April 24, 2015

To: Financial Management Services Agencies
   Local Intellectual and Developmental Disability Authorities

Subject: Information Letter No. 2015-29
Implementation of Community First Choice through the Consumer Directed Services Option in the Home and Community-based Services and Texas Home Living Programs

The purpose of this information letter (IL) is to inform Financial Management Services Agencies (FMSAs) and local intellectual and developmental disability authorities (LIDDAs) about the implementation of the Community First Choice (CFC) benefit for individuals in the HCS and TxHmL Programs, effective June 1, 2015. This IL addresses requirements for FMSAs, consumer directed services (CDS) employers, and LIDDAs regarding the provision of CFC services through the CDS option. This letter does not address CFC services provided:

- through the CDS option in Medicaid managed care; or
- by Home and Community based Services (HCS) and Texas Home Living (TxHmL) program providers.

Requirements for HCS and TxHmL providers and LIDDAs regarding the provision of CFC services by a program provider are addressed in IL 2015-28.

For your convenience, a table of contents for this letter is set forth below

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Introduction

CFC is a state plan benefit, governed by Code of Federal Regulations (CFR), Title 42, Chapter IV, Subchapter C, Part 441, Subpart K, regarding Home and Community-Based Attendant Services and Supports State Plan Option (Community First Choice), that provides certain services and supports to individuals living in the community, including individuals in the HCS and TxHmL programs. CFC services are state plan services, not Medicaid waiver services.

Important Things to Know About CFC and the CDS Option

1. The CFC benefit offers CFC personal assistance services (PAS), CFC Habilitation (HAB), CFC emergency response services (ERS), and CFC support management services.
2. For HCS and TxHmL, the CFC services of PAS and HAB are combined into one CFC service, CFC PAS/HAB, which is considered to be the same service as supported home living (SHL) in HCS and community support (CS) in TxHmL.
3. All of the tasks and activities delivered through SHL or CS will be delivered through CFC PAS/HAB.
4. ERS will be provided through CFC ERS, not as an adaptive aid, and is not available through the CDS option.
5. The reimbursement rate for CFC CDS PAS/HAB will be the same as the current CDS HCS SHL and CDS TxHmL CS reimbursement rates.
6. The CFC FMS rate will be the same as the HCS and TxHmL FMS rate.
7. Individuals receiving host home/companion care, supervised living, or residential support will not receive CFC PAS/HAB or CFC ERS.
8. Service provider qualifications have been expanded to allow for qualified service providers to live in the same home as the individual receiving CFC PAS/HAB.
9. CFC PAS/HAB and CFC ERS will not be included in the calculation of the individual’s individual plan of care (IPC) cost for the HCS and TxHmL Programs.
10. Individuals in the HCS and TxHmL Programs will not receive personal assistance services through the HHSC Medicaid benefit of personal care services (PCS). Personal assistance services will be provided by CFC PAS/HAB. Services currently provided to individuals through PCS will be transitioned over to CFC PAS/HAB through the waiver. More information about the transition of PCS to CFC PAS/HAB will be provided at a later date.
11. Individuals in the TxHmL Program will not receive personal assistance services through Primary Home Care (PHC). Personal assistance services will be provided by CFC PAS/HAB. More information about the transition of PHC to CFC PAS/HAB will be provided at a later date.
12. Criminal history checks for employees hired to provide CFC CDS PAS/HAB will be paid for by the FMSA FMS fee. The cost will not be paid for from the CDS employer budget.
13. CDS employers will have the option to use support consultation as an employer support.
Services Offered Under the CFC Option

In accordance with the state plan amendment approved by the Centers for Medicare & Medicaid Services (CMS) and rules of the Health and Human Services Commission (HHSC) at 1 Texas Administrative Code (TAC) Chapter 354, Subchapter A, Division 27 (relating to Community First Choice), CFC provides the following services:

1. CFC personal assistance services (PAS) - Services that provide assistance with activities of daily living (ADLs) and instrumental activities of daily living (IADLs), as defined in 42 CFR §441.505, through hands-on assistance, supervision, and/or cueing. Such assistance is provided to an individual in performing ADLs and IADLs based on the individual’s person-centered service plan. CFC personal assistance services include:
   A. non-skilled assistance with the performance of ADLs and IADLs;
   B. household chores necessary to maintain the home in a clean, sanitary, and safe environment;
   C. escort services, which consist of accompanying, but not transporting, and assisting an individual to access personal assistance services or activities in the community; and
   D. assistance with health-related tasks as defined in 42 CFR §441.505.

2. CFC habilitation (HAB) - Acquisition, maintenance, and enhancement of skills necessary for an individual to accomplish ADLs, IADLs, and health-related tasks. CFC habilitation is provided to allow an individual to reside successfully in a community setting by assisting the individual to acquire, retain, and improve self-help, socialization, and daily living skills or assisting with and training the individual on ADLs and IADLs. Personal assistance may be a component of CFC habilitation for some individuals’ ADLs. CFC habilitation includes habilitation training, which is interacting face-to-face with an individual to train the individual in activities such as:
   A. self-care;
   B. personal hygiene;
   C. household tasks;
   D. mobility;
   E. money management;
   F. community integration, including how to get around in the community;
   G. use of adaptive equipment;
   H. personal decision making;
   I. reduction of challenging behaviors to allow individuals to accomplish ADLs, IADLs, and health-related tasks; and
   J. self-administration of medication.

3. CFC emergency response services (ERS) - Electronic devices to ensure continuity of services and supports. These services are available for individuals who live alone, who are alone for significant parts of the day, or have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision. CFC ERS will not be available through the CDS option.
4. **CFC support management services** - Voluntary training on how to select, manage, and dismiss attendants.

Health-related tasks, in accordance with state law, include tasks delegated by a registered nurse, health maintenance activities, and extension of therapy. An extension of therapy is an activity that a speech therapist, physical therapist or occupational therapist instructs the individual to do as follow-up to therapy sessions. If appropriate, the individual’s attendant can assist the individual in accomplishing such activities with supervision, cueing and hands-on assistance. As permitted by Texas Government Code, §531.051(e), a CDS employer may allow a CFC CDS PAS/HAB service provider to perform a health-related task that is not delegated by a registered nurse.

**Impact of CFC in the HCS and TxHmL Waiver Programs**

For the HCS and TxHmL programs, the CFC services of PAS and HAB are combined into one CFC service, CFC PAS/HAB. An individual receiving host home/companion care, residential support, or supervised living may not receive CFC PAS/HAB.

DADS rules at 40 TAC §9.159 and §9.558 require that an individual use non-waiver services, such as CFC services, before using an HCS or TxHmL service. Because of this requirement:

- if an individual in the HCS program needs services similar to SHL and chooses to receive those services through the CDS option, the individual must receive CFC PAS/HAB instead of SHL; and
- if an individual in the TxHmL program needs services similar to CS and chooses to receive those services through the CDS option, the individual must receive CFC PAS/HAB instead of CS.

**Service Coordinator and FMSA Responsibilities Related to Implementation of CFC**

**Individual Plans of Care (IPCs) Effective before June 1, 2015**

- For an individual whose IPC is effective before June 1, 2015 and includes CDS SHL or CDS CS, DADS will automatically convert unbilled CDS SHL and CDS CS on the IPC to CFC CDS PAS/HAB in the Client Assignment and Registration (CARE) system on June 1, 2015.
- For CDS SHL and CDS CS provided before June 1, 2015, but not billed through the CARE system, the FMSA must convert the CFC PAS/HAB units back to CDS SHL or CDS CS for billing purposes using the C30 screen in CARE. Instructions on how to make these conversions are on page 8 of this letter.
• For an individual whose IPC is effective before June 1, 2015, the IPC and implementation plan must be updated on or before the effective date of the next renewal. If a plan revision requires changes to SHL or CS, the revised IPC must reflect utilized units of SHL or CS prior to June 1, 2015, and remaining units as CFC PAS/HAB for dates of service June 1, 2015 and later.

• An updated person-directed plan (PDP) is required on or before the effective date of:
  o the next renewal IPC; or
  o a revised IPC if an HCS or TxHmL service is being added to the IPC.

• For an individual whose IPC is effective before June 1, 2015, and includes an emergency response system as an adaptive aid, the IPC may continue to include this service until the IPC is renewed or revised on or after June 1, 2015. At the point of renewal or revision on or after June 1, 2015, the provider will be able to add CFC ERS to handle billing of the emergency response system as a separate service instead of continuing to bill this service as adaptive aid.

IPC’s Effective on or after June 1, 2015

For an applicant enrolling in the HCS or TxHmL program whose initial IPC is effective on or after June 1, 2015, the HCS or TxHmL service coordinator must if the applicant needs CFC PAS/HAB and chooses to receive it through the CDS option, ensure the IPC includes CFC CDS PAS/HAB and does not include CDS SHL or CDS CS.

The CARE system will display CFC CDS PAS/HAB in the L02 and C02 IPC data entry screen beginning May 1, 2015, to enable service coordinators and providers to begin service planning 30 days before CFC implementation.

CDS SHL or CDS CS with a service delivery date before June 1, 2015 will remain on an IPC after June 1, 2015; however, CARE will not accept units of CDS SHL or CDS CS for service delivery dates on or after June 1, 2015.

Determination of Need for CFC CDS PAS/HAB and Inclusion on PDP

• The service coordinator must ensure that the service planning team (SPT) determines whether the individual needs CFC PAS/HAB using the person-directed planning process in the same manner as the SPT would have determined a need for SHL or CS. If the SPT determines that the individual needs CFC PAS/HAB and chooses to receive it through the CDS option, the service coordinator must include the service on the PDP as if the service were an HCS or TxHmL program service.

• If CFC CDS PAS/HAB is included on the individual’s PDP, the service must be included on the individual’s IPC as described under the previous two headings.

Determining Whether to Include CFC FMS or FMS on the IPC

• The service coordinator must include CFC FMS, rather than FMS, on the IPC if CFC CDS PAS/HAB is the only service the individual is receiving through the CDS option.
• The service coordinator must include FMS, rather than CFC FMS, on the IPC if the individual is using the CDS option for CFC PAS/HAS and is receiving at least one other TxHmL or HCS service using the CDS option.

• FMS and CFC FMS must not be included on the IPC at the same time.

Cost of CFC Service not included in IPC Cost

The cost of CFC CDS PAS/HAB and CFC FMS is not included in the calculation of the IPC cost as described in 40 TAC §9.155(a)(3), §9.556(a)(4), and §9.558(d).

Provision of CFC Support Management Services

If an individual in the HCS or TxHmL Program is receiving CFC PAS/HAB and would like training on how to select, manage, and dismiss attendants, the FMSA must provide CFC support management to the individual by providing information developed by DADS and available on DADS website.

Service Provider Requirements

Requirements Regarding Service Providers of CFC CDS PAS/HAB

• Except as provided below, a CDS employer must ensure that a service provider of CFC CDS PAS/HAB services:
  o is at least 18 years of age; and
  o has:
    • a high school diploma or a certificate recognized by a state as the equivalent of a high school diploma; or
    • documentation of a proficiency evaluation of experience and competence to perform the job tasks that includes:
      ▪ a written competency-based assessment; and
      ▪ at least three written personal references from persons not related by blood that indicate the ability to provide a safe, healthy environment for the individuals being served;
  o is not the individual’s legally authorized representative (LAR), LAR’s spouse, designated representative, or designated representative’s spouse; and
  o meets any other qualifications requested by the individual or LAR based on the individual’s needs and preferences.

• Unlike a service provider for SHL and CS, a service provider of CFC CDS PAS/HAB may live in the same residence as the individual.
In addition to the training required in 40 TAC Chapter 41, an individual or LAR may:

- train the CFC CDS PAS/HAB service provider in the specific assistance needed by the individual and to have the service provider perform CFC CDS PAS/HAB in a manner that matches the individual’s personal, cultural, or religious preferences; and
- require the CFC CDS PAS/HAB service provider to attend training by HHSC or DADS so that the service provider can meet any additional qualifications desired by the individual or LAR.

**FMSA and CDS Employer Compliance with CDS rules regarding the provision of CFC CDS PAS/HAB**

An FMSA and CDS employer must comply with 40 TAC Chapter 41, including:

- ensuring initial criminal history checks, annual registry checks, and monthly Office of Investigator General checks in accordance with 40 TAC §41.225 (relating to Criminal History Check of an Applicant for Employment and an Employee; §41.227 (relating to Required Registry Checks); §41.323 (relating Criminal History Check of an Applicant for Employment and to be an Employee); and §41.325 (relating to Required Registry Checks of an Applicant to be an Employee);
- completing service agreements in accordance with 40 TAC §41.237 (relating to Service Provider Agreements) and §41.333 (relating to Service Agreements);
- conducting and documenting training in accordance with 40 TAC §41.233 (relating to Training and Management of Service Providers); and
- ensuring that a service provider of CFC CDS PAS/HAB is paid the base wage rate in accordance with 40 TAC §41.505 (relating to Payroll Budgeting).

For service providers hired before June 1, 2015, who will provide CFC CDS PAS/HAB instead of CDS SHL or CDS CS, the CDS employer is not required to request another criminal history check, complete new service agreements, or update employer related forms.

**Cost of Criminal History Checks**

As required by 42 CFR §441.555(b)(2), costs for running criminal history checks for CFC CDS PAS/HAB providers will not be paid for from the CDS employer budget. The cost of criminal history checks for CFC CDS PAS/HAB providers will be paid by the FMSA from the monthly FMS fee.

CDS employers must develop, using the 2015 revised HCS or TxHmL workbooks and based on the revised IPC, a budget for CFC CDS PAS/HAB, separate from the budget for HCS or TxHmL program services, in accordance with 40 TAC §41.501 (relating to Budget Development).

**Compliance with CDS Information Letters and the HCS Handbook**

A CDS employer, FMSA, and LIDDA must comply with CDS information letters and the HCS Handbook as if CFC CDS PAS/HAB and CFC FMS are HCS or TxHmL program services and as if CFC CDS PAS/HAB is HCS SHL or TxHmL CS delivered through the CDS option.
Billing and Rates

Billing for FMS

An FMSA may not bill both FMS and CFC FMS for the same individual in the same month. The FMSA must bill the type of FMS authorized on the IPC.

Use of the C30 CARE Screen for Billing SHL and CS Units Before June 1, 2015

On June 1, 2015, IPCs in CARE will automatically convert CDS SHL and CDS CS to the service codes listed below. CARE will also convert FMS to CFC FMS if CFC PAS/HAB is the only service the individual is self-directing. FMSAs will not be able to claim CDS SHL or CDS CS with a service delivery date of June 1, 2015, or later.

FMSAs must comply with the following to bill for SHL and CS delivered before June 1, 2015:

- The FMSA accesses CARE screen C30 to convert CFC PAS/HAB service authorizations back to CDS SHL or CDS CS.
- The FMSA enters the individual’s CARE Client ID or their assigned Local Case Number into the appropriate fields and hits “enter” on the keyboard.
- The screen displays fields for CDS CFC PAS/HAB and CDS SHL (for HCS) or CDS CS (for TxHmL). These fields are pre-populated with the current amount of units and dollars authorized for each service. The amounts in these fields can be changed to allow the FMSA to adjust units and dollars as appropriate. The FMSA changes the amounts in these fields as appropriate.
- The sum of the two categories must always equal the total amount authorized. If the sum of the two categories is not equal to the total amount authorized, an error message will appear stating such. The FMSA is prevented from finalizing the adjustment until the sum equals the total amount authorized.
- After the amounts and dollars are appropriately adjusted, the FMSA hits “enter” on the keyboard to finalize the change.

New HCS/TxHmL CFC CDS Service Codes (ID CARE)

The service codes associated with the new CFC CDS services are:

- CFPHV – CFC CDS PAS/HAB
- CFFMS – CFC Financial Management Services
- CFSCV – CFC CDS Support Consultation

CFC Support Management does not have a separate service code. CFC support consultation does have a separate service code; however, it is only authorized and billed when an individual is self-directing CFC PAS/HAB and not self-directing any other services.

Reimbursement Rates for CFC services
The reimbursement rate for CFC CDS PAS/HAB and CFC CDS FMS will be the same as the current CDS HCS SHL, CDS TxHmL CS, CDS HCS FMS and CDS TxHmL FMS reimbursement rates. After May 1, 2015, the rates can be found [here](#).

**Personal Care Services**

Individuals in the TxHmL and HCS programs will not receive personal assistance services through the HHSC Medicaid benefit of PCS. Therefore, FMSAs will no longer use two different billing systems.

**Eligibility Requirements/Fair Hearings**

**Eligibility for CFC services**

An individual is eligible for CFC services provided by through the CDS Option if the individual meets the criteria described in:

- 40 TAC §9.155(a) or §9.556(a);
- 1 TAC §354.1362; and
- the next two headings.

An individual’s diagnostic eligibility for CFC services is determined based on information from eligibility assessments and documented in the Intellectual Disability/Related Condition assessment form.

**Requirement for Provision of One HCS or TxHmL Service for All Individuals Receiving HCS or TxHmL Program Services**

In accordance with federal requirements, an individual must, in addition to meeting other eligibility criteria for the HCS or TxHmL Program, must receive at least one HCS or TxHmL service annually. In addition, an individual must receive an HCS or TxHmL service monthly or receive monitoring monthly to be eligible for the HCS or TxHmL Program. For example, if an individual receiving CS or SHL and dental begins receiving CFC PAS/HAB services, the individual will be eligible for the HCS or TxHmL Program if the individual receives a dental treatment and monthly service coordination.

A service coordinator must inform an applicant or individual or LAR of the eligibility criteria described under this heading as follows:

- for an applicant, during the enrollment process; and
- for an individual or LAR, as soon as possible, but no later than 90 calendar days after June 1, 2015, and annually thereafter.
Monthly HCS/TxHmL Service Requirement for Individuals Receiving CFC Services with Medical Assistance Only (MAO) Medicaid.

Individuals receiving Supplemental Security Income (SSI) benefits are categorically eligible for SSI Medicaid. Medicaid recipients not certified for SSI Medicaid are classified as Medical Assistance Only (MAO) Medicaid recipients. In addition to the requirements under the previous heading, as a recipient of MAO Medicaid, the individual must at least monthly, receive an HCS or TxHmL Program service in order to be eligible for CFC services as required by 42 CFR §441.510(d). Monthly monitoring by a service coordinator is not an HCS or TxHmL program service and, therefore, does not meet this monthly requirement.

A service coordinator must inform an applicant or individual who receives MAO Medicaid (or the LAR of the applicant or individual) of the eligibility criteria described under this heading as follows:

- for an applicant, during the enrollment process; and
- for an individual or LAR, as soon as possible, but no later than 90 calendar days after June 1, 2015 and annually thereafter.

Fair Hearing

An individual whose request for eligibility for CFC services is denied or an individual whose services have been terminated, suspended, denied, or reduced by DADS receives notice of the right to request a fair hearing in accordance with 1 TAC Chapter 357, Subchapter A (relating to Uniform Fair Hearing Rules). An individual who is enrolled in the HCS or TxHmL Program whose CFC services are terminated may be able to receive CFC services through Medicaid managed care.

Requirement for FMSA to Provide Information Letters

Before June 30, 2015, an FMSA must provide a copy of the attached employer letter to each CDS employer in the HCS and TxHmL programs for whom the FMSA provides FMS.

CDS Forms Revisions

Based on the implementation of the CFC option, DADS has revised the following forms which are available for the CDS option at http://www.dads.state.tx.us/handbooks/cds/forms/index.asp.

CDS Budget Workbook: The CDS budget workbook for HCS and TxHmL will be revised to reflect the IPC total amount of funds allocated to the waiver and the total funds allocated to CFC state plan services.

CDS Form 1735 Service Provision Requirements Addendums for HCS and TxHmL will be revised to include a description of the service and service provider qualifications for CDS CFC SHL and CDS CFC CS providers.

CDS Form 1735 Service Provision Requirements Addendum for CFC will be a new form added to
include a description of all CFC services available under the CDS option and service provider qualifications.

*CDS Form 1583 Employee Qualifications Requirements* will be revised to include service provider qualifications for CDS CFC SHL and CDS CFC CS. Service coordinators will be expected to begin using this form on June 1, 2015.

*CDS Form 1734 Service Provider and Employer Certification of Relationship Status* for CDS will be revised.

**Future ILs and Revision of Rules**

As necessary, DADS will provide additional information regarding the implementation of the CFC option through ILs. Also, DADS will propose amendments to 40 TAC Chapter 41 to address the requirements regarding CFC services delivered through the CDS option as described in this IL. DADS is planning webinars to continue educating CDS employers and FMSAs about CFC. As dates are determined, alerts will be sent via GovDelivery and information posted on the DADS web pages dedicated to CDS.

For questions about the content of this IL, contact the CDS mailbox at cds@dads.state.tx.us.

Sincerely,

*[signature on file]*  
*Donna Jessee*  
*Director, Center for Policy and Innovation*

*[signature on file]*  
*Elisa J. Garza*  
*Assistant Commissioner, Access and Intake*

Attachment:  
Letter to Consumer Directed Services Employers in the Home and Community-based Services and Texas Home Living Programs
April 24, 2015

To: Consumer Directed Services Employers in the Home and Community-based Services and Texas Home Living Programs

Subject: New Medicaid Benefit – Community First Choice

The purpose of this letter is to provide information to Consumer Directed Services (CDS) employers about the Community First Choice (CFC) benefit. On June 1, 2015, one of the following services on the individual’s service plan will be automatically converted to CFC personal assistance services/habilitation (PAS/HAB):

- supported home living in the Home and Community-based Services (HCS) program; or
- community support in the Texas Home Living (TxHmL) program.

When service plans are renewed after June 1, 2015, the individual’s paper copy of the service plan will be changed to show CFC PAS/HAB. If a plan revision requires changes to SHL or CS, the revised IPC must reflect utilized units of SHL or CS prior to June 1, 2015, and remaining units as CFC PAS/HAB for dates of service June 1, 2015 and later.

All of the tasks and activities delivered through supported home living or community support will be delivered through CFC CDS PAS/HAB. The individual will not notice a change in how services are delivered. The CDS employer will continue to use the same Financial Management Services Agency (FMSA) after the implementation of CFC.

The CFC benefit also includes CFC support management for those who wish to receive it. Support management is written training information on how to select, manage, and dismiss CFC PAS/HAB attendants. Support management is different from support consultation. Support consultation is provided by a Support Advisor who provides one-on-one coaching on a range of employer responsibilities. Unlike support consultation, support management, has no cost and does not affect the individual’s CDS budget. The FMSA will provide the support management information.

ERS will be provided through CFC ERS. CFC ERS is not available through the CDS option. Individuals will continue to receive ERS if he or she has a need for the service. In the waiver, ERS is provided as an adaptive aid; CFC ERS is a separate service.

**Important Things You Need to Know about CFC and the CDS option**

1. The rate for CDS CFC PAS/HAB will be the same as the CDS HCS supported home living or CDS TxHmL community support rates.
2. Department of Aging and Disability Services (DADS) revised certain CDS forms to add CFC, including the employer budget workbook and Form 1735 Addendum Community First Choice, which lists all the requirements for CFC PAS/HAB.

3. The cost for CFC PAS/HAB will not be used in the calculation of the services on the waiver plan. CFC costs will be listed separately on the service plan.

4. To be eligible for CFC services, the individual must receive at least one HCS or TxHmL service per month. Phone calls or visits from the service coordinator count as an HCS service if the individual receives Supplemental Security Income (SSI) benefits from the Social Security Administration. If the individual does not receive SSI benefits, talk with your service coordinator about monthly HCS or TxHmL services.

5. The CDS rules and Information Letters issued about the CDS option apply to delivery of CFC PAS/HAB, including required criminal history checks and registry checks provider qualifications, service delivery documentation and backup plans.

6. A person living in the individual’s home may provide CFC PAS/HAB if the person meets the qualifications.

7. CFC federal regulations allow CDS employers the right to establish additional CFC PAS/HAB service provider qualifications, beyond the minimum qualifications set by the state, to meet the individual’s needs and preferences. Also, the CDS employer may require the PAS/HAB service provider to attend training supported by the Health and Human Services Commission (HHSC) or DADS so that the service provider can meet any additional qualifications desired by the individual or legally authorized representative.

8. CDS employers may train the CFC PAS/HAB service provider in the specific assistance needed by the individual and request the service provider perform CFC PAS/HAB in a manner that matches the individual’s personal, cultural, or religious preferences.

9. As permitted by Texas Government Code, §531.051(e), a CDS employer may allow a CFC PAS/HAB service provider to perform a health-related task that is not delegated by a registered nurse.

10. CDS employers are not required to complete a new employment packet for employees hired before June 1, 2015, who provide CFC PAS/HAB.

11. With assistance from the FMSA, CDS employers will need to complete a revised budget workbook when the paper copy of the service plan changes to include CFC PAS/HAB.

12. CFC federal regulations do not allow the cost of criminal history checks to be deducted from the employer’s budget. The FMSA will cover the costs of criminal history checks for service providers delivering CFC PAS/HAB. Criminal history checks will continue to be charged to the CDS employer budget for other non-CFC service providers such as those providing respite, nursing or other non-CFC services.
For questions about the content of this IL contact the CDS mailbox at cds@dads.state.tx.us.

Sincerely,

[signature on file] [signature on file]
Donna Jessee Elisa J. Garza
Director Assistant Commissioner
Center for Policy and Innovation Access and Intake
24 de abril de 2015

Para: Empleadores de Servicios Administrados por el Cliente en el Programa de Servicios en el Hogar y en la Comunidad y en el Programa de Texas para Vivir en Casa

Asunto: Nuevo beneficio de Medicaid, Community First Choice

El motivo de esta carta es proporcionar información a los empleadores de Servicios Administrados por el Cliente (CDS) sobre el beneficio de Community First Choice (CFC). El 1 de junio de 2015, uno de los siguientes servicios del plan de servicios de la persona se convertirá automáticamente en servicios de ayudante personal y de habilitación (PAS/HAB) de CFC:

- apoyo para vivir en casa del Programa de Servicios en el Hogar y en la Comunidad (HCS); o
- apoyo en la comunidad del Programa de Texas para Vivir en Casa (TxHmL).

Cuando los planes de servicios se renueven o revisen después del 1 de junio de 2015, la copia impresa del plan de servicios de la persona se cambiará para mostrar los PAS/HAB de CFC.

Todas las tareas y actividades que se prestan por medio de los servicios de apoyo para vivir en casa o apoyo en la comunidad se prestarán por medio de PAS/HAB de Servicios Administrados por el Cliente de CFC. La persona no verá cambios en la manera en que se prestan los servicios. El empleador de CDS seguirá usando la misma agencia de Servicios de Administración Financiera (agencia de FMS) después de la implementación de CFC.

El beneficio de CFC también incluye apoyo administrativo de CFC para quienes deseen recibirlo. El apoyo administrativo es información escrita de capacitación sobre cómo seleccionar, administrar y despedir a los ayudantes de PAS/HAB de CFC. El apoyo administrativo es diferente a la asesoría de servicios de apoyo. La asesoría de servicios de apoyo la brinda un asesor de apoyo que da capacitación individual sobre una serie de responsabilidades del empleador. A diferencia de la asesoría de servicios de apoyo, el apoyo administrativo no cuesta nada ni afecta el presupuesto de CDS de la persona. La agencia de FMS proporcionará la información del apoyo administrativo.

Cosas importantes que debe saber sobre CFC y la opción de CDS

1. La tarifa de los PAS/HAB de CDS de CFC será igual a la tarifa de los servicios de apoyo para vivir en casa de CDS de HCS o de apoyo en la comunidad de CDS de TxHmL.
2. El Departamento de Servicios para Adultos Mayores y Personas Discapacitadas (DADS) revisó ciertas formas de CDS para agregar CFC, como el presupuesto del empleador y un apéndice de Community First Choice a la Forma 1735-S, que enumera todos los requisitos de los PAS/HAB de CFC.
3. El costo de los PAS/HAB de CFC no se usará para calcular los servicios del plan opcional. El costo de los servicios de CFC aparecerá por separado en el plan de servicios.
4. Para calificar para los servicios de CFC, la persona tiene que recibir por lo menos un servicio de HCS o TxHmL por mes. Las llamadas telefónicas o visitas del coordinador de servicios cuentan como un servicio de HCS si la persona recibe beneficios de Seguridad de Ingreso Suplementario (SSI) de la Administración de Seguro Social. Si la persona no recibe beneficios de SSI, hable con su coordinador de servicios sobre los servicios mensuales de HCS o TxHmL.
5. Las reglas de CDS y las cartas de información enviadas sobre la opción de CDS aplican a la prestación de PAS/HAB de CFC, entre ellos, las cualificaciones del proveedor por la revisión necesaria de antecedentes penales y de registro, la documentación de prestación de servicios y los planes alternativos.
6. Alguien que vive en la casa de la persona puede proporcionar PAS/HAB de CFC si esa persona satisface los requisitos.
7. Las regulaciones federales de CFC dan a los empleadores de CDS el derecho de establecer cualificaciones adicionales para proveedores de PAS/HAB de CFC, más específicas que los requisitos mínimos establecidos por el estado, para satisfacer las necesidades y preferencias de la persona. Además, el empleador de CDS puede exigirle al proveedor de servicios de PAS/HAB que asista a una capacitación respaldada por la Comisión de Salud y Servicios Humanos (HHSC) o el DADS para que el proveedor de servicios pueda satisfacer cualquier cualificación adicional que desee la persona o representante legalmente autorizado.
8. Los empleadores de CDS pueden capacitar al proveedor de PAS/HAB de CFC en la ayuda específica que necesita la persona y pedirle al proveedor de servicios que realice los PAS/HAB de CFC de manera que satisfagan las preferencias personales, culturales o religiosas de la persona.
9. En la medida permitida por la Sección 531.051(e) del Código Gubernamental de Texas, un empleador de CDS puede permitir que un proveedor de PAS/HAB de CFC realice una tarea relacionada con la salud que una enfermera registrada no delega.
10. Los empleadores de CDS no están obligados a completar el paquete de nuevo empleo para los empleados contratados antes del 1 de junio de 2015, que brindan PAS/HAB de CFC.
11. Con la ayuda de la agencia de FMS, los empleadores de CDS tendrán que completar un presupuesto revisado cuando la copia impresa del plan de servicios cambie para incluir PAS/HAB de CFC.
12. Las regulaciones federales de CFC no permiten que el costo de las revisiones de antecedentes penales se deduzca del presupuesto del empleador. La agencia de FMS cubrirá el costo de las revisiones de antecedentes penales de los proveedores de servicios que brinden PAS/HAB de CFC. El costo de las revisiones de antecedentes penales se seguirá cargando al presupuesto del empleador de CDS para otros proveedores de servicios que no sean de CFC, como los que prestan servicios de relevo, enfermería u otros servicios que no son de CFC.
Si tiene preguntas sobre el contenido de esta carta, escriba al correo electrónico de CDS en cds@dads.state.tx.us.

Atentamente

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