

Consumer Directed Services (CDS) Option Overview

This information will help you decide if you want to participate in the **CDS** option for services available for delivery through CDS in your program.

If you or your legally authorized representative (LAR) chooses the CDS option, one of you must be the employer of your service providers for those services chosen to be delivered through CDS.

- The employer (individual or LAR) may appoint an adult as the designated representative (DR) to assist or to perform employer responsibilities in the CDS option. If the employer is not able to complete a self-assessment for CDS, a DR must be appointed.
- You may be eligible for Support Consultation Services to provide additional assistance and training for employer responsibilities in CDS.
- The employer or DR must:
 - select a CDS agency to administer fiscal management services, provide orientation services to the employer and to act as the employer's agent with governmental agencies.
 - hire, fire, train and manage your service providers. Service providers include employees, contractors and vendors. Some services may require that backup service providers be available to deliver services when the regular provider is not available.
 - control how your allocated program funds for each service are spent on wages and benefits for your employee(s) and pay for services delivered by contractors and vendors.

Your case manager or service coordinator will provide a list of Consumer Directed Service Agencies (CDSA) from which to select. The CDSA will pay for services provided with a set amount of money from your allocated funds.

Becoming an Employer

As an employer in the CDS option, you have the benefit of controlling your authorized service funds. You set wages and benefits for your employees within the spending limits for the service rate. Benefits may include bonuses and health insurance for your employee(s). You also have the benefit of hiring and managing your own employees, backup employees and other service providers.

Being an employer in the CDS option also has many responsibilities. You are required to recruit, hire, manage and, if necessary, dismiss or fire your service providers (employees, contractors and vendors). You must provide training for your employees. You may want to purchase training for your employees through your budget. You are also assuming responsibility to verify that each service provider:

- meets the eligibility requirements of your program; and
- completes all required paperwork.

The following table shows some of the differences in responsibilities between the CDS option and the agency option. If you have questions, let your case manager or service coordinator know.

Differences in CDS and Agency Service Delivery Options

Questions Regarding Payment Options	CDS Option	Agency Option
Who is the employer?	Individual receiving services or the individual's LAR	Provider agency
Who is responsible for recruiting, hiring, managing and firing employees and retaining contractors and vendors? Who is responsible for backup services?	Employer and, when applicable, the DR	Provider agency
Who determines the rate of pay and benefits, such as bonuses, for employees?	Employer or DR with assistance and verification by the CDSA	Provider agency
Who is responsible for paying taxes and payroll?	CDSA, the employer-agent	Provider agency
Who must ensure documented criminal history checks are completed and verify each service provider is eligible to provide specific services?	Employer/DR (with assistance and verification by the CDSA)	Provider agency
Who is responsible for on-the-job injury and other liabilities of service providers?	Employer	Provider agency
Who is responsible for locating and providing backup coverage for attendant services?	Employer/DR	Provider agency
Who is responsible for complying with Texas Department of Aging and Disability Services (DADS) CDS and program rules?	Employer/DR and CDSA	Individual or LAR and provider agency
Who is responsible for monitoring program service delivery?	Employer/DR and case manager	Individual or LAR, provider agency and case manager
Who is responsible for monitoring employment-related costs?	Employer/DR and CDSA	provider agency

Acknowledgement and Receipt of Form 1581

Signature – Individual/LAR

Date

Relationship of LAR to the Individual Receiving Services

Signature – Case Manager/Service Coordinator

Date