / “pay workers” for the number of hours that are currently in place. Additional hours require a revision and approval of the plan of care. A person who receives assistance at night typically has “IFS-Night hours”. These IFS-Night hours cannot be changed to “IFS-Day” hours without a revision and approval of the plan of care.</p>
<p>What if the parent/guardian is employed, but temporarily working from home while caring for the recipient? My assumption is that one should not be paid by primary employer at same time as Individual and Family Support (IFS), but I’d like clarification (i.e., parent employment is 7:30 am to 3 pm; parent could then use IFS for 3 pm until 11 pm?).</p>	<p>If an individual is working from home and being paid from his or her job, they cannot become a paid worker. You cannot be paid from your job and for working with your family member at the same time. If an individual has applied for and/or is receiving unemployment, he or she must report the income from providing services.</p>
<p>If I am not legally responsible for a person receiving a waiver, but I live in the same house, can I be the paid worker?</p>	<p>Yes, you can live in the same house and be a paid worker during this crisis.</p>
<p>Plan of Care and Documentation Related Questions</p>	
<p>In the event that I am unable to provide natural supports to my child during this pandemic, can I request additional hours?</p>	<p>You may contact your support coordinator if additional hours are needed, however there must be justification provided for why this is needed. The support coordinator must complete a revision to the Comprehensive Plan of Care and submit it to the Local Governing Entity for review and approval/further recommendation/denial of the request. The request must be approved prior to additional hours being billed / staff being paid for those hours.</p>
<p>What type of documentation would be required in the event that our health circumstances have changed and we would no longer be able to provide the family care for our daughter?</p>	<ul style="list-style-type: none"> • If you already receive Home and Community Based Waiver services, you should reach out to your support coordinator to discuss your circumstances and he or she can assist you with what is needed to revise your family member’s Plan of Care. • If you do not currently receive Home and Community Based Waiver services, you should reach out to your Local Governing Entity to discuss your situation and possible options to assist you.
<p>Can the Residential Options Waiver (ROW) cap be exceeded due to day habilitation/pre-vocational and school closures?</p>	<p>Yes, the number of hours that a person attended day program is automatically being converted to in-home supports for billing purposes during this event.</p>
<p>If families do not use services for more than 90 days due to a COVID-19 related issue, will the recipient lose their waiver?</p>	<p>No, recipients will not lose their waiver if they do not receive a service during this event.</p>

<p>Are you allowing individuals to bump to the Residential Options Waiver and New Opportunities Waiver during this time? If so, are you waiving pre-certification visits? Will Medicaid honor these requests?</p>	<p>OCDD is encouraging individuals to work with their support coordinator on their needs during this time of crisis. If a person has a temporary increased need for supports during this emergency crisis period, it should be addressed by requesting an exemption within their current waiver, rather than requesting a bump to a different waiver. OCDD is working closely with Medicaid on all waiver exceptions and requests, and both offices are in agreement with actions being taken.</p>
<p>Will workers be allowed to report to work if Governor Edwards orders a “shelter in place” and the worker does not live with the individual? Should the authorized travel form be kept on the DSW at all times? Will a picture of the letter with the DSW’s name in it be sufficient?</p>	<p>Workers are considered “Essential” and will be allowed to work. On Sunday March 22, 2020 the Office for Citizens with Developmental Disabilities (OCDD) and the Office of Aging and Adult Services (OAAS) released a joint memorandum regarding DSWs as essential employees. OCDD/OAAS also drafted a letter for DSWs to use when they are traveling to and from work during a shelter in place order. That letter is addressed to police, state, local, and federal authorities, and identifies DSWs as essential, and allows them to travel to and from work during a shelter in place order. The letter has been shared with GOHSEP. A picture of the letter with the DSWs name will be sufficient.</p>
<p>Will additional hours be available due to school closures/day habilitation closures?</p>	<p>OCDD is making the following changes due to school / day habilitation closures:</p> <ul style="list-style-type: none"> • Children’s Choice Waiver – Families will be allowed to use 40 hours per week of Family Support. • New Opportunities Waiver and Residential Options Waiver—day habilitation/vocational hours will be converted to in home support without a revision. Contact your support coordinator if no longer attending Day habilitation/Vocational services. <p>IF additional hours beyond this are still needed, contact your support coordinator to request additional hours. Justification will be needed to increase the hours, and your plan of care must be revised and approved.</p>
<p>Other Questions</p>	
<p>Are the Medicaid State Plan services going to increase EPSDT-PCS or LT-PCS hours during this time?</p>	<p>Medicaid is working on requesting an emergency exception for these state plan services, and additional information will follow once approved.</p>

<p>What is companion care for New Opportunities Waiver (NOW)?</p>	<p>Companion care is a service where a per diem (daily) rate is paid to a companion who lives with someone with a disability, so the individual can receive the necessary supports. Individuals in Companion Care are not eligible for Individual and Family Support (IFS) services in the NOW, Community Living Supports (CLS) services in the Residential Options Waiver (ROW), or skilled nursing. Companion Care is accessed through a regular Personal Care Attendant (PCA) provider. The provider receives a portion of the \$92.02 per diem and the companion receives the rest. Companions are not normally employees, but contractors, so they are responsible for paying taxes on the per diem they receive. The provider is allowed to keep \$17.00 of the daily per diem and required to pay the balance to the individual (\$75.02).</p>
<p>My child is a high school senior and transition planning is at a standstill. Will there be a work group to address transition issues?</p>	<p>The Department of Education (DOE) should be able to guide you as to how transition planning will be addressed. If after speaking with DOE there is not clear guidance, the individual should work with his/her Support Coordinator (SC) to address next steps for the individual. The SC should assist the individual with applying for services with Louisiana Rehabilitative Services (LRS) to begin looking for employment.</p>

PROVIDER RELATED QUESTIONS

Question	Response
Are providers required to go into the homes of Supported Independent Living (SIL) recipients to conduct the face to face visit?	No, they may conduct visits by telephone call, FaceTime, or Skype.
Is a Home and Community Based Service provider required to complete 16 hour training to work with an individual during this time?	At a minimum, the Home and Community Based Service provider must provide training to newly hired direct support professionals on abuse and neglect reporting and infection control prior to staff providing services. The remaining mandatory 16 hour training can be provided following the start of services, during this emergency time only.
Will staff be allowed to remain in hospital with the participant if both test positive? If so, can staff be paid?	<ul style="list-style-type: none"> • The hospital will advise of procedures to follow related to individuals allowed at the hospital for this event. • There is no current ability to pay a direct support staff while a person is in the hospital. • Staff who have tested positive should follow the advice of their physician and/or public health official regarding their work.
I have a provider wondering what the limit is for a DSW to work, since appendix K states they can work over 16 hours if necessary, if they move in with a participant or if a participant moves in with them. For this particular provider the participant receives 24 hour services.	The exception given allows for the provider to determine the appropriate course of action for scheduling of staff to ensure the participant remains safe. We recommend that the provider consider the participant's health condition and availability of other staff to work with him/her at this time.
How can DSWs get paid if they are at home with children due to school; have a sick child at home; are self-quarantined, or not allowed to work due to concern with employer?	If a DSW cannot work during this crisis, he or she should apply for unemployment. He or she can call 1-866-783-5567 or file for unemployment online at www.LAworks.net .
Should we continue to pay our employees who have been instructed by their physicians not to come to work?	You cannot bill for waiver services if the Direct Service Worker (DSW) is not providing the service. It is an internal decision for each provider agency on how to handle pay for their employees. You should follow all federal regulations throughout this event.

SELF-DIRECTION RELATED QUESTIONS

Question	Response
<p>In Self Direction, is the hourly pay rate the same as current DSW staff or is rate controlled by an outside source?</p>	<p>In self direction, the hourly pay rate is determined by the employer, who is the person receiving services and/or the person assisting. At a minimum, the hourly pay rate must meet minimum wage requirements, and there is a maximum hourly pay rate that is established by the program.</p>
<p>How quickly can a new worker be hired in self-direction? Can start date be as soon as the application is approved? Will employment applications be expedited? What actions do I need to take to get an application expedited?</p>	<p>OCDD has asked Acumen and Morning Sun to expedite all new hires. A family member can begin providing and billing for services at the time the application is received. No additional action is needed from the self-direction employer to request an expedited review.</p>
<p>Will the start dates of the 1st and the 16th be waived?</p>	<p>Yes. We are asking that applications for hire be expedited, and this requirement is being waived.</p>
<p>Can start date be backdated since I have been providing the support?</p>	<p>No. We are not able to backdate the billing for services until the application for hire is received.</p>
<p>Explain the process—step by step—of changing hours for plans of care and then hiring the self-direction employee.</p>	<p>You should contact your support coordinator for questions about how to request a change in the plan of care hours.</p> <ul style="list-style-type: none"> • There must be a justification for an increase in hours; there is an expectation that natural support hours that were previously provided continue to be provided through natural supports and not paid supports. The support coordinator must complete a revision to the Comprehensive Plan of Care and submit to the Local Governing Entity for review and approval / further recommendation/denial of the request. • If you are currently receiving services through a traditional provider agency, a family member can be hired by the traditional provider agency to provide services. • Individuals will not be able to shift from a traditional provider agency to self-direction during this event.
<p>In self direction, if I am the employer and I need to become the worker, does my spouse need to become the employer?</p>	<p>No. You may be the employer and the worker during this emergency event.</p>
<p>If a self-direction employee is working over 16 hours, how will that be entered into Acumen? Is Acumen going to allow the hours over 16 to go through and be paid?</p>	<p>For individuals who have paid support hours approved over 16 hours/day, Acumen and Morning Sun will be advised to allow hours over 16 per day to be entered.</p>

SUPPORT COORDINATION RELATED QUESTIONS

Question	Response
What do I need to tell families who want to allow family living in home to be their workers under self-direction?	Acumen is aware and will expedite the process for hiring family members, which includes a background check, I-9, W4, L4 (state tax form). All training <u>must</u> include abuse / neglect reporting and infection control.
What do I need to tell families who want to allow family members living in home to be their workers with a traditional provider?	You should facilitate a discussion with the family and the traditional provider agencies. The provider agency will need to complete the necessary documents and process for employment, in an expedited manner.
Do we need to complete revisions for families who want to move from a traditional provider to the Self Direction option?	During this emergency event, individuals and families should not shift from a traditional provider to the self-direction option because there is an inability to enact this shift in service in an expedited manner.
Is a Support Coordinator required to complete the crisis designation for Children’s Choice individuals? If so, is there a capped amount that can be assessed during this time?	If individuals need to exceed their budget, a crisis designation should be completed. There is a capped amount of 40 hours per week for IFS hours in Children’s Choice during this time.
Are Support Coordinators required to complete initial face to face visits within 10 days or 30 days?	Support Coordinators will be required to complete assessments within 30 days. The initial visit within 10 days may be completed by telephone contact, face time or skype.
Can a phone call count when Skype/FaceTime is not available?	Yes, a telephone call is acceptable.
Who do we report to if staff fail to report to work?	Notify the provider agency that employs the staff member. The provider agency is responsible for developing the back-up plan.
Are we required to observe job completion jobs?	No, please document consent from families. If they are able to email acceptance of job, this is acceptable.
What should a Support Coordinator do if a skilled nursing provider is unable to staff and services are needed in the home? Will there be exceptions to allow an Individual and Family Support to be staffed in home if no family is available?	Yes, this should be documented in the plan of care with a request for revision to the plan of care. The Support Coordinator should notify the Local Governing Entity and OCDD Central Office if this revision is required.
Will Support Coordinators be required to mail approved plans of care within current timelines?	This can be done electronically to the family if possible. We will not penalize support coordination agencies in regards to timelines during this emergency event.