

PERSONAL ASSISTANT'S GUIDE TO THE CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM

The Consumer Directed Personal Assistance Program (CDPAP) is a statewide Medicaid program that provides an alternative way of receiving home care services. The program allows people who are Medicaid-eligible to have more control over who provides their home care and how it is provided. Consumers enrolled in the CDPAP program are allowed to manage their own care by recruiting, hiring, training, supervising, scheduling and dismissing their own personal assistants. Instead of a home care agency controlling the personal assistants, the Consumer takes on the role of employer for the personal assistants.

By accepting this position, you are agreeing to accept training and supervision at the direction of the Consumer or their designated representative. This guide will help facilitate your participation in the CDPAP program.

WHO IS MY EMPLOYER?

The Consumer is your employer and is responsible for hiring, training, supervising, scheduling and dismissing you.

WHAT ARE MY RESPONSIBILITIES?

As a personal assistant, you are responsible for:

1. Recognizing the authority of the Consumer as your employer and supervisor;
2. Completing all tasks specified in the Consumer's plan of care in a manner that enhances the Consumer's ability to live independently;
3. Respecting the Consumer's person, privacy and property;
4. Authorizing Allen Health Care Services to collect and distribute employment-related information;
5. Complying with applicable policies and practices of Elara Caring.

You may perform any task listed in the Consumer's plan of care. These services may include assisting the Consumer with bathing, dressing, toileting, grooming, house cleaning, cooking, laundry and other related personal functions and other activities such as nursing, transportation, transferring, communication assistance, administration of medications and respite services that assists the Consumer to be functional. However, you are limited to performing only those tasks listed in Consumer's plan of care. You cannot perform other tasks and be paid under the CDPAP program. Also, you cannot perform work for other household members. If you perform a task that benefits other household members, it is okay, as long as the benefit is incidental.



WHAT ARE ELARA CARING' RESPONSIBILITIES?

As the Fiscal Intermediary, Elara Caring is responsible to:

1. Process payroll, including processing income tax and other required wage withholdings and complying with workers' compensation, disability and unemployment insurance.
2. Pay you the wage established for the hours you worked for the Consumer as indicated on your time sheet.
3. Review time sheets and prepare and submit claims for Medicaid payment.
4. Ensure that your health status is assessed before you start working for the Consumer and annually after that.
5. Maintain your personnel records.
6. Maintain records related to the Consumer.
7. Monitor the ability of the Consumer, or the ability of the consumer's designated representative, if applicable, to fulfill the Consumer's responsibilities under the CDPAP program.

WHAT ARE MY PERSONNEL REQUIREMENTS?

You must complete and submit the following to the Allen Health Care Services prior to starting work for the Consumer:

1. I-9 form;
2. W4 form including the Notice and Acknowledgment of Pay Rate and Payday;
3. Pre-employment physical (and a health assessment annually as required by Department of Health regulations);
4. Proof of immunizations as required by Department of Health regulations.
5. Hepatitis B form. The Consumer will review Hepatitis B vaccination or declination information with you.

Elara Caring will perform a check of any exclusion from providing services under the Medicaid program and the result will be filed in your personnel file.

WHAT ARE TIME SHEETS?

A time sheet is an official weekly record of the hours you worked. You must fill out the time sheets with the time you started work for the Consumer and the time you finished work. Both you and the Consumer must sign and date the form and attest that the time sheets are accurate. Attesting means that you and the Consumer are certifying that the time sheets are accurate. The Consumer will submit the time sheets to Elara Caring each week so you can be paid.

If Elara Caring finds that inaccurate time sheets have been submitted, it may inform the Consumer that it will no longer provide fiscal intermediary services to the Consumer and it might also report the inaccuracies to the Department of Social Services (DSS), Managed Care Organization (MCO) and/or the appropriate governmental authorities. Deliberately completing inaccurate time sheets is considered fraud.

WHEN AND HOW DO I GET PAID?

You will get paid every two weeks. You will get paid only for the hours actually worked and for the tasks authorized by the DSS or MCO. If the hours you work exceed the authorized hours in any week or you perform work not covered by the plan of care, those hours are not CDPAP service hours and will not be paid by the CDPAP program.

If you enroll in Allen Health Care Service's Direct Deposit program, your payroll checks will be directly deposited in your bank account every two weeks. If you are not enrolled in our Direct Deposit program, you will receive a payroll check every two weeks. The payroll checks will be payable to you and will be mailed to the Consumer's home. The Consumer will distribute the payroll check to you.

WILL I BE PAID IF THE CONSUMER IS HOSPITALIZED OR ABSENT FROM HOME?

No. You cannot perform any CDPAP services if the Consumer is hospitalized or admitted to a higher level of care or is otherwise absent from the home. You will only be paid for hours of services provided to the Consumer on the day of admission and the day of discharge, if the authorization is still active. If you perform CDPAP services while the Consumer is absent from the home, those hours are the responsibility of the Consumer.

WHEN AM I ELIGIBLE FOR WORKER'S COMPENSATION?

If you are injured on the job, you may be eligible for Worker's Compensation benefits. You must promptly notify Elara Caring whenever an injury has occurred on the job. We will assist you with the completion of the necessary reporting forms and notify the Workers' Compensation carrier.

WHEN AM I ELIGIBLE FOR DISABILITY INSURANCE?

If you are unable to work for a continued period of time, you may be eligible for statutory disability benefits. You must notify the Consumer and Elara Caring. We will assist you with completion of the necessary reporting forms and notify the disability carrier.

WHEN AM I ELIGIBLE FOR UNEMPLOYMENT INSURANCE?

The Consumer must notify Elara Caring whenever you stop working for the Consumer, regardless of whether you quit or have been dismissed. We will review with the Consumer the circumstances and determine whether you are eligible for unemployment insurance.

WHAT SHOULD I DO IF I SUSPECT FRAUD?

If you suspect fraud by the Consumer or his/her designated representative or are aware of any violations of the Medicaid program rules, you should call Elara Caring immediately at (718) 689-1253.