



*Consumer Direction Philosophy
and
Case Management Best Practices*

**Section IV: Role and Responsibilities
of the Consumer in Consumer
Direction**

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**Section IV: Role and Responsibilities of
the Consumer in Consumer Direction**

- *Characteristics of a Successful Consumer*
- *Authorized Representative*
- *Responsibilities of an Employer:
Recruiting, Interviewing, Hiring,
Training, and Supervising*
- *Understanding the BCII Report*

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Characteristics of a Potentially Successful Consumer

- Routine case manager contact confirming the consumer has independently identified and appropriately resolved service delivery issues
- Frequent requests for changes in provider-managed services
- Complex service needs
- Consumer resides in a “hard to serve” area

Characteristics of a Potentially Successful Consumer

The Consumer must be willing and capable to:

- Understand methods for selecting, managing, and dismissing employees;
- Understand what service activities are covered;
- Participate in the development, monitoring, and revision of the service plan and reliable back-up plans;
- Understand corresponding provider requirements, including assuring the criminal records check procedures are followed and;
- Work with the financial management service for timely payroll processing

Authorized Representative (AR)

- An authorized representative is a consumer's legal guardian, family member or any other person identified by the consumer in consultation with the PASSPORT staff. The authorized representative's role is to help the consumer manage services as defined in the care plan and supervise employees if the consumer is unable to do so independently. **The authorized representative may NOT also serve as the consumer-directed care provider for the consumer.**

An Authorized Representative must:

- Show a strong personal commitment to the consumer
- Show knowledge about the consumer's preferences.
- Agree to visit the consumer at least every pay period.
- Be willing and able to meet all program requirements for PASSPORT
- Be at least 18 years old
- Be willing to submit to criminal background checks, if requested.

An Authorized Representative cannot:

- Be paid for this service or be hired by the consumer as an employee
- Be known to conduct illegal activities
- Have any history of physical, mental or financial problems

Participant Employer Authority:

- The participant is supported by the case manager to recruit, hire, supervise and direct the workers who furnish supports.
- The participant functions as the common law employer or the co-employer of these workers.

Participant Budget Authority:

- Under the Budget Authority, the participant has the authority and accepts the responsibility to manage a participant-directed budget

**Responsibilities of an
Employer:**

- Recruiting
- Interviewing
- Hiring
- Training
- Supervising



Recruiting

- The consumer's first step in recruiting a consumer-directed worker is [developing a written job description](#). A good job description will include the tasks that will be performed, the number of hours and time(s) of day(s) these tasks will be performed, and the skills the employee will need to perform the job.
- The next step is [identifying potential employees](#). The consumer may already have someone in mind for this position. If not, the consumer can advertise.
- When conducting an initial phone interview, the consumer should request the following information from the potential employee:
 - *Their name, address and telephone number*
 - *What relevant job experience do they have?*
 - *Do they have reliable transportation?*
 - *Can they work the hours specified?*
 - *Are they comfortable doing the kinds of work expected? This is particularly important because the job involves more personal tasks such as bathing.*

Interviewing

The consumer should:

- Provide the applicant with a written copy of the job description,
- Describe in detail the tasks the employee will be performing,
- Describe the tasks the employee is **not** permitted to perform
- Review the hours the employee will be expected to work, and
- Discuss the rate of pay

Interviewing

Questions the consumer should ask at the in-person interview should include:

- What kinds of experience does the applicant have doing this type of work?
- What were the applicant's previous jobs?
- What did applicant like best and least about their previous jobs?
- How would the applicant handle different situations?



Wages-CHCAS



- **When assisting the consumer with establishing the employee's hourly wage, the following factors should be considered:**
 - Consumer's acuity level;
 - Use of the escort/transportation component of the service, including frequency and distances to the destinations.
- **The case manager shall use the "How much can I pay?" sheet to guide pay rate (initial and increases) discussions.**
 - Recommendation: Determine wage increases using a percentage.
- **The following approval process is used to finalize the employee's hourly wage:**
 - Case manager approves an hourly wage up to \$10.00 per hour;
 - PAA Supervisor approves an hourly wage between \$10-\$12 per hour; and
 - PAA Site Director approval is required for hourly wages \$12 and above.



WAGES-



Consumer Directed Personal Care

- The consumer directed personal care providers will have the same unit rate statewide as listed in OAC 5160-1-06.1 .
- \$12.52/ hour
- \$3.13/unit (1/4 hour)

Provider Training

Consumer Directed Personal Care

- After the consumer directed personal care provider is approved and hired, the consumer must ensure the employee has completed at least twelve hours of in-service training on topics related to the consumer's care plan
- The consumer is responsible to ensure all applicants have met the provider certification requirement set forth in rule OAC 173-39-03, B.

Hiring

- After the consumer makes the decision about whom to hire, the selected employee(s) must complete the ODA consumer directed provider certification process with the PAA. Upon completion, the consumer is responsible for submitting both the consumer's and employee's enrollment paperwork to the financial management service (FMS) after the case manager has reviewed the paperwork and signed off on the employee packet.

Supervising

The consumer is responsible to:

- Supervise the worker during daily service delivery and sign off after each episode of service.
- Set the scheduled service times and direct the worker in needed tasks.
- Ensure that employees are scheduled to work no more than 40 hours in a week.
- Submit timesheets to the financial management service according to the payroll schedule.
- Complete timesheets and never sign blank time sheets or sign off on a time sheet that the provider completed prior to the service being delivered.
- Maintain copies of the task sheets completed by the workers for each pay period.
- Monitor the provider's performance in conjunction with the case manager.
- Report any dissatisfaction or performance issues to the provider for correction and to the case manager.

Understanding the BCII report



- Ohio law requires any employer (including a consumer-directed employer) to conduct a criminal background check on any applicant for a paid direct-care position.
- As part of the process, the consumer and case manager will review the result to determine the applicant is eligible for hire.

Resources

- National Resource Center for Participant Directed Services (NRCPDS)
“The Boston College People”
www.participantdirection.org

- The clearinghouse for Home and Community Based Services
www.hcbs.org

Ohio Dept. of Aging
www.age.state.oh.us

Center for Medicare and Medicaid Services (CMS)
www.cms.gov

Waivers & Best Practices

Thank you!

*This concludes the Ohio Department of
Aging presentation on consumer direction
philosophy and case management best
practices, section 4, Role and
Responsibilities of the Consumer in
Consumer Direction.*