

FAMILY SUPPORTS WAIVER

Service Type: Statutory Service

Service (Name): Habilitation

Alternative Service Title: **PERSONAL SUPPORTS**

Service Definition:

- A. Personal Supports are drop in individualized supports, delivered in a personalized manner, to support independence in a participant's own home and community in which the participant wishes to be involved based on their personal resources.
- B. Personal Supports Services support individuals and families with all of their complexity, strengths and unique abilities to achieve self –determination, interdependence, productivity, integration and inclusion in all facets of community life across the lifespan. They support individuals and families as they focus on life experiences that point the trajectory toward a good quality of life across the lifespan. PSS support integrated life domains that are important to a good quality of life, including daily life, safety and security, community living, healthy lifestyle, social and spirituality, and citizenship and advocacy. Personal Supports can help to build on current support structures that focus on self-determination, community living, social capital and economic sufficiency to achieve individually defined life outcomes.
- C. Services assist individuals who live in their own or family homes in acquiring and building the skills necessary to maximize their personal independence including:
 - 1. In home skills development such as budgeting and money management; completing homework; maintaining a bedroom for a child or home for an adult; being a good tenant; cooking; personal care; house cleaning/chores; and laundry;
 - 2. Community integration and engagement skills development needed to be part of a family event or community at large. Community integration services facilitate the process by which individuals integrate, engage and navigate their lives at home and in the community. They can include development of skills or provide the supports making it possible for individuals and families to lead full integrated lives (e.g. grocery shopping; getting a haircut; using public transportation; attending school or social events; joining community organizations or clubs; any form of recreation or leisure activity; volunteering; and participating in organized worship or spiritual activities); and
 - 3. Personal care assistance services during in home skills development and community activities.

SERVICE REQUIREMENTS:

- A. Personal Supports services under the waiver differs in scope, nature, and provider training and qualifications from personal care services in the State Plan.

- B. Personal Supports are available after school for children, meaningful day services (e.g. Employment Supports, Community Development Supports) for adults, nights and weekends.
- C. Personal Supports Retainer Fees is available for 30 days per year per recipient when the recipient is unable to receive services during a hospitalization. Payment is intended to assist participants in retaining qualified employees whom they have trained and are familiar with their needs during periods of hospitalization.
- D. Under self-directing services the following applies:
 - 1. Participant's or parent for a child self-directing services are considered the employer of record;
 - 2. Participant or parent for a child is responsible for supervising, training, and determining the frequency of services and supervision of their direct service workers; and
 - 3. Payment is allowable for advertising for employees and staff training costs as follows:
 - a) Costs are incurred no more than 180 days in advance of waiver enrollment unless otherwise authorized by the DDA
 - b) Costs are considered to be incurred and billable when the individual enters the waiver. The individual must be reasonably expected to be eligible for and to enroll in the waiver. If for any unseen reason, the individual does not enroll in the waiver (e.g., due to death or a significant change in condition); these costs may be billed to Medicaid as an administrative cost.
- E. Payment may not be made for services furnished at the same time as other services that include care and supervision. This includes, but not limited to Medicaid State Plan Personal Care Services as described in COMAR 10.09.20, the Attendant Care Program (ACP), and the In-Home Aide Services Program (IHAS).
- F. Personal Support services are not available to individuals receiving supports under Community Living Group Home, Supported Living, Shared Living Host Home, and Community Living Enhanced Support services.
- G. Transportation costs associated with the provision of services outside the participant's home is covered within the rate.
- H. Personal care assistance tasks may not comprise the entirety of the service.
- I. Personal care assistance services includes assistance with activities of daily living and instrumental activities of daily living including meal preparation and cleaning when the person is unable to do for themselves only when in combination of other allowable Personal Supports activities occurring.
- J. The program does not make payment to spouses or legally responsible individuals including legally responsible adults of children and representative payee, for supports or similar services.
- K. A relative or legal guardian (who is not a spouse or legally responsible person) of an individual may be paid to provide this service in accordance with the applicable requirements set forth in Section C-2.
- L. Services will not be covered if available under the individual's private insurance, the Medicaid State Plan (including EPSDT benefits), private or public educational services, the Rehabilitation Act, other waiver services, or through other resources.
- M. To the extent that any listed services are covered under the State plan, the services under the waiver would be limited to additional services not otherwise covered under the State plan, but consistent with waiver objectives of avoiding institutionalization.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- A. A relative of an adult participant may not be paid for greater than 40-hours per week of services for any Medicaid participant at the service site unless otherwise approved by the DDA.
- B. Personal Support services are limited to 82 hours per week unless otherwise preauthorized by the DDA.

Service Delivery Method (check each that applies)

- Participant Directed as specified in Appendix E
- Provider Managed

Specify whether the service may be provided by (check all that applies):

- Legally Responsible Person
- Relative
- Legal Guardian

Provider Specifications: (Instructions list the following for each type of provider that can deliver the services):

Provider Category	Provider Type Title
Individual	For individuals self-directing services
Agency	Licensed Personal Supports Provider

Provider Category: Individual

Provider Type: Individual for people self-directing services

Provider Qualifications License (specify):

Certificate (specify):

Other Standard (specify):

1. The following minimum standards are required:
 - a. Be at least 18 years old
 - b. Current first aid and CPR certification
 - c. Pass a criminal background investigation and Child Protective Services Background Clearance (required if supporting a child)
 - d. Unlicensed staff paid to administer medication and/or perform treatments must be certified by the Maryland Board of Nursing (MBON) as Medication Technicians
 - e. Valid driver's license if the operation of a vehicle is necessary to provide services
 - f. Have automobile insurance for all automobiles that are owned, leased, and/or hired and used in the provision of care

2. Individuals in self-directing services, as the employer, may require additional staffing requirements based on their preferences and level of needs such as:
 - a. Training by individual/family on individual-specific information (including preferences, positive behavior supports, when needed, and disability-specific information)
 - b. Previous experience with in home skills such as training on money management, time management and community resources

Verification of Provider Qualifications

Entity Responsible for Verification:

- Fiscal Management Service providers for verification of participant specific qualifications
- Coordinator of Community Services for use of a relative as a service provider

Frequency of Verification:

- Fiscal Management Services - prior to service delivery
- Coordinator of Community Services prior to service initiation and during annual team meetings

Provider Category: Agency

Provider Type: Licensed Personal Support Provider

Provider Qualifications License (specify):

Licensed Personal Supports Provider as per COMAR 10.22.XX (tbd)

Certificate (specify):

Other Standard (specify):

1. The following minimum staff standards are required:
 - a. Be at least 18 years old
 - b. Current first aid and CPR certification
 - c. Pass a criminal background investigation and Child Protective Services Background Clearance (required if supporting a child)
 - d. Unlicensed staff paid to administer medication and/or perform treatments must be certified by the Maryland Board of Nursing (MBON) as Medication Technicians
 - e. Valid driver's license if the operation of a vehicle is necessary to provide services
 - f. Have automobile insurance for all automobiles that are owned, leased, and/or hired and used in the provision of care
 - g. Staff providing training on money management, time management and community resources must have performed training on these topics in the previous two (2) years.

Verification of Provider Qualifications

Entity Responsible for Verification:

- DDA for verification of provider license
- Provider for staff licenses, certifications, and training

Frequency of Verification:

- DDA - annually
- Provider – prior to service delivery

Family Support Waiver Draft Proposal