

Changes to the CHC Waiver Effective April 1, 2023 (Amendment)

KEY – **Bold** = Recommended additions
Strikethrough= Recommended removal

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
1.	Appendix A-2-a. Medicaid Director Oversight of Performance When the Waiver is operated by another Division/Unit within the State Medicaid Agency.	<p>The following details waiver-related organizational responsibilities within OLTL:</p> <ul style="list-style-type: none"> The Bureau of Fee for Service Programs (BFFSP) manages provider focused activities and functions in OLTL. The BFFSP coordinates all provider enrollment activities. The BFFSP provides programmatic guidance to service providers and general training and technical support for the bureau, OLTL, business partners and contracted staff. The bureau ensures compliance with federal regulations related to the HCB Settings Rule in coordination with the Quality Management Efficiency Teams (QMETs) that conduct reviews of enrolled providers. 	<p>The following details waiver-related organizational responsibilities within OLTL:</p> <ul style="list-style-type: none"> The Bureau of Fee for Service Programs (BFFSP) manages provider focused activities and functions in OLTL. The BFFSP coordinates all provider enrollment activities and manages the Agency with Choice FMS contract. This contract provides payroll assistance to participants in the self-directed model of care. The BFFSP provides programmatic guidance to service providers and general training and technical support for the bureau, OLTL, business partners and contracted staff. The bureau ensures compliance with federal regulations related to the HCB Settings Rule in coordination with the Quality Management Efficiency Teams (QMETs) that conduct reviews of enrolled providers. 	Add AWC to the contracts managed by the BFFSP.
2.	Appendix A-3. Use of Contracted Entities		<p>Participant Direction: OLTL contracts with one Agency with Choice (AWC) vendor to perform certain functions for the successful operation of participant-direction for multiple home and community-based waivers managed by OLTL. The CHC-MCOs must establish relationships and cooperate with the OLTL-procured AWC vendor so that necessary FMS services can be provided to participants choosing to self-direct their services. The functions of the AWC vendor include:</p> <ul style="list-style-type: none"> Processing timesheets, making wage payments, and managing all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers. Ensuring compliance with EVV requirements by direct care workers. 	Add AWC as a model of FMS to support participant-direction and explain the AWC vendor’s functions and participant responsibilities.

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			<ul style="list-style-type: none"> • Conducting criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C. • Hiring qualified direct care workers referred by the participant or participant's representative, supporting the participant/managing employer with any disciplinary actions with the direct care worker, and firing of direct care workers. • Assisting participants with selecting a wage for their direct care workers. • Processing employment documents and voluntary deductions from direct care worker wages. • Submitting claims to the appropriate CHC-MCO for services authorized and rendered. • Preparing, making and disbursing direct care workers' payroll checks. • Providing workers' compensation coverage for direct care workers. • Providing Managing Employer skills training to participants. • Conducting direct care worker training in conjunction with the participant/managing employer. • Establishing, maintaining and processing records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards. • Providing monthly statements to participants so they can appropriately track utilization of services and the corresponding funds. • Assist in implementing the state's quality management strategy related to FMS. • Fulfilling any responsibilities established by OLTL policies. • Processing all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws. 	

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			<ul style="list-style-type: none"> • Preparing and disbursing IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually. • Establishing an accessible customer service system for the participant and the Service Coordinator. <p>The participant or participant's representative serves as the managing employer. Managing employers are responsible for activities that include, but are not limited to:</p> <ul style="list-style-type: none"> • Selecting and dismissing direct care workers; • Referring qualified direct care workers to the AWC vendor for hire; • Directing the responsibilities of their direct care workers; • Scheduling and arranging for back-up services (with assistance from the AWC vendor as requested); • Training the direct care workers to meet the participant's needs. 	
3.	Appendix A-5. Responsibility for Assessment of Performance of Contracted and/or Local/Regional Non-State Entities.	The following bureaus will be responsible for monitoring and assessing the on-going performance of the contracted entities noted in Appendix A-3 and A-4 above. All bureaus operate within the Office of Long-Term Living...	<p>The following bureaus will be responsible for monitoring and assessing the on-going performance of the contracted entities noted in Appendix A-3 and A-4 above. All bureaus operate within the Office of Long-Term Living...</p> <ul style="list-style-type: none"> • The Bureau of Fee for Service Programs is responsible for monitoring and assessing the performance of the AWC vendor. 	Add responsibility to monitor the AWC vendor.
4.	Appendix A-6. Assessment Methods and Frequency.		<p>Agency with Choice FMS vendor: OLTL contracts with one vendor to provide AWC services to participants who choose to self-direct their services and choose the AWC FMS model. This contract is managed by staff in the Bureau of Fee for Service Programs. Contract Management staff will oversee and ensure that the contracted AWC vendor meets all requirements and tasks as outlined in their contract and agreement with the Department.</p> <p>The contracted AWC vendor will be required to submit monthly, quarterly and yearly reports which reflect</p>	Add AWC contract management responsibility.

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			<p>progress in meeting all contractual obligations. OLTL staff dedicated to this contract will review this information and intercede when necessary with corrective actions to ensure compliance. In addition, regular meetings will be held at least quarterly between the contracted entity and the department to discuss any issues and for the department to provide any necessary technical assistance it feels is needed.</p>	
5.	Appendix C-1-c. Delivery of Case Management Services	<p>Service Coordinators must:</p> <ul style="list-style-type: none"> • Be a registered nurse (RN) or have a Bachelor’s degree in social work, psychology or other related fields with practicum experience, or in lieu of a Bachelor’s degree, have at least three (3) or more years of experience in a social service or health care related setting. 	<p>Service Coordinators must:</p> <ul style="list-style-type: none"> • Be a registered nurse (RN) or have a Bachelor’s degree in social work, psychology or other related fields with practicum experience, or in lieu of a Bachelor’s degree, have at least three (3) or more years of experience in a social service or health care related setting. 	Remove the requirement to have practicum experience to allow more individuals to meet Service Coordinator qualifications.
6.	Appendix C-2-a. Criminal History and/or Background Investigations	<p>Direct care workers who are employed by waiver participants must have criminal history clearances completed prior to hire, facilitated through the F/EA as described below, so that participants can make an informed decision on whether to employ a worker who has a criminal record.</p> <p>...</p> <p>Under participant-direction, the CHC-MCOs’ Fiscal Employer/Agent (F/EA) vendor is responsible for securing criminal history background checks for prospective direct care workers prior to hiring workers. In addition, the F/EA must have a system in place to 1) document that the criminal history background check was conducted, and 2) notify individuals of the results of the background check, and 3) document the individual’s decision to employ a direct care worker with a criminal record and their acceptance of responsibility for their decision.</p> <p>The CHC-MCOs, as part of their oversight of the F/EA contract, will ensure that criminal background checks will be completed timely. Staff will check to determine that criminal background checks are completed timely and that participants are notified of results. Corrective action will be</p>	<p>Direct care workers who are employed by waiver participants must have criminal history clearances completed prior to hire, facilitated through the F/EA or the AWC vendor as described below, so that participants can make an informed decision on whether to employ a worker who has a criminal record.</p> <p>...</p> <p>Under participant-direction, the CHC-MCOs’ Fiscal Employer/Agent (F/EA) vendor or the Agency with Choice (AWC) vendor is responsible for securing criminal history background checks for prospective direct care workers prior to hiring workers. In addition, the F/EA or the AWC vendor must have a system in place to 1) document that the criminal history background check was conducted, and 2) notify individuals of the results of the background check, and 3) document the individual’s decision to employ a direct care worker with a criminal record and their acceptance of responsibility for their decision.</p> <p>OLTL monitoring teams, as part of their oversight of the AWC vendor, and the CHC-MCOs, as part of their oversight of the F/EA contract, will ensure that criminal background checks will be completed timely. Staff will check to</p>	Add AWC vendor. The AWC vendor will be required to complete criminal background checks just as the F/EA is required to do so.

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		implemented if it is found that the F/EA is not meeting established contract standards.	determine that criminal background checks are completed timely and that participants are notified of results. Corrective action will be implemented if it is found that the F/EA or AWC vendor is not meeting established contract standards.	
7.	Appendix C-2-b. Abuse Registry Screening	The CHC-MCOs' F/EA vendor is responsible for securing clearances for prospective direct care workers. In addition, the F/EA must have a system in place to document that the clearances were conducted. The CHC-MCOs, as part of their oversight of the F/EA contract, will ensure that child abuse clearances will be completed timely. Staff will check to determine that child abuse clearances are completed timely. Corrective action will be implemented if it is found that the F/EA is not meeting established contract standards.	The CHC-MCOs' F/EA vendor or the AWC vendor is responsible for securing clearances for prospective direct care workers. In addition, the F/EA or the AWC vendor must have a system in place to document that the clearances were conducted. OLTL monitoring teams, as part of their oversight of the AWC vendor and the CHC-MCOs, as part of their oversight of the F/EA contract, will ensure that child abuse clearances will be completed timely. Staff will check to determine that child abuse clearances are completed timely. Corrective action will be implemented if it is found that the F/EA or AWC vendor is not meeting established contract standards.	Add AWC vendor. The AWC vendor will be required to complete child abuse clearances just as the F/EA is required to do so.
8.	Appendix C-2-e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians.	The F/EA shall receive and maintain electronic authorization data from the MCO for each self-directed service appearing on the service plan and authorized by the MCO. When a common-law employer (CLE) submits a timesheet for their employee, the F/EA will ensure that units are available based on the available authorization(s) and that the DCW is paid at the rate established by their CLE.	The F/EA and the AWC vendor shall receive and maintain electronic authorization data from the MCO for each self-directed service appearing on the service plan and authorized by the MCO. When a common-law employer (CLE) submits a timesheet for their employee, the F/EA will ensure that units are available based on the available authorization(s) and that the DCW is paid at the rate established by their CLE. Similarly, when the AWC vendor submits a claim to the CHC-MCO, the CHC-MCO will ensure that the units are available based on the authorized PCSP. As an additional check, DHS/OLTL will review encounter data for AWC FMS participants regularly to ensure that services have been provided based on the PCSP and that rates paid are correct and only for authorized services.	Add AWC vendor. The AWC vendor must ensure service delivery matches the units authorized based on the PCSP similar to the F/EA requirement.
9.	Appendix C-1/C-3 Service Specification Benefits Counseling	The service provides information to the individual regarding the full array of available work incentives for essential benefit programs including SSI, SSDI, Medicaid, Medicare, housing subsidies, food stamps, etc.	The service provides information to the individual regarding the full array of available work incentives for essential benefit programs including SSI, SSDI, Medicaid, Medicare, housing subsidies, food stamps SNAP , etc.	Corrected food stamps to SNAP.

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10.	Appendix C-1/C-3 Service Specification Benefits Counseling	<p>Benefits Counseling may not be rendered under the waiver to a participant under a program funded by either the Rehabilitation Act of 1973 as amended or any other small business development resource available to the participant. This means that Benefits Counseling services may only be provided when documentation has been obtained that one of the following has occurred:</p> <ol style="list-style-type: none"> 1. OVR has closed a case for the participant or has stopped providing services to the participant; 2. The participant was determined ineligible for OVR services; or 3. It has been determined that OVR services are not available. If OVR has not made an eligibility determination within 120 days of the referral being sent, then OVR services are considered to not be available to the participant. <p>Initial Benefits Counseling may only be provided if it is documented in the service plan that Benefits Counseling services provided by a Certified Work Incentives Counselor through a Pennsylvania-based federal Work Incentives Planning and Assistance (WIPA) program were sought and it was determined that such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days.</p> <p>In the event that OVR closes the order of selection, the following process will be followed until the closure is lifted:</p> <ol style="list-style-type: none"> 1. A participant who has been referred to OVR but does not have an approved Individualized Plan for Employment (IPE) may receive Benefits Counseling. 2. A participant who has not been referred to OVR may receive Benefits Counseling without a referral to OVR. 	<p>Benefits Counseling may not be rendered under the waiver to a participant under a program funded by either the Rehabilitation Act of 1973 as amended or any other small business development resource available to the participant. This means that Benefits Counseling services may only be provided when documentation has been obtained that one of the following has occurred:</p> <ol style="list-style-type: none"> 1. OVR has closed a case for the participant or has stopped providing services to the participant; 2. The participant was determined ineligible for OVR services; or 3. It has been determined that OVR services are not available. If OVR has not made an eligibility determination within 120 days of the referral being sent, then OVR services are considered to not be available to the participant. <p>Initial Benefits Counseling may only be provided if it is documented in the service plan that Benefits Counseling services provided by a Certified Work Incentives Counselor through a Pennsylvania-based federal Work Incentives Planning and Assistance (WIPA) program were sought and it was determined that such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days.</p> <p>In the event that OVR closes the order of selection, the following process will be followed until the closure is lifted:</p> <ol style="list-style-type: none"> 1. A participant who has been referred to OVR but does not have an approved Individualized Plan for Employment (IPE) may receive Benefits Counseling. 2. A participant who has not been referred to OVR may receive Benefits Counseling without a referral to OVR. 	Remove requirement to access OVR services first. This has been a barrier for participants and by removing it, participants can access Benefits Counseling immediately from the waiver. Benefits Counseling in the waiver and OVR Benefits Counseling are not comparable services.
11.	Appendix C-1/C-3 Service Specification Nursing Services	Nursing services are direct services prescribed by a physician, in addition to any services under the State Plan, that are needed by the participant, as specified by the service plan, to enable the participant to integrate more	Nursing services are direct services prescribed by a physician, a nurse practitioner or a physician assistant , in addition to any services under the State Plan, that are	In response to the CARES Act amendment to sections 1814(a) and

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		<p>fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>...</p> <p>Nursing Services must be ordered by a physician and are within the scope of the State's Nurse Practice Act and are provided by a registered professional nurse, or licensed practical nurse under the supervision of a registered nurse, licensed to practice in the state. The physician's order must be obtained every sixty (60) days for continuation of service. Nursing services are individual, and can be continuous, intermittent, or short-term based on individual's assessed need.</p> <p>...</p> <p>The nurse is responsible for reporting, to the ordering physician and Service Coordinator, changes in the participant's status that take place after the physician's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Nursing services authorized in the service plan</p>	<p>needed by the participant, as specified by the service plan, to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>...</p> <p>Nursing Services must be ordered by a physician a nurse practitioner or a physician assistant and are within the scope of the State's Nurse Practice Act and are provided by a registered professional nurse, or licensed practical nurse under the supervision of a registered nurse, licensed to practice in the state. The physician's, nurse practitioner's or physician assistant's order must be obtained every sixty (60) days for continuation of service. Nursing services are individual, and can be continuous, intermittent, or short-term based on individual's assessed need.</p> <p>...</p> <p>The nurse is responsible for reporting, to the ordering physician, nurse practitioner or physician assistant and Service Coordinator, changes in the participant's status that take place after the physician's prescriber's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Nursing services authorized in the service plan</p>	<p>1835(a) of the Social Security Act, nurse practitioners and physician assistants, in addition to physicians, may prescribe and order the following services:</p> <ul style="list-style-type: none"> - Nursing Services - Occupational Therapy Services - Physical Therapy Services - Speech and Language Therapy Services. <p>The waiver is updated accordingly.</p>
12.	<p>Appendix C-1/C-3 Service Specification</p> <p>Physical Therapy Services</p>	<p>Physical Therapy services are direct services prescribed by a physician, in addition to any services furnished under the State Plan, that assist participants in the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Physical Therapy services must address an assessed need as documented in the participant's service plan. Training caretakers and developing a home program for caretakers to implement the recommendations of the therapist are included in the provision of services. The physician's order to reauthorize the service must be obtained every sixty (60) days for continuation of service. The therapist is responsible for reporting, to the ordering physician and</p>	<p>Physical Therapy services are direct services prescribed by a physician, a nurse practitioner or a physician assistant, in addition to any services furnished under the State Plan, that assist participants in the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Physical Therapy services must address an assessed need as documented in the participant's service plan. Training caretakers and developing a home program for caretakers to implement the recommendations of the therapist are included in the provision of services. The physician's, nurse practitioner's or physician assistant's order to reauthorize the service must be obtained every sixty (60) days for</p>	<p>In response to the CARES Act amendment to sections 1814(a) and 1835(a) of the Social Security Act, nurse practitioners and physician assistants, in addition to physicians, may prescribe and order the following services:</p> <ul style="list-style-type: none"> - Nursing Services - Occupational Therapy Services

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		<p>Service Coordinator, changes in the participant's status that take place after the physician's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Physical Therapy services authorized in the service plan.</p> <p>Physical Therapy can be provided by a licensed physical therapist or physical therapist assistant as prescribed by a physician, and documented in the service plan...</p>	<p>continuation of service. The therapist is responsible for reporting, to the ordering physician, nurse practitioner or physician assistant and Service Coordinator, changes in the participant's status that take place after the physician's prescriber's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Physical Therapy services authorized in the service plan.</p> <p>Physical Therapy can be provided by a licensed physical therapist or physical therapist assistant as prescribed by a physician, a nurse practitioner or a physician assistant, and documented in the service plan...</p>	<p>- Physical Therapy Services - Speech and Language Therapy Services.</p> <p>The waiver is updated accordingly.</p>
13.	<p>Appendix C-1/C-3 Service Specification</p> <p>Occupational Therapy Services</p>	<p>Occupational Therapy services are direct services prescribed by a physician, in addition to any services furnished under the State Plan, that assist participants in the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Occupational Therapy services must address an assessed need documented in the participant's service plan. Training caretakers and developing a home program for caretakers to implement the recommendations of the therapist are included in the provision of services. The physician's order must be obtained every sixty (60) days for continuation of service. The therapist is responsible for reporting, to the ordering physician and Service Coordinator, changes in the participant's status that take place after the physician's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Occupational Therapy services authorized in the service plan.</p>	<p>Occupational Therapy services are direct services prescribed by a physician, a nurse practitioner or a physician assistant, in addition to any services furnished under the State Plan, that assist participants in the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Occupational Therapy services must address an assessed need documented in the participant's service plan. Training caretakers and developing a home program for caretakers to implement the recommendations of the therapist are included in the provision of services. The physician's, nurse practitioner's or physician assistant's order must be obtained every sixty (60) days for continuation of service. The therapist is responsible for reporting, to the ordering physician, nurse practitioner or physician assistant and Service Coordinator, changes in the participant's status that take place after the physician's prescriber's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Occupational Therapy services authorized in the service plan.</p>	<p>In response to the CARES Act amendment to sections 1814(a) and 1835(a) of the Social Security Act, nurse practitioners and physician assistants, in addition to physicians, may prescribe and order the following services:</p> <ul style="list-style-type: none"> - Nursing Services - Occupational Therapy Services - Physical Therapy Services - Speech and Language Therapy Services. <p>The waiver is updated accordingly.</p>
14.	Appendix C-1/C-3 Service Specification	Speech and Language Therapy services are direct services prescribed by a physician, in addition to any services furnished under the State Plan, that assist participants in	Speech and Language Therapy services are direct services prescribed by a physician, a nurse practitioner or a physician assistant , in addition to any services furnished	In response to the CARES Act amendment to

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	Speech and Language Therapy Services	<p>the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Speech and Language Therapy Services must address an assessed need as documented in the participant's service plan. Training caretakers and development of a home program for caretakers to implement the recommendations of the therapist are included in the provision of Speech and Language Therapy services. The physician's order to reauthorize the service must be obtained every sixty (60) days for continuation of service. The therapist is responsible for reporting, to the ordering physician and Service Coordinator, changes in the participant's status that take place after the physician's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Speech and Language Therapy services authorized in the service plan.</p>	<p>under the State Plan, that assist participants in the acquisition, retention or improvement of skills necessary to enable the participant to integrate more fully into the community and to ensure the health, welfare and safety of the participant.</p> <p>Speech and Language Therapy Services must address an assessed need as documented in the participant's service plan. Training caretakers and development of a home program for caretakers to implement the recommendations of the therapist are included in the provision of Speech and Language Therapy services. The physician's, nurse practitioner's or physician assistant's order to reauthorize the service must be obtained every sixty (60) days for continuation of service. The therapist is responsible for reporting, to the ordering physician, nurse practitioner or physician assistant and Service Coordinator, changes in the participant's status that take place after the physician's prescriber's order, but prior to the reauthorization of the service, if the change should result in a change in the level of Speech and Language Therapy services authorized in the service plan.</p>	<p>sections 1814(a) and 1835(a) of the Social Security Act, nurse practitioners and physician assistants, in addition to physicians, may prescribe and order the following services:</p> <ul style="list-style-type: none"> - Nursing Services - Occupational Therapy Services - Physical Therapy Services - Speech and Language Therapy Services. <p>The waiver is updated accordingly.</p>
15.	Appendix D-1-a. Responsibility for Service Plan Development.	Service Coordinator supervisors must have a Master's degree in social work or in a human services or healthcare field and three years of relevant experience with a commitment to obtain either a Pennsylvania social work or mental health professional license within one year of hire.	<p>Service Coordinators must:</p> <ul style="list-style-type: none"> • Be a registered nurse (RN) or have a Bachelor's degree in social work, psychology or other related fields with practicum experience, or in lieu of a Bachelor's degree, have at least three (3) or more years of experience in a social service or health care related setting... <p>Service Coordinator supervisors must be an RN or have a Master's degree in social work or in a human services or healthcare field and three years of relevant experience with a commitment to obtain either a Pennsylvania social work or mental health professional license within one year of hire.</p>	<p>Remove the requirement to have practicum experience to allow more individuals to meet Service Coordinator qualifications.</p> <p>Correction to the supervisor paragraph to match Appendix C-1-c and the CHC Agreement.</p>
16.	Appendix D-2-a. Service Plan Implementation and Monitoring	In addition, the Fiscal/Employer Agent (F/EA) assists the CHC-MCOs and their Service Coordinators in monitoring service utilization for Participants who are self-directing	In addition, the Fiscal/Employer Agent (F/EA) and the Agency with Choice (AWC) vendor assists assist OLTL , the CHC-MCOs and their Service Coordinators in monitoring	Add AWC vendor. The AWC vendor is responsible for

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		<p>their services. The F/EA is required to provide monthly reports to common law employers, the CHC-MCO, and CHC service coordinators, which display individual service utilization (both over and underutilization) and spending patterns.</p>	<p>service utilization for Participants who are self-directing their services. The F/EA and the AWC vendor are is required to provide monthly reports to common law employers, managing employers, the CHC-MCO, and CHC service coordinators, which display individual service utilization (both over and underutilization) and spending patterns.</p>	<p>submitting reports to monitor service utilization.</p>
17.	Appendix E-1-a. Description of Participant Direction	<p>Self-Directed Opportunities Available within the CHC Waiver: All participants have the option to make decisions about and self-direct their own waiver services as identified in Section E-1.g., below. Participants in the CHC Waiver may choose to hire and manage staff using Employer Authority or manage an individual budget using Budget Authority. In addition, participants may choose a combination of service models to meet their individual needs. Participants are encouraged to self-direct their services to the highest degree possible. During the actual provision of services, the participant is responsible for directing the activities of their support worker.</p> <p>Under Employer Authority, the participant serves as the common-law employer and is responsible for hiring, firing, training, supervising, and scheduling their support worker. Budget Authority, known in Pennsylvania as Services My Way, provides participants with a broader range of opportunities for participant-direction. Services My Way provides participants with greater flexibility, choice and control over their services, by giving participants the opportunity to: 1) select and manage staff that performs personal assistance type services under the Participant-Directed Community Supports service definition; 2) manage a flexible Spending plan; and 3) purchase allowable goods and services through their Spending plan.</p>	<p>Self-Directed Opportunities Available within the CHC Waiver: All participants have the option to make decisions about and self-direct their own waiver services as identified in Section E-1.g., below. Participants in the CHC Waiver may choose to serve as a managing employer or the common-law employer and hire and manage staff using Employer Authority or manage an individual budget using Budget Authority. In addition, participants may choose a combination of service models to meet their individual needs. Participants are encouraged to self-direct their services to the highest degree possible. During the actual provision of services, the participant is responsible for directing the activities of their support direct care worker.</p> <p>Under Employer Authority, there are two models of Financial Management Services (FMS) to support participants who choose to self-direct their services, Fiscal/Employer Agent (F/EA) and Agency with Choice (AWC). With F/EA, the participant serves as the common-law employer and is responsible for hiring, firing, training, supervising, and scheduling their support direct care workers. Budget Authority, known in Pennsylvania as Services My Way, provides participants with a broader range of opportunities for participant-direction. Services My Way provides participants with greater flexibility, choice and control over their services, by giving participants the opportunity to: 1) select and manage staff that performs personal assistance type services under the Participant-Directed Community Supports service definition; 2) manage</p>	<p>Add AWC description. Moved paragraph on Budget Authority for better readability.</p>

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			<p>a flexible Spending plan; and 3) purchase allowable goods and services through their Spending plan.</p> <p>AWC allows the participant to serve as the managing employer while the OLTL-contracted AWC vendor supports the participant by conducting all the necessary payroll functions and is legally responsible for managing the employment-related functions and duties for participant-selected direct care workers. The participant selects and dismisses direct care workers, refers qualified direct care workers to the AWC vendor for hire, directs the responsibilities of their direct care workers, schedules and arranges for back-up services (with assistance from the AWC vendor as requested) and trains the direct care workers to meet their needs.</p> <p>Budget Authority, known in Pennsylvania as Services My Way, provides participants with a broader range of opportunities for participant-direction. Services My Way provides participants with greater flexibility, choice and control over their services, by giving participants the opportunity to: 1) select and manage staff that performs personal assistance type services under the Participant-Directed Community Supports service definition; 2) manage a flexible Spending plan; and 3) purchase allowable goods and services through their Spending plan.</p>	
18.	Appendix E-1-a. Description of Participant Direction	<p>Entities That Support Individuals: Participants will receive a full-range of supports, ensuring that they are successful with the participant-directed experience. Individuals choosing Employer or Budget Authority will receive support from certified Vendor Fiscal/Employer Agents (F/EA) and Service Coordinators to assist them in their role as the common-law employer of their workers.</p>	<p>Entities That Support Individuals: Participants will receive a full-range of supports, ensuring that they are successful with the participant-directed experience through their Service Coordinator and either an F/EA or AWC vendor. Individuals choosing to serve as the common-law employer of their worker(s) under Employer or Budget Authority will receive support from a certified F/EA under contract with the CHC-MCO. Participants who want to choose their own direct care worker(s), but not serve as the common-law employer of that worker, will receive support through the state selected AWC vendor.</p>	Add AWC vendor's responsibilities and describe participant's role as the managing employer.

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			<p>AWC is provided by a vendor contracted with OLTL. Under AWC, the AWC vendor is the employer of record for the direct care worker. In the capacity as employer of record, the AWC vendor is responsible for activities that include, but are not limited to:</p> <ul style="list-style-type: none"> • Processing timesheets, making wage payments, and managing all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers. • Ensuring compliance with EVV requirements by direct care workers. • Conducting criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C. • Hiring qualified direct care workers referred by the participant or participant's representative, supporting the participant/managing employer with any disciplinary actions with the direct care worker, and firing of direct care workers. • Assisting participants with selecting a wage for their direct care workers. • Processing employment documents and voluntary deductions from direct care worker wages. • Submitting claims to the appropriate CHC-MCO for services authorized and rendered. • Preparing, making and disbursing direct care workers' payroll checks. • Providing workers' compensation coverage for direct care workers. • Providing Managing Employer skills training to participants. • Conducting direct care worker training in conjunction with the participant/managing employer. 	

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<ul style="list-style-type: none"> • Establishing, maintaining and processing records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards. • Providing monthly statements to participants so they can appropriately track utilization of services and the corresponding funds. • Assist in implementing the state's quality management strategy related to FMS. • Fulfilling any responsibilities established by OLTL policies. • Processing all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws. • Preparing and disbursing IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually. • Establishing an accessible customer service system for the participant and the Service Coordinator. <p>The participant or participant's representative serves as the managing employer. Managing employers are responsible for activities that include, but are not limited to:</p> <ul style="list-style-type: none"> • Selecting and dismissing direct care workers; • Referring qualified direct care workers to the AWC vendor for hire; • Directing the responsibilities of their direct care workers; • Scheduling and arranging for back-up services (with assistance from the AWC vendor as requested); • Training the direct care workers to meet the participant's needs. 	
19.	Appendix E-1-e. Information Furnished to Participant		<p>The AWC vendor is responsible for providing orientation and training to the participant and direct care worker. Orientation and training materials are developed by the AWC vendor and are approved by OLTL and include, at minimum, the following:</p>	Add AWC responsibilities regarding orientation and training for participants and direct care workers.

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<p>Participant (Managing Employer) Orientation and Training.</p> <p>The AWC vendor provides orientation and training materials to participants within 14 calendar days of the notification that the participant chose the AWC model of FMS and prior to participant's receipt of services from a direct care worker. Orientation and training materials address the role and responsibilities of the participant as a managing employer, which includes:</p> <ul style="list-style-type: none"> • Information on selection and referral of potential direct care workers to the AWC vendor for hire; • Training by participants for direct care workers on how to meet the participant's needs; • Determining direct care worker schedules and responsibilities; • Managing the work performed by direct care workers in a supervisory capacity. <p>Direct Care Worker Orientation and Training.</p> <p>The AWC vendor provides orientation and training and materials to direct care workers within 14 calendar days of the participant's referral of a potential direct care worker to the AWC vendor and prior to the direct care worker being able to provide services to participants. The AWC vendor must:</p> <ul style="list-style-type: none"> • Maintain documentation to verify a direct care worker's completion of orientation and training. • Train direct care workers in accordance with 28 Pa. Code § 611.55 (relating to competency requirements) and 55 Pa. Code § 52.21 (relating to staff training). Such training shall also include, but is not limited to, the development and implementation of relevant participant directed orientation curriculum, program responsibilities and requirements, including but not limited to EVV requirements. 	
20.	Appendix E-1-f. Participant Direction by a Representative	A personal representative may be a legal guardian, or other legally appointed personal representative, an income payee, a family member, or friend. The personal	A personal representative may be a legal guardian, or other legally appointed personal representative, an income payee, a family member, or friend. The personal	Add AWC responsibilities for personal

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
		<p>representative must be willing and able to fulfill the responsibilities as outlined in the Personal Representative Agreement and must demonstrate:</p> <ul style="list-style-type: none"> • Assist the participant in identifying/ obtaining back up services when a support worker does not show; <p>A representative may not be a paid support service worker for the participant.</p> <p>The F/EA must recognize the participant's personal representative as a decision-maker and provide the personal representative with all of the information, training, and support it would typically provide to a participant who is self-directing. The F/EA must fully inform the personal representative of the rights and responsibilities of a representative. Once informed, the F/EA must have the representative review and sign the standard Common Law Employer Designation form, which must be given to the representative and maintained in the participant's file...</p> <p>The Service Coordinator is responsible for ensuring the personal representative functions in the best interest of the participant through, at minimum, quarterly monitoring calls, by monitoring the personal representative's adherence to the Common Law Employer Designation form, and ensuring services are being provided as outlined in the participant's PCSP...</p> <p>In addition, the F/EA is required to address and report any issues identified with the representative and adhere to OLTL policy on incident reporting and report any incident of suspected fraud or abuse.</p>	<p>representative must be willing and able to fulfill the responsibilities as outlined in the Personal Representative Agreement Designated Representative Form and must demonstrate:</p> <ul style="list-style-type: none"> • Assist the participant in identifying/ obtaining back up services when a support direct care worker does not show; <p>A representative may not be a paid support direct care service worker for the participant.</p> <p>The F/EA and the AWC vendor must recognize the participant's personal representative as a decision-maker and provide the personal representative with all of the information, training, and support it would typically provide to a participant who is self-directing. The F/EA and the AWC vendor must fully inform the personal representative of the rights and responsibilities of a representative. For representatives acting as the common law employer, once informed, the F/EA must have the representative review and sign the standard Common Law Employer Designation form, which must be given to the representative and maintained in the participant's file...</p> <p>The Service Coordinator is responsible for ensuring the personal representative functions in the best interest of the participant through, at minimum, quarterly monitoring calls, by monitoring the personal representative's adherence to the Common Law Employer Designation form (when acting as the common law employer), and ensuring services are being provided as outlined in the participant's PCSP...</p> <p>In addition, the F/EA and the AWC vendor is are required to address and report any issues identified with the representative and adhere to OLTL policy on incident reporting and report any incident of suspected fraud or abuse.</p>	<p>representatives. They are similar to that of the F/EA.</p>

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
21.	Appendix E-1-i-i. Provision of Financial Management Services – Types of Entities	Financial Management Services are provided to participants across the Commonwealth by qualified Fiscal Employer Agent(s).	Financial Management Services are provided to participants across the Commonwealth by a qualified Fiscal Employer Agent(s) F/EA or a qualified AWC vendor. The AWC was selected through a competitive procurement process (RFA).	Add AWC vendor and the procurement process.
22.	Appendix E-1-i-ii. Provision of Financial Management Services – Payment for FMS	Payment for Financial Management Services will be made by the CHC-MCO.	<p>Payment for Financial Management Services FMS under the F/EA will be made by the CHC-MCO.</p> <p>The AWC vendor will enter into a contractual agreement with each CHC-MCO for those participants who chose to self-direct their services through the AWC model. Payment for FMS under AWC will be made by the CHC-MCO through their monthly capitation payment.</p> <p>The AWC vendor receives an ongoing per member per month administrative fee. Payment for FMS is not based on a percentage of the total dollar volume of transactions that the FMS entity processes. The percentage of FMS costs relative to the participant’s service costs are independent of one another, as service costs are based upon the assessed needs of the participant.</p>	Add payment information for the AWC vendor.
23.	Appendix E-1-i-iii. Provision of Financial Management Services – Scope of FMS		<p>The AWC vendor will:</p> <ul style="list-style-type: none"> • Process timesheets, make wage payments, and manage all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers. • Ensure compliance with EVV requirements by direct care workers. • Conduct criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C. • Hire qualified direct care workers referred by the participant or participant’s representative, support the participant/managing employer with any disciplinary actions with the direct care worker, and firing of direct care workers. 	Add the scope of the AWC model of FMS.

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<ul style="list-style-type: none"> • Assist participants with selecting a wage for their direct care workers. • Process employment documents and voluntary deductions from direct care worker wages. • Submit claims to the appropriate CHC-MCO for services authorized and rendered. • Prepare, make and disburse direct care workers' payroll checks. • Provide workers' compensation coverage for direct care workers. • Provide Managing Employer skills training to participants. • Conduct direct care worker training in conjunction with the participant/managing employer. • Establish, maintain and process records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards. • Provide monthly statements to participants so they can appropriately track utilization of services and the corresponding funds. • Assist in implementing the state's quality management strategy related to FMS • Fulfill any responsibilities established by OLTL policies. • Process all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws. • Prepare and disburse IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually. • Establish an accessible customer service system for the participant and the Service Coordinator. 	
24.	Appendix E-1-i-iii. Provision of Financial Management Services – Scope of FMS	The F/EA must provide accurate and timely reports monthly to common law employers, service coordinators, and the CHC-MCO. These reports include service utilization, written notification of over and underutilization, and notification of any common law employer who does not submit timesheets for two or more consecutive payroll periods.	The F/EA and the AWC vendor must provide accurate and timely reports monthly to common law employers, managing employers , service coordinators, and the CHC-MCO. These reports include service utilization, written notification of over and underutilization. Additionally, the F/EA and will provide notification of any common law	Add information that the F/EA and AWC vendor must report on service utilization.

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			employer who does not submit timesheets for two or more consecutive payroll periods.	
25.	Appendix E-1-i-iv. Provision of Financial Management Services – Oversight of FMS Entities	The CHC-MCOs will also conduct on-site monitoring more frequently if utilization or problem identification reports indicate additional review is necessary. ...	<p>The CHC-MCOs will also conduct on-site monitoring more frequently if utilization or problem identification reports indicate additional review is necessary. ...</p> <p>OLTL will monitor the AWC vendor. This applies to all of the oversight activities below. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their PCSP. OLTL will monitor the AWC vendor’s performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness of processing employee paperwork, timeliness of and accuracy of payments to workers, accuracy of information provided to participants and workers by the AWC vendor, and timeliness of criminal background checks and child abuse clearances as needed. If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will identify and remediate any noncompliance. OLTL will monitor performance through the use of monthly utilization reports, quarterly and annual status reports, as well as problem identification reports. These reports cover activities performed and issues encountered during the reporting period. OLTL will also conduct monitoring more frequently if utilization or problem identification reports indicate additional review is necessary.</p> <p>If the AWC is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC. OLTL reviews and approves or disapproves the CAP within 15 days of</p>	<p>Remove ‘on-site’ because monitoring may be conducted in a variety of ways including, but not limited to virtually, remotely or on-site.</p> <p>Add OLTL monitoring responsibilities of the AWC vendor.</p>

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<p>receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p>	
26.	Appendix E-1-j. Information and Assistance in Support of Participant Direction.	<p>The F/EA will be paid directly by the CHC-MCOs. ...</p> <p>Any required updates to the orientation curriculum must also be approved by OLTL.</p> <p>Individuals choosing to self-direct their services will also receive assistance and support from their Service Coordinator. The Service Coordinator will:</p> <ul style="list-style-type: none"> • Work with the F/EA and the participant as necessary to ensure all enrollment and employment paperwork is completed and sent to the F/EA; • Assist the participant to secure training of support workers who deliver services that would require a degree of technical skill, and would require the guidance and instruction from a health care professional such as a Registered Nurse; • Assist the participant in communicating with the F/EA as needed; 	<p>The selected AWC organization receives a monthly per participant administrative fee for the FMS administrative service provided by the AWC.</p> <p>The F/EA will be paid directly by the CHC-MCOs. ...</p> <p>Participants will obtain informational materials from the AWC vendor. In addition, the AWC vendor is responsible for providing orientation and training to the participant within 14 calendar days of the notification that the participant chose of the AWC model of FMS and prior to participant's receipt of services from a direct care worker. Orientation and training address the role and responsibilities of the participant as a managing employer, which includes:</p> <ul style="list-style-type: none"> • Information on selection and referral of potential direct care workers to the AWC vendor for hire; • Training by participants for direct care workers on how to meet the participant's needs; • Determining direct care worker schedules and responsibilities; • Managing the work performed by direct care workers in a supervisory capacity. <p>Any required updates to the orientation curriculum must also be approved by OLTL.</p> <p>Individuals choosing to self-direct their services will also receive assistance and support from their Service Coordinator. The Service Coordinator will:</p> <ul style="list-style-type: none"> • Work with the F/EA, the AWC vendor and the participant as necessary to ensure all enrollment and employment 	<p>Add AWC vendor's responsibilities for providing orientation and training materials and describe OLTL's monitoring responsibilities of the AWC vendor.</p>

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<p>paperwork is completed and sent to the F/EA or AWC vendor;</p> <ul style="list-style-type: none"> • Assist the participant to secure training of support direct care workers who deliver services that would require a degree of technical skill, and would require the guidance and instruction from a health care professional such as a Registered Nurse; • Assist the participant in communicating with the F/EA or AWC vendor as needed; <p>...</p> <p>OLTL will monitor the AWC vendor. This applies to all of the oversight activities below. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their PCSP. OLTL will monitor the AWC vendor's performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness of processing employer and employee paperwork, timeliness of and accuracy of payments to workers, accuracy of information provided to participants and workers by the AWC vendor, and timeliness of criminal background checks and child abuse clearances as needed. If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will identify and remediate any noncompliance. OLTL will monitor performance through the use of monthly utilization reports, quarterly and annual status reports, as well as problem identification reports. These reports cover activities performed and issues encountered during the reporting period. OLTL will also conduct monitoring more frequently if utilization or problem identification reports indicate additional review is necessary.</p> <p>If the AWC is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The</p>	

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			<p>AWC will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC. OLTL reviews and approves or disapproves the CAP within 15 days of receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p>									
27.	Appendix E-2-a. Participant – Employer Authority.	<p>i. Participant Employer Status. Specify the participant's employer status under the waiver. <i>Select one or both:</i></p> <table border="1" data-bbox="594 607 1244 919"> <tr> <td data-bbox="594 607 639 751"><input type="checkbox"/></td> <td data-bbox="639 607 1244 751"> <p>Participant/Co-Employer. The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions. Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p> </td> </tr> <tr> <td data-bbox="594 751 639 919"><input checked="" type="checkbox"/></td> <td data-bbox="639 751 1244 919"> <p>Participant/Common Law Employer. The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.</p> </td> </tr> </table>	<input type="checkbox"/>	<p>Participant/Co-Employer. The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions. Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p>	<input checked="" type="checkbox"/>	<p>Participant/Common Law Employer. The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.</p>	<p>i. Participant Employer Status. Specify the participant's employer status under the waiver. <i>Select one or both:</i></p> <table border="1" data-bbox="1338 607 1983 919"> <tr> <td data-bbox="1338 607 1384 751"><input checked="" type="checkbox"/></td> <td data-bbox="1384 607 1983 751"> <p>Participant/Co-Employer. The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions. Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p> </td> </tr> <tr> <td data-bbox="1338 751 1384 919"><input checked="" type="checkbox"/></td> <td data-bbox="1384 751 1983 919"> <p>Participant/Common Law Employer. The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.</p> </td> </tr> </table>	<input checked="" type="checkbox"/>	<p>Participant/Co-Employer. The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions. Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p>	<input checked="" type="checkbox"/>	<p>Participant/Common Law Employer. The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.</p>	Add participant's employer status in AWC.
<input type="checkbox"/>	<p>Participant/Co-Employer. The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions. Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p>											
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#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change																																																																				
28.	Appendix E-2-a. Participant – Employer Authority.	<p>ii. Participant Decision Making Authority. The participant (or the participant’s representative) has decision making authority over workers who provide waiver services. <i>Select one or more decision making authorities that participants exercise:</i></p> <table border="1" data-bbox="588 228 1247 980"> <tr><td><input checked="" type="checkbox"/></td><td>Recruit staff</td></tr> <tr><td><input type="checkbox"/></td><td>Refer staff to agency for hiring (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Select staff from worker registry</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Hire staff (common law employer)</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify staff qualifications</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Obtain criminal history and/or background investigation of staff Specify how the costs of such investigations are compensated: To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. The CHC-MCO, or the subcontracted F/EA secures and pays for the criminal background check as described in Appendix C-2-a. In addition, child abuse clearances are required for all direct care workers providing services in homes where minor children reside. Please see Appendix C-2-b for additional information.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3. Specify the state’s method to conduct background checks if it varies from Appendix C-2-a: N/A</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff duties consistent with the service specifications in Appendix C-1/C-3.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff wages and benefits subject to applicable state limits</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Schedule staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Orient and instruct staff in duties</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Supervise staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Evaluate staff performance</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify time worked by staff and approve time sheets</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Discharge staff (common law employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Discharge staff from providing services (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Other Specify:</td></tr> </table>	<input checked="" type="checkbox"/>	Recruit staff	<input type="checkbox"/>	Refer staff to agency for hiring (co-employer)	<input type="checkbox"/>	Select staff from worker registry	<input checked="" type="checkbox"/>	Hire staff (common law employer)	<input checked="" type="checkbox"/>	Verify staff qualifications	<input checked="" type="checkbox"/>	Obtain criminal history and/or background investigation of staff Specify how the costs of such investigations are compensated: To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. 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The participant (or the participant’s representative) has decision making authority over workers who provide waiver services. <i>Select one or more decision making authorities that participants exercise:</i></p> <table border="1" data-bbox="1330 228 1989 980"> <tr><td><input checked="" type="checkbox"/></td><td>Recruit staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Refer staff to agency for hiring (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Select staff from worker registry</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Hire staff (common law employer)</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify staff qualifications</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Obtain criminal history and/or background investigation of staff Specify how the costs of such investigations are compensated: To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. The CHC-MCO, or the subcontracted F/EA, and the AWC vendor secures and pays for the criminal background check as described in Appendix C-2-a. In addition, child abuse clearances are required for all direct care workers providing services in homes where minor children reside. Please see Appendix C-2-b for additional information.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3. Specify the state’s method to conduct background checks if it varies from Appendix C-2-a: N/A</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff duties consistent with the service specifications in Appendix C-1/C-3.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff wages and benefits subject to applicable state limits</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Schedule staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Orient and instruct staff in duties</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Supervise staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Evaluate staff performance</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify time worked by staff and approve time sheets</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Discharge staff (common law employer)</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Discharge staff from providing services (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Other Specify:</td></tr> </table>	<input checked="" type="checkbox"/>	Recruit staff	<input checked="" type="checkbox"/>	Refer staff to agency for hiring (co-employer)	<input type="checkbox"/>	Select staff from worker registry	<input checked="" type="checkbox"/>	Hire staff (common law employer)	<input checked="" type="checkbox"/>	Verify staff qualifications	<input checked="" type="checkbox"/>	Obtain criminal history and/or background investigation of staff Specify how the costs of such investigations are compensated: To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. 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29.	Appendix H-1-a. System Improvements	Each of the contracts will have a contract manager to ensure vendor is meeting all contractual obligations, which includes IEB, independent assessment, and the external quality review organization (EQR).	Each of the contracts will have a contract manager to ensure vendor is meeting all contractual obligations, which includes IEB, AWC , independent assessment, and the external quality review organization (EQR).	Add AWC.																																																																				
30.	Appendix A Quality Improvement: Administrative		Performance Measure AA-8 Number and percent of contractual obligations met by the Agency with Choice (AWC) vendor Numerator: Number of contractual obligations met by the AWC vendor Denominator: Total number of contractual obligations	Add PM AA-8 to measure the AWC vendor’s performance.																																																																				
31.	Appendix A Quality Improvement: Administrative		OLTL has oversight of the AWC vendor. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their	Add OLTL’s responsibility for oversight of the AWC vendor.																																																																				

#	Waiver Section	Current Approved Language	Recommended Revised Language	Reason for the Change
			<p>PCSP. OLTL will monitor the AWC vendor's performance of administrative activities, as well as adherence to contract conditions and waiver requirements.</p> <p>...</p> <p>If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a CAP in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC vendor. OLTL reviews and approves or disapproves the CAP within 15 days of receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p>	