

## **Application Cover:**

As you know, January 1, 2015 is the implementation date of the United States Department of Labor application of the Fair Labor Standards Act (FLSA) to Domestic Service regulation. This Final Rule makes several changes that will broaden the scope of the FLSA. For example, these changes will now require employers to pay overtime at one and one-half the regular rate of pay for hours in excess of forty in a workweek. The Department (DOH) anticipates that these changes may have an impact on workers providing consumer directed personal assistance services statewide. In an effort to mitigate the subsequent impact to consumers, the Department has set aside temporary funding to ease the impact of this final rule.

In order to develop a longer term solution, DOH needs to collect more accurate data regarding the scope and impact of the regulation changes. Distribution of the temporary funding will be contingent upon submission of information to DOH. This information will facilitate a more accurate analysis of cost and provide insight into Fiscal Intermediary policies regarding overtime. Fiscal Intermediaries receiving funds will be required to provide periodic data updates.

Fiscal Intermediaries that contract with local departments of social services and managed care plans for the provision of consumer directed personal services should complete the attached application and return it to DOH at the email address listed on the application. Applications must be received by December 19, 2014 to be eligible for funding. This funding will cover the period of January 1, 2015 - June 30, 2015 and is anticipated to be approximately five million dollars.

The Department will be conducting a conference call on **Thursday, December 11 at 1:00 p.m.** to answer any questions submitted to the Department relating to this application and funding availability. **To join this call, dial 1-866-394-2346, passcode: 3814539300.**