TEXAS Department of Aging and Disability Services

Consumer Directed Services (CDS)

Service Provision Requirements Addendum

Deaf Blind with Multiple Disabilities (DBMD)

The CDS option is available to individuals living in their own home or the home of a family member.

Services Available Under the CDS Option

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

Respite Services: In-home respite is provided on a short-term basis to an individual because of the absence or need for relief of an individual's unpaid caregiver. Respite is provided when the primary caregiver is temporarily unavailable to provide supports due to non-routine circumstances. Respite tasks are the same as habilitation.

Out-of-home respite can be provided in:

- a licensed assisted living home (serving four to six individuals),
- a licensed intermediate care facility, or
- an approved outdoor camp that meets the health and welfare requirements of the Texas Department of Aging and Disability Services (DADS) and has American Camping Association accreditation.

Intervener: Services include one-to-one contact to provide communication and information from the environment that would otherwise be available through vision and hearing, periodic development and preparation of activities for the individual, transporting individuals to gain access to community services and resources included in the service plan, and instructing individuals in skills related to community access.

Employment Assistance: Employment assistance helps the individual locate competitive employment in the community and includes:

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

Supported Employment: Supported employment is provided in order to sustain competitive employment for an individual who, because of a disability, requires intensive ongoing support to be self-employed, work from home or perform in a work setting at which individuals without disabilities are employed. Individuals receiving supported employment earn at least minimum wage (if not self-employed). Supported employment includes employment adaptations, supervision and training related to an individual's assessed needs.

Support Consultation: Individuals may also access support consultation if they and their service planning team decide it is a necessary support to assist the individual in successfully using the CDS option.

Transportation (Residential Habilitation): Includes transportation activities, as outlined in an individual's transportation plan.

CFC Support Management: Refer to the CFC Addendum.

I have read and understand the services ..... _____
Initials

Who Cannot Be the Employee

- Employer
- Employer's spouse (legally responsible adult)
- Designated representative (DR)
- DR's spouse
- Legally authorized representative (LAR) — if under age 18, the individual's parent (legally responsible adult), foster parent, managing conservator, stepparent or court-appointed guardian; if age 18 or over, the individual's court-appointed guardian
- LAR's spouse

I have read and agree not to hire any of the above as a service provider ..... _____
Initials

Service Delivery Documentation

- Form 1745, Service Delivery Log with Written Narrative/Written Summary

I have read and agree to follow the service delivery documentation requirements ..... _____
Initials

Service Backup Plans

- The CDS employer (individual or LAR) is responsible for developing a backup plan (Form 1740, Service Backup Plan) for services that the service planning team determines are critical to the individual's health and safety. The case manager must approve the backup plan.
- The case manager will review the backup plan on an annual basis and may request a revised backup plan if it is found ineffective.

I have read and agree to the service backup plan requirements ..... _____
Initials

Other Special Requirements

- The employee may only perform tasks listed on the individual program plan.
- Employee bonuses must be included in the CDS employer budget and must be accrued from hours that 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 Financial Management Services Agency (FMSA) for time the employee worked while the individual 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 ..... _____
Initials

Employee Qualifications

For all services, the employee must:

- be age 18 or older;
- have 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 the employee's experience and competence to perform job tasks, including an ability to provide the services needed by the individual, 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 individual;
- be fluent in the communication methods used by the individual (for example, American Sign Language, tactile symbols, communication boards, pictures and gestures) or have the ability to become fluent in the communication methods used by the individual within three months after beginning to work with the individual;
- maintain a current driver's license and insurance if transporting the individual;
- 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.

If providing intervener services:

- An **intervener** must:
  - be at least age 18;
  - not be the spouse of the individual to whom the intervener is assigned;

- hold a high school diploma or a Certificate of High School Equivalency;
- have a minimum of two years of experience working with individuals with developmental disabilities; and
- have the ability to proficiently communicate in the functional language of the individual to whom the intervener is assigned.

- An **intervener I** must:
  - meet the requirements for an intervener as described in the paragraph above;
  - have a minimum of six months of experience working with people who have deafblindness or who function as people with deafblindness;
  - have completed a minimum of eight semester credit hours in deafblind-related coursework at a college or university accredited by:
    - a state agency recognized by the United States Department of Education; or
    - a non-governmental entity recognized by the United States Department of Education; and
  - have completed a one-hour practicum in deafblind-related coursework at a college or university accredited by a state agency or a non-governmental entity recognized by:
    - a state agency recognized by the United States Department of Education; or
    - a non-governmental entity recognized by the United States Department of Education.
- An **intervener II** must:
  - meet the requirements of an intervener I as described in the paragraph above;
  - have a minimum of nine months of experience working with people who have deafblindness or who function as people with deafblindness; and
  - have completed an additional 10 semester credit hours in deafblind-related coursework at a college or university accredited by:
    - a state agency recognized by the United States Department of Education; or
    - a non-governmental entity recognized by the United States Department of Education.
- An **intervener III** must:
  - meet the requirements of an intervener II as described in the paragraph above;
  - have a minimum of one year of experience working with people with deafblindness; and
  - hold an associate's or bachelor's degree in a course of study with a focus on deafblind-related coursework from a college or university accredited by:
    - a state agency recognized by the United States Department of Education; or
    - a non-governmental entity recognized by the United States Department of Education.

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 (GED), 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

Training Requirements for All Service Providers

- Must have documentation of hands-on skills training in cardiopulmonary resuscitation (CPR) and choking prevention.

- Before providing direct services to an individual, the service provider must complete specific training provided by the CDS employer that includes:
    - the special needs of the individual, including:
        - methods of communication,
        - specific visual and audiological loss,
        - adaptive aids,
        - behavioral habits and cautions, and
        - specific service tasks;
    - instruction in the individual's home concerning the specific tasks to be performed; and
    - instruction regarding the preventing, recognizing and reporting of abuse, neglect and exploitation of the individual, as described in the *CDS Option Employer Manual*.

- Must complete (within 90 calendar days after assuming job duties) the service provider training offered by DADS, or training developed by a DBMD program provider that addresses the following elements from the DADS service provider training curriculum:
    - Methods and strategies for communication
    - Active participation in home and community life
    - Orientation and mobility
    - Behavior as communication
    - Causes and origins of deafblindness
    - Vision, hearing and the functional implications of deafblindness
    - Delegated tasks

- Must complete training on the nursing tasks listed on:
    - Form 1733, Employer and Employee Acknowledgement of Exemption from Nursing Licensure for Certain Services Delivered through Consumer Directed Services;
    - the IPP; or
    - the nursing plan (listed as health maintenance activities [HMAs]).

- The CDS employer must document all initial and ongoing training activities on Form 1732, Management and Training of Service Provider, and 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.

I have read and agree to ensure providers meet the training requirements ..... _____
Initials

The case manager, FMSA or DADS utilization review staff can talk with the individual about the individual's CDS services and can ask to review CDS employer forms. Please keep forms easily accessible.

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

Employer or Designated Representative Signature	Date