

Frequently Asked Questions for Self-Advocates and Families About Participant-Directed Services During the COVID-19 Pandemic

Participant-directed services is one way consumers and families can have increased flexibility and choice over the services they receive. During the COVID Pandemic, DDS expanded the types of services that can be provided through a participant-directed services model. These Frequently Asked Questions (FAQs) explains participant-directed services and how they may help consumers and their families receive needed services and supports during COVID-19.

1. What are Participant-Directed Services?

Participant-directed services gives consumers and families more control over how and by whom some Individual Program Plan (IPP) services are provided. Participant-directed services lets the consumer or family choose who to hire, schedule when the person works, and supervise the work. They can be used by individuals who live in their own home, their family home and some community living arrangements.

2. How Can Participant-Directed Services Help Me?

Sometimes consumers or families have a hard time finding providers during the hours they need services. For some consumers and families, it may be hard to find providers who speak their preferred language. During COVID-19, a consumer or family may want services from a familiar person as a safety measure.

3. Which IPP Services Can Be Participant-Directed?

Before the COVID-19 pandemic, California allowed consumers to use a participant-directed model for respite, day care, non-medical transportation, nursing, and day services¹. These participant-directed services will continue after the pandemic ends.

Because of COVID-19, DDS expanded the list of participant-directed services to also include personal assistance, independent living skills, and supported employment services. The temporary addition of these three services may help consumers or families get the services they need during COVID-19.

4. Who Can I Hire to Provide Participant-Directed Services?

- You, and the Financial Management Services (FMS) agency you select to help you hire and pay staff, must verify that the person has the skills to perform the work. You can ask your regional center for information about how to do this.
- The person must be 18 years old or older.
- The individual must be eligible to work.

¹ Some regional centers use other names for these ongoing Participant-Directed Services and may call them "Employer-of-Record," "Conversion," or "Self-Directed," but the concept is the same.

- You may hire a family member, friend or another qualified person to provide participant-directed services. A spouse and generally a parent cannot provide respite, day care, personal assistance, or independent living skills.
- The individual you hire does not need to be a regional center vendor.

5. What Steps Should I Take If I Want to Use Participant-Directed Services?

- Contact your regional center service coordinator and let them know you want some services to be provided through a participant-directed services model.
- Work with the regional center to identify a Financial Management Service (FMS) to handle payroll, taxes, and reporting. The regional center and FMS will provide you with more information about your responsibilities as the employer or co-employer.
- Identify the individuals you want to hire. Ask those individuals to submit the required information to the FMS. The required information includes: verification of age, verification of qualifications, eligibility for employment, and federal disclosure information. The worker cannot start work or be paid until these forms are provided and approved. For in-home respite, CPR/First Aid certification is required and must be provided within 30 days after starting work.

6. How Are the Services Authorized?

The regional center will authorize the services with the FMS. The authorization will be for the service you want provided through the participant-directed services model. The services will be authorized for the amounts specified in your IPP.

7. How Does the Worker Get Paid?

The FMS pays the worker after you have approved the worker's timesheet. The FMS will also pay all required payroll taxes. Your regional center or the FMS can tell you the allowed hourly rates. For example, the minimum hourly rate for personal assistance, supported employment, and independent living services is \$22.80 an hour. The minimum hourly rate for respite is \$17.03 per hour. Some services, such as licensed nursing services, will have at a higher rate.

8. What Happens to My Services That Aren't Provided Through the Participant-Directed Model?

Only the services identified in question 3 above can be provided through the participant-directed services model. All other services specified in the consumer's IPP will continue to be provided by regional center vendors.

9. Can I Use A Combination of Services From My Regular Respite Agency and Participant Directed Services?

If your regular respite agency is not able to provide a respite worker, you may use participant-directed services for the hours that have been authorized but you have not be

able to use. This may be helpful during COVID-19 when your regional center agreed to fund additional respite hours. If you want to use your current respite agency to also provide participant-directed respite services, the respite agency may also be your Financial Management Services (FMS) agency. When the respite agency serves as the FMS, this is sometimes called employer of record. If the same respite worker, works more than 40 hours per week for you, they are entitled to overtime payment. Your FMS or Service Coordinator can assist you with overtime questions.

10. What If I Need Additional or Different Services?

If your current program (such as day program), is unable to provide the needed support or service, even under the alternative service model, and/or you need to increase your services or want a different kind of service, you should speak with your Service Coordinator. Because of COVID-19, the type of service or amount of service may need to change. For example, a family may need additional or different services because the consumer can no longer attend a day program, go to school, or work. Or a consumer might need home-based independent living skills training as a safety measure. Your IPP team can discuss changes to your current services or new services that might meet better meet your needs. Your regional center can also assist you by helping you facilitate support through your current program (such as day program) or access appropriate additional services through generic agencies.

11. Where Can I Find More Information?

Go to DDS issued [guidance](#) for providing Participant-Directed Services.

If you want to know more about the types of participant directed services, Attachment 1 provides a description of each service.

Attachment 1

Description of Services That Can Be Provided Through Participant-Directed Services

Ongoing Participant-Directed Service Types

California allows the following services to be provided through a Participant-Directed model on an ongoing basis: respite, day care, non-medical transportation, skilled nursing, and day services.

All services must be provided by someone who is at least 18 years of age and the individual must have the skills, training or education needed to provide the services. They must also meet any additional qualifications identified below.

Respite Services give family members who care for a consumer, a break from the care. In-home respite is provided in the family home. Family members, friends, or other qualified individuals may provide respite services. The family member who provides care for a consumer and needs a break from that care, cannot be the respite worker. A respite provider must be familiar with the consumer's daily routines and needs and be trained in any specialized supports. If First Aid or CPR is required, the individual must be certified. Because of COVID-19, DDS waived the requirements for in-home respite workers to have First Aid and CPR training before beginning work. Training must be obtained within 30 days of starting work. Participant-directed out of home respite may be provided in a relative's own house.

Day Care provides care for a child while a parent is working. Participant-directed day care services generally may only be provided for day care costs beyond the cost of day care services to a child without disabilities. Day care may also be authorized when a family shows a financial need and when payment for the day care will allow the child to remain in the family home. Day care services may be provided by a family member, friend, or other qualified individual. Day care cannot be provided by the child's parent as it is for care provided while the parent works.

Non-Medical Transportation is transportation provided by a family member, friend or other qualified individual to help the consumer get to services in their IPP. The individual providing the transportation must have a driver's license that is valid in California, and have the amount and kind of insurance coverage required by the regional center. For minor consumers, participant-directed transportation generally is allowed only when it costs more than the transportation cost a family would have for a minor child without disabilities. Transportation for a minor consumer can also be authorized when a family shows a financial need and when the payment for transportation helps the child to remain in the family home.

Skilled Nursing are services provided by a Registered Nurse, or Licensed Vocational Nurse. When using a Licensed Vocational Nurse, the plan for the individual's care must be developed by a physician or Registered Nurse. Before using participant-directed skilled nursing services, consumers and families must first use available generic services

including nursing services available through the Medi-Cal State Plan home health benefit and for consumers under 21, Medi-Cal EPSDT State Plan benefits. Nursing services may be provided by a family member, friend or other individual who meets the licensing requirements.

Day Services are individually designed services that provide opportunities to support or develop employment, volunteer activities or post-secondary education. Day services may assist with self-help, social or other adaptive skills. The services must be provided in natural environments in the community, separate from where the consumer lives. During COVID-19 the requirement that the services be provided outside of the consumer's home does not apply. A family member, friend or other qualified individual may provide these services.

Temporary Additional Participant-Directed Service Types Allowed During COVID

To help consumers and families access services they need during COVID-19, DDS temporarily added three additional services to the participant-directed service model: personal assistance, independent living services and support employment services.

All services must be provided by someone who is at least 18 years of age and the individual must have the skills, training or education needed to provide the services. They must also meet any additional qualifications identified below.

Personal Assistance helps adult or children who are regional center consumer to be successful in their own home and in the community. Participant-directed services allow personal assistance services to be provided by a qualified family member, friend, or other individual. They cannot be provided by the consumer's parent or spouse.

Independent Living Services helps adult consumers get or keep skills so they can live in their community. These include, for example, meal planning and budgeting, mobility, safety awareness, accessing community resources, or help identifying a home, moving to a new home, and keeping the home safe. Participant-directed services allow independent living services to be provided by a qualified family member, friend, or other individual. They cannot be provided by the consumer's parent or spouse.

Supported Employment Services are supports and training to help an adult consumer get and keep employment or self-employment and support for job discovery, if that service is not available through another agency such as the State Department of Rehabilitation. Examples of supported employment services are: work skills such communication, following directions, problem solving, achieving desired results, money management and income reporting, use of job supports, self-advocacy training, job coaching, assessment of needed job-related technology. These services can be provided by a qualified family member, friend or other individual.