



FMSA Quarterly Webinar - 9/14/23 Questions & Answers

CDS

Q1: A new employer has asked an FMSA, "I just turned 18 years old, and I want to be my own employer, can I hire my mother as my employee?"

A1: If the mother is not the court-appointed guardian or legally authorized representative (LAR), the spouse of the LAR, the designated representative (DR) or the DR's spouse, then it may be possible. The employer and FMSA must refer to the qualifications for employment outlined in Form 1735 and applicable program addendum (e.g., Form 1735-class, Form 1735-hcs, etc.) to determine who can be hired to provide services.

Q2: When will the new rates be reflected in MESAV?

A2: MESAV does not include rate information. Please contact DL_HHSC_Claims_Support@hhsc.state.tx.us for questions about HHSC's claim filing system.

The new rates for FFS and proxy rates for MCO programs are found on the Provider Finance Department (PFD) [webpage](#). Click on the "Left Menu" at the top of the page and scroll down to the applicable program. Pay rates effective September 1, 2023 are listed under the Payment Rate Information headings. For new payment rates in MCO programs, please contact the MCO.



Q3: Are there budget workbooks for MDCP?

A3: HHSC does not maintain budget workbooks for MDCP, STAR Kids, STAR Health or STAR+PLUS. Please contact the MCO to obtain current rates for MDCP program services.

Q4: Besides the [FMSA] Quarterly report which has a template tab within the budget workbook, any other report requested by CDS employer could be any format, correct?

A4: If the report is not required by HHSC and does not have instructions or a template provided by HHSC, the FMSA can use their own format to provide the requested information. If the CDS employer is unable to comprehend the requested information in the format provided, the FMSA should adjust the format as needed. The FMSA is responsible for providing ongoing training, assistance, and support to the CDS employer for employer-related responsibilities.

Q5: What is a support advisor?

A5: A support advisor delivers support consultation services, an optional service that provides coaching and training for employer-related tasks such as interviewing, hiring, or managing service providers. Support consultation helps an employer to meet the required employer responsibilities of the CDS option and to successfully manage the delivery of program services. It is an optional service budgeted from the employer's Employer Support Services funds.

Q6: Have there been any updates to the employer manual?

A6: Updates to the employer manual are currently being finalized. The revised manual will be published as soon as it is available.



EVV

Q1: Regarding the EVV grace period, how does it affect the FMSA? If we are currently using EVV, what does the grace period look like for us?

A1: The EVV Compliance Grace Period is July 1, 2023 through May 31, 2024 for all program providers, FMSAs, and CDS employers. Payers will continue to conduct EVV compliance reviews and send compliance notifications, however, HHSC and managed care organizations (MCOs) will not take enforcement actions for non-compliance during this time. Please note, HHSC issued a reminder of the October 1, 2023 timeline for onboarding to HHAeXchange which also reference the EVV Compliance Grace Period to allow providers, FMSAs, and CDS employers additional time to focus on transition efforts. Please see the notice, [EVV Transition: You Must Take Action Now! | Texas Health and Human Services](#).

Q2: Is there another contact for HHAeXchange? We have sent questions to their support page, and they have not responded. We have asked during webinars and received an email from one person who then directed us to the support page.

A2: For questions about HHAeXchange onboarding, technical help with using the HHAeXchange Portal, or issues related to data, contact HHAeXchange at TXsupport@haexchange.com or by phone at 1-833-430-1307.



CAPM

Q1: Do we have to revise the budget every time there is a change in tax rate issued from the Texas Workforce Commission (TWC)?

A1: Yes. TWC releases State Unemployment Tax Act (SUTA) rates at the beginning of a calendar year, and SUTA rate changes must be reflected in the CDS budget workbook as they will affect the budget.

Q2: Does the FMSA report for possible fraud?

A2: Anyone can report fraud, waste or abuse, including FMSAs, case managers, service coordinators, service providers, and family members. FMSAs should report suspected fraud to the Office of Inspector General by calling 1-800-436-6184 or visiting <https://oig.hhsc.state.tx.us/wafrep/> to file an online report.



Q3: Can the employer refuse to sign form 8822-B?

A3: FMSA Monitoring cannot provide official instructions or requirements for completing IRS Form 8822-B. Questions regarding the form should be directed to the IRS.

ODSC/Direct Service Workforce

Q1: Why do the CDS employers have to have approval by their FMSA to use the Direct Care Careers site?

A1: CDS employers do not need approval from their FMSA to use Direct Care Careers. The employer's eligibility to use the site is established through a process that uses the FMSA's NPI to verify the employer's relationship with the FMSA, confirming that the individual seeking applicants is a CDS employer.

Q2: What is the process if they change FMSAs?

A2: HHSC verifies the user's FMSA upon initial registration to the Direct Care Careers site. If the employer changes FMSAs after registration, updating the FMSA is not required.

Q3: Are the applicants coming from certain areas of the state more than other areas of the state?

A3: Candidates are not required to provide their city or zip code information; therefore, we do not have sufficient data to identify specific regions or areas with more applicants.



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