

Consumer Directed Services (CDS)

Service Provision Requirements Addendum – Texas Home Living (TxHmL)

Services available under the CDS option:

Adaptive Aids - Necessary medical supplies, devices, controls or appliances that allow the person to retain or to increase their abilities to perform activities of daily living or control their environment. This service provides adaptive aids necessary to treat, rehabilitate, prevent or compensate for conditions resulting in disability or loss of functioning. **In most cases the employer must pay up front and the FMSA will reimburse the employer.**

Audiology - Provides assessment and treatment by a licensed audiologist and includes direct therapeutic intervention, and assistance and training with adaptive aids and augmentative communication devices.

Behavior Support - Specialized interventions that help the person increase adaptive behaviors to replace or modify maladaptive or socially unacceptable behaviors that prevent or interfere with the person's inclusion in home and family life or community life. Services include assessing targeted behaviors and analyzing assessment findings so an appropriate behavioral support plan may be designed. Development of an individualized behavioral support plan is consistent with the outcome identified in the person-directed plan.

CFC Support Management - Refer to the CFC Addendum.

Community First Choice (CFC) Personal Assistance Services/Habilitation (PAS/HAB) - Refer to the CFC Addendum.

Dental Treatment - For people 21 and older, provides emergency, preventive, therapeutic and orthodontic dental treatment, excluding cosmetic orthodontia.

Dietary - Provides for a licensed dietician to perform a face-to-face assessment, consultation and staff training. Services include basic and special therapeutic nutritional needs, and assistance and training with adaptive aids relative to eating.

Employment Assistance - Helps the person locate competitive employment in the community. Employment assistance includes:

- identifying a person's employment preferences, job skills and requirements for a work setting and work conditions;
- locating prospective employers that offer employment compatible with a person's identified preferences, skills and requirements; and
- contacting a prospective employer on behalf of a person and negotiating the person's employment.

Employment Readiness - Person-centered activities that teach generalized habilitative skills to prepare a person to participate in employment, train in the use of adaptive equipment necessary to obtain and retain employment and achieve generalized employment goals or outcomes that are found in the person-directed plan. Employment readiness activities cannot be job-task oriented.

Individual Skills and Socialization - Person-centered activities related to acquiring, retaining, or improving self-help skills and adaptive skills necessary to live successfully in the community and participate in home and community life, and gaining or maintaining greater independence, socialization, community participation, current or future volunteer goals or employment goals consistent with achieving the outcomes identified in the person-directed plan.

Minor Home Modifications - Services designed to assess the need for and the arrangement and provision of modifications or improvements to a person's home to allow for community living and to ensure safety, security and accessibility. **In most cases the employer must pay up front and the FMSA will reimburse the employer.**

Nursing - Includes a comprehensive assessment by a registered nurse (RN). Nursing services must be listed on a nursing plan of care and can be delivered by an RN or a licensed vocational nurse (LVN) under the supervision of an RN. An unlicensed employee may perform nursing tasks if an RN delegates the tasks.

Occupational Therapy - Provides assessment and treatment by a licensed occupational therapist, which includes direct therapeutic intervention and assistance and training with adaptive aids and augmentative communication devices.

Physical Therapy - Provides assessment and treatment by a licensed physical therapist, which includes direct therapeutic intervention and assistance and training with adaptive aids and augmentative communication devices.

Respite - Provided for the planned or emergency short-term relief of the unpaid caregiver of a person when the caregiver is temporarily unavailable to provide supports because of non-routine circumstances. Respite settings include approved outdoor camps that meet the health and welfare requirements of the Texas Health and Human Services Commission (HHSC) and are accredited by the American Camping Association.

Speech and Language Pathology Services - Provides assessment and treatment by a licensed physical therapist, which includes direct therapeutic intervention and assistance and training with adaptive aids and augmentative communication devices.

Supported Employment - Provided to sustain competitive employment for a person who, because of a disability, requires intensive ongoing support to be self-employed, work from home or perform in a work setting where people without disabilities are employed. People receiving supported employment earn at least minimum wage if not self-employed. Supported employment includes employment adaptations, supervision and training related to a person's assessed needs.

Support Consultation - May access support consultation if the person and their service planning team decide it is a necessary support to assist the person successfully use the CDS option. Support consultation must be budgeted for from the employer's budget. Support consultation must not duplicate or replace services to be delivered through a case manager, a service coordinator, the financial management services agency (FMSA) or other sources.

Transportation (Community Support) - Transportation activities included on the person-directed plan.

All services **must** meet a goal listed on the person-directed plan. **I have read and understand the services**

Initials

Who cannot be the employee: <ul style="list-style-type: none"> • Employer • Employer's spouse • Person receiving services • Designated representative (DR) • DR's spouse • Legally authorized representative (LAR), if younger than 18, the person's parent, foster parent, managing conservator, stepparent or court-appointed guardian; if 18 or older, the person's court-appointed guardian • LAR's spouse • Anyone living in the same residence as the person receiving services • For behavior support and adaptive aids, any relative by blood or marriage 	
I have read and agree not to hire any of the above as a service provider	<hr style="border: none; border-top: 1px solid black;"/> Initials
Service Delivery Documentation: <ul style="list-style-type: none"> • Time sheet, Form 1745, Service Delivery Log with Written Narrative/Written Summary 	
I have read and agree to follow the service delivery documentation requirements	<hr style="border: none; border-top: 1px solid black;"/> Initials
Service Backup Plans: <ul style="list-style-type: none"> • The CDS employer is responsible for developing a backup plan with Form 1740 Service Backup Plan for services the service planning team determines are critical to the person's health and safety. The service coordinator must approve the backup plan. • The service coordinator will review the backup plan annually and may request a revised plan if it is found ineffective. 	
I have read and agree to the service backup plan requirements	<hr style="border: none; border-top: 1px solid black;"/> Initials
Other Special Requirements: <ul style="list-style-type: none"> • The employee may only provide services allowed on the plan. • The employee may only provide services for the person receiving program services, not for family members or other persons who live in the home. • An RN or LVN hired by a CDS employer must complete Form 1747 Acknowledgement of Nursing Requirements annually and conform to the Texas Board of Nursing (BON) Nursing Practice Act before providing services and must keep required documentation in the home. • Employee bonuses must be included in the CDS employer budget and must be accrued from hours the employee has worked. Hours not used during the service plan year cannot be converted to a bonus. • The employer cannot submit a time sheet to the FMSA for time the employee worked while the person was in the hospital or any other institutional setting. • The employer must keep a copy of all CDS employer forms for each employee, except the criminal history report, in the home. 	
I have read and agree to follow the special requirements	<hr style="border: none; border-top: 1px solid black;"/> Initials

Employee Qualifications	
For all services, the employee must: <ul style="list-style-type: none"> • be 18 or older; • have a high school diploma or a certificate recognized by a state as the equivalent of a high school diploma; or <ul style="list-style-type: none"> ◦ documentation of a proficiency evaluation of the employee's experience and competence to perform job tasks, including an ability to provide the services needed by the person, as demonstrated through a written competency-based assessment; and ◦ at least three personal references from people not related by blood that evidence the person's ability to provide a safe and healthy environment for the person receiving services; • have a valid Social Security number, regardless of residence, and provide appropriate documentation required for the completion of Form I-9, Employment Eligibility Verification, for verification of citizenship and immigrant status as required by the federal government; • have no criminal convictions listed by state law that prohibit employment in a health care setting; • have no conviction of Medicaid fraud or abuse; • not be on the Employee Misconduct Registry or Nurse Aide Registry list; and • not be on the state and federal lists of excluded individuals and entities. 	
For nurses and therapists: <p>Nurses and therapists must meet and maintain professional licensure qualifications as required by the program and/or state or federal law.</p>	
If providing transportation services, the employee must: <ul style="list-style-type: none"> • have a valid driver license, and • transport the person in a vehicle insured per state law. 	

If providing supported employment or employment assistance: The employee must satisfy one of the following combinations of education and experience:

Option 1: Have

- a bachelor's degree in rehabilitation, business, marketing or a related human services field; and
- six months of paid or unpaid experience providing services to people with disabilities.

Option 2: Have

- an associate's degree in rehabilitation, business, marketing or a related human services field; and
- one year of paid or unpaid experience providing services to people with disabilities.

Option 3: Have

- a high school diploma or general equivalency diploma, and
- two years of paid or unpaid experience providing services to people with disabilities.

I have read and agree to hire providers who meet the qualifications	Initials
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Training Requirements for All Service Providers:

- Before providing direct services to a person, the service provider must complete specific training provided by the CDS employer.
- The CDS employer must document all initial and ongoing training activities on Form 1732 Management and Training of Service Provider. The CDS employer must send Form 1732 to the FMSA within 30 calendar days after hiring the service provider and every year within 30 calendar days after the service provider's hire anniversary date.

If the employer chooses to use the CDS exemption from nursing delegation as documented on Form 1733 Employer and Employee Acknowledgement of Exemption from Nursing Licensure for Certain Services Delivered through Consumer Directed Services, the employer provides training for any nursing tasks listed on Form 1733 or on the nursing plan.

I have read and agree to ensure providers meet the training requirements	Initials
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The service coordinator, FMSA or HHSC utilization review staff can talk with the person about the services available through the CDS option and can ask to review all CDS employer forms. Keep forms easily accessible.

I have read, understand and agree to comply with the TxHmL program requirements. If I do not follow these requirements, I understand I can be reported to the appropriate authorities for Medicaid fraud.

Employer or Designated Representative Signature	Date
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