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# **Consumer Directed Services (CDS) Overview**

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**Eileen Murphy, CDS Policy Specialist**

# Philosophy of Consumer Direction (S)

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- Consumer direction is also known as independent living, self-direction, or self-determination.
- Built on the belief that each person:
  - is unique and is the expert on knowing their needs;
  - is in the best position to plan and manage their own services; and
  - has a right to personal choice for how their services are delivered.
- Consumer direction is about personal choices.



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# What is the CDS Option?

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- Consumer direction is not a service or program. It refers to a way that individuals can choose to receive their Medicaid services.
- In Texas, the self-direction model is known as the Consumer Directed Services option, or CDS.
- It promotes personal choice and control over the delivery of waiver and state plan services, including who provides the services and how services are provided.



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# What is the CDS Option?

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- CDS provides individuals the decision -making authority to recruit, hire, train and supervise the individuals who provide their services; and
- CDS is available in long-term services and supports programs for those who live in their own home, family home, or community-based settings.
- Currently more than 20,000 individuals across all programs in TX are utilizing services under the CDS option.



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# Enrollment in the CDS Option

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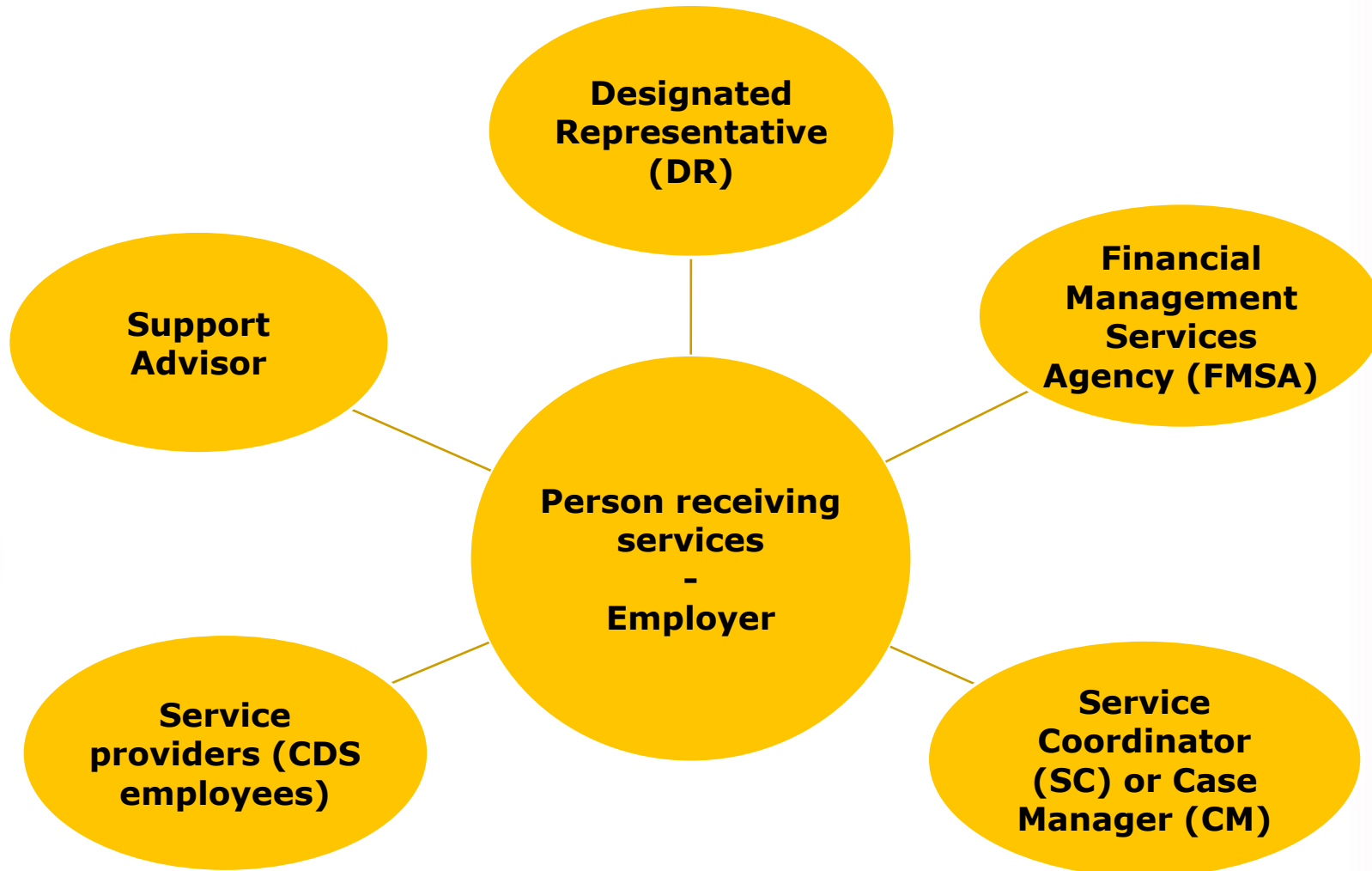
- When an individual enrolls in a program that offers the CDS option, and at least annually thereafter, a service coordinator (SC) or case manager (CM) must present the CDS option to the individual or legally authorized representative (LAR).
- SC/CM provides written materials and explains the CDS option specific to the individual's program.
- SC/CM reviews and completes required forms including the Consumer Directed Services Option Overview and the Consumer Participation Choice.



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# CDS Option – Key Players

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# The CDS Employer

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- An individual or LAR who chooses to participate in the CDS option becomes the employer of their service providers (employees) and is referred to as the CDS employer.
- The CDS employer assumes responsibility for managing both the day-to-day activities of service providers and business activities.
- The CDS employer *must* select and use a financial management services agency (FMMSA) to provide financial management services (FMS).



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## The CDS Employer (cont.)

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The CDS employer is responsible for ensuring services provided through the CDS option:

- are included on the authorized service plan;
- are budgeted in the employer budget;
- are provided only to the individual;
- are not provided if the individual becomes ineligible for program services; and
- meet requirements for payment in accordance with program rules and CDS rules in the Texas Administrative Code (TAC).





# Key Player: The Designated Representative

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- The CDS employer can appoint a designated representative (DR) to perform specific tasks to help with employer responsibilities.
- The CDS employer maintains responsibility and accountability for decisions taken by the DR.
- The DR must be a volunteer and cannot be paid to perform employer responsibilities or provide program services.
- The DR must not sign or represent himself as the employer.



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# Key Player: The SC or CM

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In managed care, the individual's main point of contact is the SC who will:

- assess the individual for program eligibility and services in their program;
- offer the CDS option at program enrollment and at annual review, or any time at the individual's request;
- develop the service plan and obtain authorization for services to be delivered through the CDS option; and
- present a current list of available FMSAs that serve the individual's program for the employer to choose from.



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# Key Player: The FMSA

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FMSA responsibilities include:

- orienting the new employer to requirements of the CDS option;
- conducting payroll;
- filing and paying employer federal and state taxes on behalf of the CDS employer;
- screening potential service providers for employment eligibility;
- training the CDS employer to perform required tasks such as electronic visit verification (EVV) responsibilities; and
- providing ongoing support on how to fulfill the role of CDS employer.



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# Key Player: The CDS Employee

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- The employee is the person hired by the CDS employer to provide certain program services as authorized on the service plan/plan of care; for example, personal attendant care.
- They must be able and willing to meet the needs of the individual receiving services.
- A service provider applicant must pass a criminal background check and other registry checks as required before being hired as the employee.
- The employee must meet and maintain provider qualifications as required by the program and by state or federal law.



## **Key Player: The CDS Employee (cont.)**

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- An employer or DR must obtain written notice from the FMSA that an applicant, employee, or contractor is eligible to be hired, retained, or maintained for service delivery before services are delivered.
- The employee must not be:
  - the spouse of the individual receiving services;
  - the individual's LAR or the LAR's spouse; or
  - the DR or the DR's spouse.
- The employee must meet the requirements of the CDS option and the individual's program as outlined in TAC rules or program policies.



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# Key Player: The Support Advisor

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- Support advisors provide support consultation which may be available to the individual for additional practical skills training. Examples include:
  - recruiting, screening, and hiring workers;
  - communicating effectively, solving problems, and documenting employer responsibilities in the CDS option; and
  - developing ongoing decision-making skills for employment-related situations.
- Support consultation must not duplicate or replace services delivered by a case manager or service coordinator, an FMSEA, or any other provider.



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# CDS in Managed Care

Program	Services
STAR+PLUS	<ul style="list-style-type: none"><li>• Community First Choice Personal Assistance Services/Habilitation (CFC PAS/HAB)</li><li>• Personal Assistance Services</li></ul>
STAR Kids	<ul style="list-style-type: none"><li>• Community First Choice Personal Assistance Services/Habilitation (CFC PAS/HAB)</li><li>• Personal Assistance Services</li></ul>



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# CDS in Managed Care

Program	Services
STAR+PLUS Home and Community Based Services (HCBS)	<ul style="list-style-type: none"><li>• Cognitive rehabilitation therapy</li><li>• Community First Choice Personal Assistance Services/Habilitation (CFC PAS/HAB)</li><li>• Employment assistance</li><li>• Nursing</li><li>• Occupational, physical, and speech/language therapies</li><li>• Personal assistance services</li><li>• Respite</li><li>• Supported employment/support consultation</li></ul>



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# CDS in Managed Care

Program	Services
Medically Dependent Children Program (MDCP)	<ul style="list-style-type: none"><li>• Adaptive Aids</li><li>• Community First Choice Personal Assistance Services/Habilitation (CFC PAS/HAB)</li><li>• Employment assistance</li><li>• Flexible Family Support</li><li>• Minor Home Modifications</li><li>• Personal Care Services (PCS)</li><li>• Respite</li><li>• Supported employment/support consultation</li></ul>



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# Rules Governing CDS

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- FMSAs and employers must follow program rules and policies related to the CDS option for services within their program.
- [Texas Administrative Code: Title 40, Part 1, Chapter 49](#), relating to Contracting for Community Services
- [Texas Administrative Code: Title 40, Part 1, Chapter 41](#), relating to Consumer Directed Services



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# Video: The Consumer Directed Services Option

## About CDS | Texas Health and Human Services



<https://www.youtube.com/watch?v=I3w1iN8X2AY>



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# Thank you

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**[CDS@hhs.texas.gov](mailto:CDS@hhs.texas.gov)**