



**OFFICE OF  
DEVELOPMENTAL  
PROGRAMS BULLETIN**

<b>ISSUE DATE</b> December 16, 2020	<b>EFFECTIVE DATE</b> December 16, 2020	<b>NUMBER</b> 00-20-04
<b>SUBJECT</b>  Participant-Directed Services: Agency With Choice Financial Management Services Model		<b>BY</b>  Kristin Ahrens Deputy Secretary for Developmental Programs

**SCOPE:**

Administrative Entity Directors and Administrators  
 County Mental Health and Intellectual Disability Programs  
 Supports Coordination Organizations  
 Supports Coordinators  
 Supports Brokers  
 Agency with Choice Financial Management Services Organizations  
 Managing Employers  
 Support Service Professionals and Vendors

**PURPOSE:**

This bulletin sets forth the Office of Developmental Programs' (ODP) policy and expectations for the provision of Participant-Directed Services through the agency with choice model.

**BACKGROUND:**

ODP offers participant direction, also known as self-direction, in order to provide individuals with a high level of choice and control over their services and supports. Self-direction is available to individuals enrolled in ODP's Consolidated, Person/Family Directed Support (P/FDS), or Community Living waivers, or who receive base-funded services. To be eligible to self-direct services, an individual must reside in a home that is not rented, leased, owned, or operated by a provider agency.<sup>1</sup> The services that may be self-directed are listed in Appendix E of the approved Consolidated, P/FDS and Community Living waivers. Individuals who receive base-funded services can also self-direct the services listed in the approved waivers.

<sup>1</sup> Individuals who receive Residential Habilitation, Life Sharing or Supported Living waiver services may self-direct Supports Broker services through participant direction when they have a plan to self-direct waiver services in a private home.

<p><b>COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:</b></p> <p>The Appropriate Developmental Programs Regional Office</p> <p>Visit the Office of Developmental Programs Web site at</p> <p><a href="https://www.dhs.pa.gov/providers/Providers/Pages/Developmental-Programs.aspx">https://www.dhs.pa.gov/providers/Providers/Pages/Developmental-Programs.aspx</a></p>
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In ODP's agency with choice self-direction model, the agency with choice financial management services organization (AWC) is a Medical Assistance provider enrolled as a provider of ODP waiver services. The individual or surrogate acts as a Managing Employer who directs the provision of waiver services provided by Support Service Professionals (SSPs). The Managing Employer enters into an agreement that specifies the roles and responsibilities of the Managing Employer. Federal Medicaid law prohibits individuals (including individuals and surrogates acting as Managing Employers) and SSPs from receiving Medicaid funds directly. Because of this law, the AWC must perform payment-related employer responsibilities on behalf of Managing Employers. The AWC is the "employer of record" of the SSPs for all matters relating to applicable employment laws and requirements.

An AWC receives a monthly administrative fee for each individual supported by the AWC, which is to be used to meet the operational requirements included in this bulletin, in the applicable waiver, and in 55 Pa. Code Chapter 6100 (relating to Services for Individuals with an Intellectual Disability or Autism). The administrative fee is the same for all AWCs and is included on the Medical Assistance Fee Schedule. The administrative fee is included on an individual's Individual Support Plan but is not funded from the individual's budget.

The AWC receives payments for services that may be self-directed and as specified on the Individual Support Plan. Payment is based on the ODP-established fee schedule rates for the services provided. The fee schedule rates include rates with and without a benefit allowance. The AWC compensates SSPs for services rendered. The SSP receives wages that are recommended by the Managing Employer and are within the ODP-established wage ranges. Wages with a benefit allowance are higher than wages that do not include a benefit allowance. The purpose of the benefit allowance is to allow SSPs to receive additional funds that can be used to purchase benefits such as insurance, retirement plans, and paid time off.

Administrative Entities (AE) are responsible for ensuring that all individuals who are eligible to self-direct their services and wish to do so via the agency with choice model may do so.

## **DISCUSSION:**

### Choice and Control

All individuals who self-direct their services have the right to receive services they self-direct in accordance with the guiding principles of self-determination. This means that participant-directed services must be provided in a manner that affords individuals or their surrogates choice and control over the services the individual receives and the qualified SSPs and vendors that provide the services.

Choice and control over services is protected by multiple regulatory requirements in 55 Pa. Code Chapter 6100, including but not limited to the individual's rights to:

- Make choices and accept risks - § 6100.182(e)
- Refuse to participate in activities and services - § 6100.182(f)
- Control the individual's own schedule and activities - § 6100.182(g)
- Choose where, when and how to receive needed services - § 6100.182(k)
- Voice concerns about the services the individual receives - § 6100.182(l)

- Participate in the development and implementation of the Individual Support Plan<sup>2</sup> - § 6100.182(n)

In the agency with choice model, choice and control over services received allows the Managing Employer to perform activities that include, but are not limited to:

- Recruiting and referring SSPs to the AWC for hire;
- Training SSPs to meet the individual's needs as specified in the Individual Support Plan;
- Determining SSPs' hours of work, schedules, and responsibilities;
- Managing the services provided by SSPs in a supervisory capacity; and
- Informing the AWC of the desire to discontinue the provision of service to the individual by an SSP with or without cause.

### Information about Self-Direction

Information about self-direction must be provided to each individual. The AE is responsible for providing each individual with information about participant direction at the time of ODP waiver enrollment. If the individual's services are funded exclusively through base funds, information about self-direction is provided by the AE in conjunction with the Supports Coordinator when a need for services that may be self-directed is identified and base funding is available to pay for the services. Supports Coordinators and Supports Coordination Organizations (SCO) are responsible for providing each individual with information about self-direction in advance of and during the planning process, annual Individual Support Plan review, and upon request. Supports Coordinators are also responsible for providing each individual with support and assistance in order to make the decision to self-direct all or some of their services and referring the individual to other resources as needed. The AWC is responsible for providing initial and ongoing orientation and skills training to each individual relating to all aspects of self-direction, including but not limited to the roles and responsibilities of the AWC and the Managing Employer.

### Accountability for Performance

AWCs and Managing Employers are required to protect and promote individual choice and control over how services are delivered. This does not mean that AWCs and Managing Employers are exempt from compliance with applicable waiver, regulatory, and ODP policy requirements or from applicable federal and state statutes and regulations and local ordinances.

AWCs must enter into and comply with the terms of the *Provider Agreement for Participation in Pennsylvania's Consolidated, Person/Family Directed Support, Community Living and Adult Autism Waivers*.<sup>3</sup> Additionally, § 6100.801(d) requires AWCs to fulfill unmet responsibilities of the Managing Employer. As such, AWCs are ultimately responsible for ensuring compliance with the roles and responsibilities of both AWCs and Managing Employers set forth in Sections A and B of this bulletin.

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<sup>2</sup> Chapter 6100 defines "Individual Plan" as "[a] coordinated and integrated description of person-centered activities, including services and supports for an individual." 55 Pa. Code § 6100.3. For purposes of this bulletin, the "Individual Plan" is the Individual Support Plan.

<sup>3</sup> This is the name of the provider agreement used for all ODP waivers; AWC services are not available to individuals enrolled in the Adult Autism Waiver at this time.

Any failure by an AWC to meet the responsibilities set forth in this bulletin may result in enforcement action in accordance with §§ 6100.741—6100.744.

Any failure by a Managing Employer to meet the responsibilities set forth in this bulletin or as established by the AWC may result in termination of the Managing Employer agreement and/or involuntary termination from the agency with choice model in accordance with Appendix E-1-m of the current ODP waivers.<sup>4</sup>

## **ODP Requirements and Standards**

Adherence to the following standards is required by AWCs and Managing Employers.

### Surrogates

Individuals may be required to or may choose to designate one surrogate to perform Managing Employer responsibilities and functions on behalf of the individual. For individuals under the age of 18, a parent, legally responsible person, or court-appointed legal guardian must be the surrogate and perform the Managing Employer responsibilities. An individual who is 18 years of age or older who is unwilling or unable to function as a Managing Employer may choose to designate and authorize a surrogate to perform the managing responsibilities and functions on the individual's behalf. Surrogate designations must be made in writing and must be signed by the individual or a person designated by the individual.

In addition to fulfilling the roles and responsibilities of a Managing Employer as set forth in this bulletin and in the Managing Employer agreement, a surrogate must:

- Be at least 18 years of age or older;
- Effectuate the decision the individual would make for himself/herself, even if the decision differs from that which the surrogate would make;
- Make accommodations for the individual so that the individual can participate as fully as possible in all decisions that affect the individual;
- Support the guiding principle of self-determination, including that personal choice and control over all aspects of life must be supported for every person.

A surrogate may be designated by the individual at any time. The need for a surrogate and the identification of who will be the surrogate is part of developing the Individual Support Plan. The AWC must recognize the surrogate as a decision-maker for the individual and provide the surrogate with all the information and support it would typically provide the individual if the individual was the Managing Employer. The AWC must fully inform the surrogate of the surrogate's rights and responsibilities in performing the Managing Employer role.

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<sup>4</sup>. Prior to termination from the agency with choice model, the individual must be offered the opportunity to identify a surrogate who is able to meet the responsibilities set forth in this bulletin or as established by the AWC to act as the Managing Employer or offered the opportunity to receive Supports Broker services that may allow the individual to successfully continue acting as the Managing Employer.

## Managing Employer Prohibitions

Individuals may only have one Managing Employer. The Managing Employer will either be the individual or a designated surrogate.

Managing Employers may not provide and receive compensation for any ODP waiver services to individuals except for the Transportation Mile service.

Managing Employers may not submit a timesheet or invoice for services or supports not authorized for the individual or that includes units and costs in excess of those authorized in the Individual Support Plan. Managing Employers who submit such timesheets or invoices may be responsible for reimbursing the AWC for the costs required to cover the excess amount(s) related to payment of the SSP or vendor. The Managing Employer is solely responsible for paying anyone who is not employed by the AWC who renders services directed by the Managing Employer or to an unauthorized vendor.

## SSP Work Hours

Managing Employers may only schedule an SSP to work more than 40 hours per week, if necessary, to meet an individual's immediate needs because of an unforeseen circumstance. Unforeseen circumstances, include but are not limited to:

- Unexpected circumstances such as inclement weather, sudden illness or the unplanned extension of medical leave that prevents an SSP from arriving at the job site and where another SSP/unpaid caregiver is not immediately available to work;
- The sudden loss of an unpaid caregiver which kept the provision of paid services at or below 40 hours per week; or
- An SSP unexpectedly quits or is terminated from employment such that one or more other SSPs must work more than 40 hours per week on a temporary basis.

AWC approval is required to schedule one or more SSPs to work more than 40 hours per week for an individual. The AWC may approve SSPs to work more than 40 hours per week up to 13 weeks per fiscal year but may not exceed 13 weeks. Whether a situation constitutes an "unforeseen circumstance" and the decision to approve scheduling an SSP for more than 40 hours per week is at the discretion of the AWC.

Scheduling an SSP to work more than 40 hours per week without AWC approval constitutes a failure to meet the conditions of the Managing Employer agreement and may result in termination of the Managing Employer agreement and/or involuntary termination from the agency with choice model in accordance with Appendix E-1-m of the current ODP waivers.

The purpose of 40-hour per week limitation is to ensure the individuals' health and safety and that the quality of services the individual receives are not compromised by overwork.

It is strongly recommended that individuals who consistently schedule SSPs in a manner inconsistent with the above be encouraged to use Supports Broker services to support effective resource utilization.

## Restrictions on In-Home and Community Support and Companion Services Provided by Relatives and Legal Guardians

Individuals' relatives and legal guardians are permitted to render both the In-Home and Community Support and Companion services offered in ODP's waivers. "Relative" is defined in the approved Consolidated, P/FDS and Community Living waivers as "any of the following by blood, marriage or adoption who have not been assigned as legal guardian for the participant: a spouse, a parent of an adult, a stepparent of an adult child, grandparent, brother, sister, aunt, uncle, niece, nephew, adult child or stepchild of a participant or adult grandchild of a participant."

Legal guardians (persons who have court-appointed authority to make decisions on behalf of a minor or adult) may also render In-Home and Community Support and Companion services.

The following restrictions apply to relatives and legal guardians who render In-Home and Community Support and Companion services:

- Any one relative or legal guardian may not provide more than 40 hours per week of:
  - In-Home and Community Support;
  - Companion; or
  - Any combination of In-Home and Community Support and Companion.
- Multiple relatives or legal guardians may not provide more than 60 total hours per week of:
  - In-Home and Community Support;
  - Companion; or
  - Any combination of In-Home and Community Support and Companion.

Relatives and legal guardians may only exceed the above limitations if doing so is necessary to meet an individual's immediate needs because of an unforeseen circumstance. Unforeseen circumstances, include but are not limited to:

- Unexpected circumstances such as inclement weather, sudden illness or the unplanned extension of medical leave that prevents an SSP from arriving at the job site and where another worker/unpaid caregiver is not immediately available to work;
- The sudden loss of an unpaid caregiver whose assistance kept the provision of paid services by relatives and legal guardians at or below 40/60 hours per week; or
- An SSP unexpectedly quits or is terminated from employment such that relatives and legal guardians must perform paid work in excess of the 40/60-hour limitation.

AWC approval is required to permit relatives/legal guardians to exceed the 40/60-hour limitations. The AWC may approve relatives/legal guardians to exceed the 40/60-hour limitations up to 13 weeks per fiscal year but may not exceed 13 weeks. Whether a situation constitutes an "unforeseen circumstance" and the decision to approve relatives/legal guardians to exceed the 40/60-hour limitations is at the discretion of the AWC.

Permitting relatives/legal guardians to exceed the 40/60-hour limitations without AWC approval constitutes a failure to meet the conditions of the Managing Employer agreement and may result in termination of the Managing Employer agreement and/or involuntary termination from the agency with choice model in accordance with Appendix E-1-m of the current ODP waivers.

It is strongly recommended that Managing Employers who employ relatives/legal guardians as SSPs in a manner inconsistent with the above be encouraged to use Supports Broker services to support effective resource utilization.

### Medication Assistance

Pursuant to § 6100.182(k), an individual has the right to choose where, when and how to receive needed services. This includes assistance with medication. Additionally, the *Provider Agreement for Participation in Pennsylvania's Consolidated, Person/Family Directed Support, Community Living and Adult Autism Waivers* requires that providers comply with ODP policy bulletins governing the waiver programs, the approved waivers, including all standards enumerated in the service definition(s) which the waiver provider will be rendering, and deliver waiver services in accordance with the terms of the Individual Support Plan of each individual served by the waiver provider.

As such, all SSPs are required to provide assistance with medications as specified in the Individual Support Plan and in accordance with the ODP waiver service definitions that include the provision of medication assistance. Medication assistance includes but is not limited to:

- Storing the medication in a secure place;
- Helping the individual to remember the schedule for taking the medication;
- Offering the individual the medication at the prescribed times;
- Opening a medication container and removing the medication from the original container;
- Preparing the medication as ordered by the prescriber; and
- Placing the medication in a medication cup or other appropriate container, or into the individual's hand, mouth or other route as ordered by the prescriber.

### Supports Broker Use

The Supports Broker service is available to individuals who elect to self-direct their own services. The Supports Broker service is designed to assist individuals or their designated surrogate with employer-related functions in order to be successful in self-directing some or all of the individuals' needed services.

Supports Brokers work collaboratively with the AWC, the Managing Employer, the individual's Supports Coordinator, and the Individual Support Plan team. Supports Brokers may not replace the role of or perform the functions of a Managing Employer. The Supports Broker assists and supports individuals or their designated surrogate in performing the functions of the Managing Employer.

Supports Broker services may be provided by SSPs hired by the Managing Employer and AWC or by individual or agency Supports Brokers that enroll with the Department of Human Services (Department) to render services. When Supports Broker services are provided by agency providers, the agency provider may provide other waiver, intellectual disability or autism services, but the Supports Broker provider must be conflict free. In order to be conflict free, the Supports Broker

provider may not provide other direct or indirect waiver services or base-funded intellectual disability services in addition to Support Broker services to the individual. The AWC is required to provide the AWC administrative services in addition to all identified participant-directed services authorized for an individual who is self-directing and enrolled with the AWC provider. As such, the AWC provider will be able to provide both Supports Broker services and other participant-directed services to the same individual but only as an AWC Provider Type. Nothing precludes an individual in the agency with choice model from using a Supports Broker agency other than the AWC.

### SSP Training Requirements

In accordance with § 6100.142, all SSPs must complete an orientation training prior to working alone with individuals and within 30 days after hire or starting to provide a service or support to an individual. The orientation must be provided by the AWC and encompass the following areas:

1. The application of person-centered practices, community integration, individual choice and assisting individuals to develop and maintain relationships.
2. The prevention, detection and reporting of abuse, suspected abuse and alleged abuse in accordance with the Older Adults Protective Services Act (35 P.S. §§ 10225.101—10225.5102), the Child Protective Services Law (23 Pa.C.S. §§ 6301—6386), the Adult Protective Services Act (35 P.S. §§ 10210.101—10210.704) and applicable protective services regulations.
3. Individual rights.
4. Recognizing and reporting incidents.
5. Job-related knowledge and skills.

In accordance with § 6100.143, all SSPs must complete training related to job skills and knowledge each year that must be provided by the AWC and encompass the following areas:

1. The application of person-centered practices, community integration, individual choice and assisting individuals to develop and maintain relationships.
2. The prevention, detection and reporting of abuse, suspected abuse and alleged abuse in accordance with the Older Adults Protective Services Act (35 P.S. §§ 10225.101—10225.5102), the Child Protective Services Law (23 Pa.C.S. §§ 6301—6386), the Adult Protective Services Act (35 P.S. §§ 10210.101—10210.704) and applicable protective services regulations.
3. Individual rights.
4. Recognizing and reporting incidents.
5. Implementation of the Individual Support Plan.

There is no minimum number of hours for the annual training, but SSPs must receive annual training in the above topics sufficient to meet the needs of the individuals served.

Only SSPs who work fewer than 30 days within a 12-month period are exempt from all of the requirements in §§ 6100.141—6100.143. A day is any calendar day in which a waiver or base-funded service is rendered and billed for any amount of time.

## SECTION A: ROLES AND RESPONSIBILITIES OF AGENCIES WITH CHOICE

The AWC is responsible for all the following:

1. Compliance with all applicable waiver, regulatory, and DHS policy requirements, including but not limited to 55 Pa. Code Chapter 1101 (General Provisions) and the requirements set forth in this bulletin.
2. Signing and complying with the terms of the *Provider Agreement for Participation in Pennsylvania's Consolidated, Person/Family Directed Support, Community Living and Adult Autism Waivers*.
3. Compliance with the following sections of 55 Pa. Code Chapter 6100:
  - a. General provisions as specified in §§ 6100.1—6100.3.
  - b. General requirements as specified in §§ 6100.41—6100.44 and 6100.46—6100.56.
  - c. Training as specified in §§ 6100.141—6100.143, with the following exceptions:
    - i. SSPs are not required to receive 24 hours of training as specified in § 6100.143(a) and 12 hours of training as specified in § 6100.143(b). However, SSPs must receive annual training in the topics identified in these regulations sufficient to meet the needs of the individuals served;
    - ii. SSPs are not required to attend the training course in § 6100.143(c)(5); and
    - iii. SSPs who work fewer than 30 days within a 12-month period are exempt from all of the requirements in §§ 6100.141—6100.143.
  - d. Individual rights as specified in §§ 6100.181—6100.186.
  - e. Individual plan as specified in §§ 6100.221—6100.227.
  - f. Restrictive procedures as specified in §§ 6100.341—6100.350.
  - g. Incident management as specified in §§ 6100.401—6100.404.
4. Meeting the qualifications for each waiver service the AWC intends to provide prior to rendering the service.
5. Developing and implementing written procedures and internal controls that reflect ODP's mission, vision, and values in accordance with *Everyday Lives: Values in Action* that include, at a minimum, how the AWC will do all of the following:
  - a. Protect Managing Employers' right to choose and direct their services.
  - b. Manage SSP referrals in a manner that does not limit or discourage Managing Employers from recruiting and referring potential SSPs of their choosing.

- c. Provide SSP training and orientation that emphasizes the Managing Employer's right to select and manage services and workers.
6. Producing service utilization reports and providing them to the Managing Employer within seven calendar days of the last day of each payroll period.
7. Submitting claims to the Department for services authorized and rendered.
8. Complying with all Department requirements relating to Electronic Visit Verification.
9. Monitoring SSP scheduling and taking appropriate action, as described above, if an SSP is scheduled for more than 40 hours per week.
10. Monitoring SSP scheduling and taking appropriate action, as described above, when the hours of In-Home and Community Support and Companion services provided by relatives and legal guardians exceed the allowable maximum.
11. Developing and implementing a process for individuals or surrogates to serve as Managing Employers.
12. Developing a Managing Employer agreement<sup>5</sup> that addresses, at a minimum:
  - a. The roles and responsibilities of the Managing Employer as specified in this bulletin;
  - b. The 40-hour restriction on SSP scheduling;
  - c. The 40/60-hour restriction on In-Home and Community Support and Companion services by relatives and legal guardians; and
  - d. The conditions under which the Managing Employer agreement will be terminated in accordance with Appendix E of the applicable waiver(s).
13. Ensuring that the Managing Employer complies with the requirements of the Managing Employer agreement.
14. Identifying and implementing actions to address the Managing Employer's performance in accordance with the Managing Employer agreement.
15. Performing all duties associated with employment of SSPs as specified in Attachment 1 of this bulletin.
16. Providing Managing Employers with information about the roles and responsibilities of the AWC.

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<sup>5</sup> A model Managing Employer agreement is attached to this bulletin as Attachment 3. AWCs are not required to use the Department's model agreement and may develop their own agreement if desired as long as the agreement contains all of the information captured in the Department's model agreement.

17. Providing the Managing Employer with information about the AWC's process for identifying areas of concern and addressing the Managing Employer's performance.
18. Providing the Managing Employer information about the AWC's process for ensuring that individuals and surrogates have the right to choose and manage their services.
19. Providing Managing Employer skills training that includes, at a minimum, all of the items specified in Attachment 2 of this bulletin, and any other training requested by the Managing Employer, the AE, or ODP.
20. Reporting and investigating incidents in accordance with 55 Pa. Code §§ 6100.401—6100.404 and developing and implementing procedures to ensure that the Managing Employer reports incidents to the AWC so that the AWC can meet the timeframes specified at 55 Pa. Code § 6100.401.
21. Ensuring that SSPs who provide assistance with medications receive training on medication assistance specific to the needs of the individuals whom the SSPs will be assisting.
  - a. Training may be provided by the Managing Employer with assistance from the AWC if requested by the Managing Employer.
  - b. The AWC may at its discretion require SSPs to complete a Department-approved medication administration course as described at § 6100.468.
22. Processing and providing vendor goods and services authorized by the Department or the AE covered by the monthly per individual administrative fee.
23. Distributing a customer satisfaction survey to individuals supported by the AWC, collecting and analyzing survey responses, and acting to improve services.
24. Fulfilling any unmet responsibilities of the Managing Employer, including but not limited to the responsibilities listed in Section B, below.
25. Complying with the closure requirements in accordance with § 6100.801(i)-(j).

## **SECTION B: ROLES AND RESPONSIBILITIES OF MANAGING EMPLOYERS**

The Managing Employer is responsible for all of the following:

1. Complying with the AWC Managing Employer agreement.
2. Completing, signing, and returning all forms and documents required by the AWC.
3. Participating in all Managing Employer orientation and skills training sessions as required by the AWC.
4. Recommending wages and benefit allowances for all SSPs within the current ODP-established wage ranges and benefit allowance.

5. Reporting abuse, suspected abuse and alleged abuse of an individual in accordance with § 6100.46.
6. Ensuring that written, oral and other forms of communication with the individual and persons designated by the individual occur in a language and means of communication understood by the individual or the persons designated by the individual.
7. Recruiting and referring qualified SSPs to the AWC for possible hire.
8. Training SSPs on the individual's needs and methods of service delivery as specified in the Individual Support Plan.
9. Developing and managing SSPs' work schedules.
10. Developing, implementing, and revising back-up plans for SSPs and unpaid supports.
11. Managing SSPs.
12. Verifying hours worked by SSPs.
13. Completing, approving, and submitting SSP time sheets and vendor invoices.
14. Complying with all AWC and Department requirements relating to Electronic Visit Verification.
15. Evaluating SSP performance.
16. Understanding and implementing Individual Support Plans.
17. Protecting and supporting the exercise of individual rights as specified at §§ 6100.181–6100.182 and §§ 6100.184—6100.185.
18. Participating in the Individual Support Plan process in accordance with § 6100.222.
19. Implementing the Individual Support Plan in accordance with § 6100.224, including requesting updates to the Individual Support Plan.
20. Monitoring service utilization in accordance with the individual's Individual Support Plan.
21. Providing individuals' Supports Coordinators with full and free access to necessary documentation and allowing Supports Coordinators to complete monitoring or related activities in accordance with the approved waivers and ODP policy.
22. Ensuring that service notes are completed in accordance with § 6100.226 and ODP Bulletin 00-18-04, Interim Technical Guidance for Claim and Service Documentation, or its successor.
23. Completing progress notes in accordance with § 6100.227 and ODP Bulletin 00-18-04, Interim Technical Guidance for Claim and Service Documentation, or its successor.
24. Reporting work-related injuries incurred by SSPs to the AWC.

25. Reporting suspected Medicaid fraud by SSPs or vendors to the AWC.
26. Reporting incidents specified in § 6100.401 to the AWC.
27. Notifying the AWC of any changes in the Managing Employer's or an SSP's demographics, including but not limited to changes to addresses and telephone numbers.
28. Notifying the AWC of SSP performance issues, such as failure to report for work.
29. Notifying the AWC of the desire to discontinue receiving services from an SSP, i.e. termination of the SSP's employment.
30. Completing the annual AWC satisfaction survey.

### **SECTION C: ROLES AND RESPONSIBILITIES OF ADMINISTRATIVE ENTITIES**

The AE is responsible for all the following:

1. Ensuring that anyone who is eligible to self-direct their services and wishes to do so via the agency with choice model is able to do so.
2. Providing individuals with information about participant direction during intake and enrollment, and upon request by the individual or ODP.
3. Being knowledgeable about all regulations, waivers, and policies relating to the agency with choice model.
4. Performing all other functions specified in the Administrative Entity Operating Agreement, including but not limited to service authorization, incident management, performing AWC provider monitoring/quality assessment and improvement activities, voluntary and involuntary termination of a Managing Employer, and voluntary and involuntary termination of AWCs that are participating in the agency with choice model.

### **SECTION D: ROLES AND RESPONSIBILITIES OF SUPPORTS COORDINATION ORGANIZATIONS**

The SCO is responsible for all the following:

1. Providing individuals with ODP developed or approved information, such as consumer guides to self-direction, ODP policy bulletins on participant direction, and ODP-established wage ranges during the planning process, annual Individual Support Plan review meetings, and upon request.
2. Providing the individual with a basic overview of the agency with choice option and the responsibilities associated with each service delivery option during the planning process, annual Individual Support Plan review meetings, and upon request.

3. Providing the AWC's contact information to the individual's AE of registration during the planning process, annual Individual Support Plan review meetings, and upon request.
4. Providing individuals with support and assistance to make the decision to exercise participant direction authority and referring individuals to other resources, such as Supports Brokers, as necessary.
5. Identifying and addressing concerns related to individual health, safety, and service delivery resulting from the Managing Employer's performance, and reporting same to the AWC, AE, and/or ODP as appropriate.
6. Supporting the individual with designating a surrogate when needed.
7. If an individual is involuntarily terminated from the agency with choice model, providing the individual with options to choose an agency-based service option to meet his or her needs, and working with the individual, surrogate, if designated, and Individual Support Plan team to ensure an effective transition between participant-directed and traditional services so that there are no gaps in service, that the individual's health and welfare is protected, and services are provided in accordance with the authorized Individual Support Plan.

**ATTACHMENTS:**

Attachment 1: AWC Employer Responsibilities

Attachment 2: Managing Employer Skills Training Topics

Attachment 3: Model Managing Employer Agreement Form

**OBSOLETE DOCUMENTS:**

Office of Developmental Programs Bulletin # 00-08-08, *Agency With Choice Financial Management Services (AWC FMS)*

Office of Developmental Programs Forms:

DP 1006

DP 1007

DP 1008

DP 1009

DP 1010