

Attachment 5
CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM (CDPAP) AGREEMENT
BETWEEN THE LOCAL DEPARTMENT OF SOCIAL SERVICES (LDSS) AND
CONSUMER/DESIGNATED REPRESENTATIVE

The purpose of the CDPAP is to allow chronically ill and/or physically disabled individuals receiving home care services under the Medical Assistance program greater flexibility and freedom of choice in obtaining such services.

In order to participate in the CDPAP it is important that the consumer clearly understand their role and responsibilities.

Responsibilities of the Local Department of Social Services

The Local Department of Social Services will:

1. Determine Medicaid eligibility.
2. Determine if the Consumer is eligible to receive home care services.
3. Provide all individuals eligible for home care information about the program and how to apply.
4. If an interest in participation is expressed, provide the CDPAP applicant with written educational materials outlining the roles & responsibilities for consumers/designated representative to ensure they are making an educated, informed choice to utilize the CDPAP.
5. Determine if the Consumer is able and willing to assume all responsibilities associated with participating in the program, or has a legal guardian or other identified adult, able and willing to act on their behalf.
6. Determine participation eligibility and conduct an assessment.
7. Discuss and document the consumer's plan to assure adequate supports are available to meet the consumer's needs.
8. Develop a plan of care with the Consumer, outlining the tasks to be completed by the personal assistant. The plan of care document will be maintained in the LDSS file and a copy will be provided to the consumer.
9. If the LDSS determines the Consumer inappropriate to continue participation in the CDPAP, terminate participation in CDPAP and (if applicable) refer the consumer to other appropriate programs.
10. Authorize the type and amount of services and hours required.
11. Provide the Consumer with the appropriate fair hearing notice.

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Responsibilities of the Consumer/Designated Representative

The Consumer/Designated Representative should:

1. Understand the purpose of the CDPAP and the responsibilities of the LDSS, fiscal intermediary and consumer/designated representative.
2. Be responsible for recruiting, hiring, training, supervising, scheduling and terminating the qualified individual of their choosing in adequate numbers to meet their needs.
3. Maintain an appropriate home environment and provide training as necessary.
4. Review the plan of care with each personal assistant (PA) outlining their responsibilities and ensure that the PA only performs the tasks identified on the plan of care during authorized hours.
5. Comply with Labor Laws, providing equal employment opportunities as specified in the Consumer's agreement with the CDPAP fiscal intermediary.
6. Inform the LDSS and the fiscal intermediary of any change in status or condition, including but not limited to; hospitalizations, address and telephone number changes.
7. Assure the accurate and timely submission of the PA's required paperwork to the CDPAP fiscal intermediary including time sheets, annual worker health assessments, and required employment documents.
8. Develop and maintain a contingency plan to assure adequate supports are available to meet needs.
9. Ensure that each PA has submitted timecards reflective of hours worked within the weekly authorized hours by signing timesheet.
10. Distribute paychecks to each PA, if applicable.
11. Cooperate with the LDSS and comply with Medicaid Program requirements to be available for the required reassessment.

BOTH PARTIES ACCEPT THE ROLES / RESPONSIBILITIES IN THE CDPAP AS EXPLAINED ABOVE.

Signatures

Consumer/Designated Representative

Date

Local Department of Social Services

Date