



**Veteran Directed Care Program
Veteran's Notebook**

September 2021

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Welcome to the Veteran Directed Home and Community Based Services Program!

INTRODUCTION

The Veteran Directed Home and Community Based Services Program (VDC) is a new program that allows you, the Veteran, to direct and manage a monthly budget that you can use to pay people to help you meet your long term support needs. You can also use your monthly budget to buy items that allow you to remain in the community. You are not alone in this program, as you will have a Supports Planner to coach you and a Fiscal Intermediary to assist you.

This Notebook, called the Veteran Directed Care Notebook, or VDC Notebook, is designed to assist you in successfully directing your own care. The Notebook, along with your Supports Planner and Fiscal Intermediary will go over what you need to know. Your Supports Planner will also use this Notebook during the beginning of the program to explain to you how Veteran Directed Care (VDC) works. It will also be a resource for you later on. You will be able to go back and read the Notebook any time you need it.

To further assist you in your role as a Veteran who writes a budget and hires employees, you'll find instructions and samples in the back of this Notebook. Your Supports Planner has additional information to coach you.

Remember that your Supports Planner will work with you in determining what is important to you. By working together on developing a support plan, your wishes and needs will become known. These will be the items you will include in your budget.



IMPORTANT CONTACTS

If you have questions that have not been answered in this Notebook, there are other places to find the answers. These include the Supports Planner and the Fiscal Intermediary.

Your VDC Supports Planner's contact information:

My Supports Planner's name is: _____

My Supports Planner's phone number is: _____

My Supports Planner's e-mail address is: _____

Your Fiscal Intermediary Service is: _____

Phone: _____

Fax Number: _____

Mailing Address: _____

Online Timesheet Website: _____

Email Address: _____

Additional Information and numbers:



SECTION 1: GETTING STARTED

Welcome to the Veteran Directed Care (VDC) Notebook. This Section helps you get started as a VDC Veteran. There are 6 parts to Section 1:

- A. Introduction and Highlights
- B. Your VDC Notebook and Start Up Training
- C. Roles of Key Veterans
- D. Having a Representative
- E. Veterans Rights and Responsibilities
- F. Grievance Process



A. Introduction and Highlights

This VDC Notebook will provide you with the basic information you need to manage your own services. As you find information and resources, write them down in your Notebook and share them with your Supports Planner. There are extra lined pages in the back of the Notebook for your use.

As you begin on this exciting goal of directing your own care, do not be afraid to ask for help. Surround yourself with people who support your independence and want to see you succeed at directing your own services. No matter what choices you make, we are sure your participation in the Veteran Directed Care Program will be satisfying and rewarding for you and those you love.

Choice and responsibility.

- You decide what services and purchases you need within program guidelines.
- You schedule services.
- You train employees how you want things done.
- You decide if you are happy with the quality of what is done.
- You resolve any problems you may have with your employees and even replace them, if necessary.
- Your VDC Notebook, Supports Planner and Fiscal Intermediary help keep you on track.

What is VDC and how does it work?

Veteran Directed Care is a self-directed Home and Community Based Services program for eligible Veterans. It puts you, the Veteran, in charge of directing services and managing a monthly budget. You use this budget to meet your long-term support needs. You make your own choices about who you want to help you with personal care.

You may appoint a Representative to manage your responsibilities in the program. Therefore, references to “you” and to “Veteran” throughout this notebook also refer to the Representative (if you have chosen one). To help you understand the program you have a Supports Planner and a Fiscal Intermediary. The Supports Planner’s job is to assist in making choices and decisions. The Fiscal Intermediary handles your VDC accounting needs, like paying your employees, handling payroll taxes and paying for purchases.

What Does Self Direction Mean?

In the VDC Program, self-direction means, within in the guidelines of the program, YOU will decide:

- What services, supports and goods you need
- Who provides those services and supports
- Where the services and supports are provided
- When the services and supports are provided
- How the services and supports are provided
- How much you pay for those services and supports



Is Help Available if I Need It?

Yes, you may get help from your Supports Planner. Your Supports Planner will train you on how to plan for the services you want and how to select and supervise your employees. They will provide ongoing advice, information and support about managing your service. Your Supports Planner will be available to answer questions, discuss your plans for using your budget and give you information about other resources.

B. Roles of the Key Participants

Role of the Veteran

Your role in this program is to make decisions about the best way to meet your needs, receive and use goods and services and make changes as needed.

You have choices about what to buy with your VDC funds, where you buy, and from whom you buy. You will use your budget to meet your long-term support needs.

You will write a budget to describe how you intend to purchase goods and services. You will have the freedom to be creative with your purchases that will help you remain living comfortably at home.

As an Employer, your role is to find and hire people to work for you. You will train and schedule employees. You will also decide, within certain guidelines, how much to pay your employees. You will authorize your employee's timesheets.



The Role of the Supports Planner

The Supports Planner is a Trainer: Your Supports Planner makes sure you have the skills and knowledge you will need to manage your services. They will train you before you write your first budget and teach you how to select, train, and supervise your employees.

Your Supports Planner will stay in contact with you during your participation in the program. They will visit you in your home at least every three months and call you on a monthly basis.

It is your responsibility to call your Supports Planner if you need information or help. You are welcome to call your Supports Planner during business hours, or leave a message and they will get back to you. Your Supports Planner is there to provide you with information and support.

The Supports Planner is a Coach: The Supports Planner answers your questions, provides information, offers suggestions and is available to discuss your ideas and help you solve any problems you may experience.

Supports Planner

A human services professional specifically trained to coach and work with Veteran Directed Care (VDC) Veterans on program administration and care management.

The Supports Planner is a Resource: The Supports Planner is highly experienced in matching Veterans to the services they need and can let you know about the resources that are available to you in your community.

The Supports Planner is an Evaluator: The Supports Planner is obliged to see that you spend your budget on meeting your long-term support needs. They will review the monthly spending report, compare it to your budget and will call you if there are any questions about your spending.



The Role of the Fiscal Intermediary

The Fiscal Intermediary is a Financial Manager: The Fiscal Intermediary will disburse your funds according to your approved budget. They will also provide the following services:

- Assist you and your employees with filling out required enrollment forms
- Process all enrollment forms in an efficient and timely manner
- Set up employer and employees for payroll
- Conduct criminal background checks if you would like them
- Process time sheets submitted via mail, fax or online
- Pay employees and vendors according to the approved budget
- Manage payroll tax liability and employees' compensation (pay payroll taxes and employer taxes)
- Generate and distribute W-2s and 1099s
- Provide account statements to MDoA
- Pay any invoices you approve for allowable goods or services provided vendor, contractor or an agency
- Reimburse you or your Representative for authorized goods and services paid for as a direct/out-of-pocket expense

The Fiscal Intermediary is a Resource: The role of the Fiscal Intermediary is to answer your questions and provide explanations for things you do not understand about your financing. The Fiscal Intermediary has a toll-free customer service line. You can talk to the Fiscal Intermediary during regular business hours. You can call the Fiscal

Fiscal Intermediary
The Fiscal Intermediary provides financial payroll, and accounting services.

Intermediary to make sure the completed forms package for your employees has been received and to verify that they have received your employee's timesheets.

The Role of the MD Department of Aging

MDoA is a Contractor: MDoA, through a contract with the VA, accepts referrals from the VAMHCS and will collaborate with the VAMHCS on all program functions. MDoA also contracts with the Fiscal Intermediary and the Supports Planners.

MDoA is a Trainer: MDoA provides training and education to Supports Planners, empowering them with the skills and knowledge needed.

MDoA is a Resource: MDoA shares information, experiences and best practices with Veterans, Supports Planners, and the Fiscal Intermediary.

MDoA is a Monitor and Evaluator: MDoA monitors and evaluates the quality of the Supports Planner and Fiscal Intermediary services provided to Veterans and will use evaluation, monitoring and Veteran feedback to assure continuous improvement.



The Role of the VA Maryland Health Care System – VAMHCS



The VAMHCS is a Referral Source: The VAMHCS provides Veterans the opportunity to receive home and community based services and continue to live at home. Referrals for the program are completed by VA providers and sent to the VDC Program Coordinator, who then determines Veterans who are appropriate for the program.

The VAMHCS is a Provider: The VAMHCS has a Provider Agreement in place with the MDoA to provide oversight of all aspects of the program.

The VAMHCS is a Provider of Funds: The VAMHCS funds this program and provides payment to the Maryland Department of Aging for each Veteran who participates in the program.

C. Working with Your Supports Planner

You and your Supports Planner will review and sign the Veteran Directed Care Program Application. This application will need to be signed before you activate your first budget. Your signature will tell your Supports Planner that you understand and accept your responsibilities.

Your Supports Planner is a Coach, and not a Case Manager. Even if your Supports Planner is the same person who provided your case management or support coordination in the past, they now have other responsibilities as your Supports Planner.

How to Contact Your Supports Planner

Your Supports Planner's contact information is the first page of the Notebook. If he/she has not given contact information to you, ask your Supports Planner for it now. The Supports Planner information on the contact sheet should include:

- The name and address of the agency employing your Supports Planner
- Your Supports Planner's name, business phone number and address
- The name and phone number of your Supports Planner's supervisor

Your Supports Planner may also give you a second telephone number, such as a cellular phone number. If so, make sure your Supports Planner explains how to use these other numbers. You may even want to practice using the number together if you have never called a cellular phone.

When to Contact your Supports Planner

You can contact your Supports Planner during business hours with questions or issues related to the VDC. If your Supports Planner is not available when you call, he/she should call you back within 3 business days.

You may want to write down your question(s) as you think of them. If you write them down, you will not forget to mention anything when you do speak to your Supports Planner. You should also have paper available to take notes when you talk to your Supports Planner.

Your Supports Planner will get a copy of your monthly Budget Report to send to you. The expenses listed in the report should closely match your budget. Your Supports Planner may call you if he/she has questions about expenses listed in your report.

D. Your Veteran Directed Care Notebook and Initial Training

Getting Started with Your Notebook

Your Supports Planner will use this Notebook during your initial training to explain to you how VDC works. It also will be a resource for you later on, after the training. You will be able to go back and read the Notebook any time you need it.

Orientation

It is part of your Supports Planner's job to provide education on program guidelines. There is a lot of information to cover. The information your Supports Planner covers during the orientation can be found in this Notebook. After the training, using this Notebook as a resource will be much easier. Your Supports Planner will also be available to coach you and answer your questions and guide you to find the information you need.

Before you can start directing your own decisions about your long-term support needs, we want to make sure you understand how VDC works.

1. You need to create and write a budget. There are guidelines about what you can include in your budget. Resources through the VA, community resources and natural supports must be used whenever available.
2. You need to know how to hire employees and contract with vendors to get the services and products you need.
3. You will need to supervise people who work for you so get the best quality in your care.
4. You need to know how to make changes in your budget or make special requests.
5. You will need a back-up plan for emergencies and respite care.



E. Having a Representative

It is the obligation of the Veteran to be the employer and manage their VDC funds. This includes preparing a budget, finding caregivers, arranging emergency back-up services, tracking the hours that the caregivers are working, verifying timesheets, purchasing goods and services, as well as other responsibilities listed in the Notebook. If a Veteran is unable to self-direct their care, they will need to appoint a Representative.

Veterans will be considered unable to self-direct their care and will require a Representative if they:

Representative

A Representative is an unpaid individual, selected by a Veteran or appointed by a court, who assists the Veteran in making self-directed decisions

- Demonstrate the inability to self-direct services as determined by Supports Planner and MDoA in consultation with the VAMHCS.
- Lack the cognitive capacity to make decisions for themselves, such as those with a diagnosis of dementia or other serious cognitive impairment, mental health complications that make them unable to understand what best meets their needs, or someone who has another person answering all the questions for them regarding their needs.
- Lack understanding of the program or have a difficult time understanding new situations
- Misuse their funds
- Under use their funds
- Decline to adhere to program guidelines
- Display ongoing health and safety risks to themselves or others
- Other issues as identified by the Supports Planner, MDOA or the VA.

The Representative:

- Must obtain approval from you and/or a consensus from your other family members to serve as your Representative
- Cannot be anyone who has legal control over the Veteran's finances (Financial Power of Attorney) cannot be the Veteran's paid caregiver (with the exception of spouses, who have control over finances through marriage).
- CANNOT be paid for their services.
- Must be at least 18 years of age
- Show a strong personal commitment to you and be knowledgeable about your preferences
- Agree to have weekly contact with you with a minimum of monthly in person visits

- Be willing and able to meet and uphold all program requirements
- Be willing to sign tax forms and verify timesheets on your behalf
- Be willing to submit to criminal background checks, if requested
- Complete and sign a Representative Acknowledgement form

If your Representative lives out of state, please alert your Supports Planer ahead of time so a plan can be in place for documenting their visitation and other contact with you so that we can be sure you are being effectively cared for.

If your Representative has an existing EIN number, then they will be required to use this. Please ensure the EIN number is accessible so your start date does not get delayed.

The Representative's Relationship with the Veteran

- At times, the we will discover that the Representative knows little about the Veteran, including medical information, information for functional assessments, how to prepare a budget, how many hours the caregivers are working, the Veteran's care needs, etc. They are simply signing the budget and timesheets. The Representative should be very well aware of what the Veteran needs, what services they are receiving, when they are receiving them, any accidents, injuries or hospitalizations, how they are functioning as well as other knowledge.
- The person who is managing the VDC program for the Veteran cannot also be paid to provide the Veteran's care. These are very separate roles, and this is considered fraud and is not acceptable.
- Anyone who has legal control over the Veteran's finances (Financial Power of Attorney) cannot be the Veteran's paid caregiver (with the exception of spouses, who have control over finances through marriage). This is a national requirement.
- If the Supports Planner, MDoA or the VA is unable to reach the Representative on a regular basis, if a question cannot be answered by the Representative, or they are continually referred to the caregiver, this is not acceptable and a new Representative will need to be identified.
- If you are unable to select a Representative or a Representative is unable or unwilling to manage the services, the Veteran will be required to disenroll. If the Veteran loses the required Representative and cannot locate a suitable replacement, he/she will be required to disenroll from the program.

It is essential that the Representative involve you in decisions about your needs, services, budget and satisfaction with services. Whenever practical, you should be involved in writing the budget, hiring employees and setting their work schedules.

As the Veteran, you have the right to change/remove your Representative without fear of retaliation or repercussion.

F. Veteran Rights and Responsibilities

All Veterans participating in the program have the following rights and responsibilities:

Rights

- To live as independently, actively and fully as desired
- To have personal information treated confidentially
- To be treated with courtesy, respect and dignity
- To be free from physical, mental, sexual or financial abuse or neglect or exploitation
- To accept or refuse medical services that are offered to
- To become knowledgeable about available resources and maximize their use
- To change service providers without fear of retaliation or repercussion, or to leave the VDC Program if desired
- To expect that all interactions with people associated with VDC will be courteous and that reliable support will be provided at all times
- To be informed of any changes to the VDC Program in a timely manner



Responsibilities

- To treat Supports Planners and employees with respect and courtesy
- Communicate clearly and openly with your Supports Planner and your employees
- Keep track of the balance of your monthly budget
- Send all required paperwork to the Fiscal Intermediary by the deadline
- Comply with all tax and labor laws
- Notify your Supports Planner of admission to a hospital, nursing facility, rehabilitation facility, or intermediate care facility as soon as possible

- Follow VDC guidelines

G. Grievance Process

Overall Grievances

VAMHCS is committed to a policy of fair and equitable treatment of applicants. Should any applicant, Participant or individual acting on behalf of an applicant or Participant, be dissatisfied with their Supports Planner, Fiscal Intermediary, or any decision regarding his or her program status, level of care, or any other aspect of their care which adversely affects an applicant or Participant, the organization has established procedures to examine and seek resolution for grievances at the appropriate level.

There is an Appeals Form in this Notebook where you can submit your concerns in writing. This is the most effective way to get a resolution. Unless your grievance is regarding the Supports Planner, you can submit your grievance to the Support Planner who will follow up. The Supports Planner will notify MDoA in writing. MDoA will notify the VA Coordinator of any disputes within five (5) business days of being notified. Any disputes unable to be resolved between the MDoA and VA Program Coordinator will be referred by the VA Coordinator to the VA Lead Social Worker-Geriatrics and Extended Care within five (5) business days. If the VA Lead Social Worker-Geriatrics and Extended Care resolution is not satisfactory for the Participant, they may appeal that decision within five (5) business days to the Director of Geriatrics and Extended Care for resolution.

All needed contact information is also available under Contact Information. Please see the Table of Contents for the page number.

Grievance with the Supports Planner Services

If you are concerned with the Supports Planner services you are getting, you may want to talk with your Supports Planner about it first. This gives you the chance to express what is most important to you and gives the other person a chance to resolve the issue. Your Supports Planner is there to help you.

If the issue has not been resolved, you can contact the MDoA Program Manager.

You also have the choice of contacting the VA Program Coordinator if the previous contacts are not available. Your experiences with the Supports Planner are very important to us. We will work with you to correct the problem.

Grievance with the Fiscal Intermediary Services

If you have concerns with the Fiscal Intermediary, discuss your concerns with the Fiscal Intermediary. Be direct about what you do not like. Ask the Fiscal Intermediary what he or she will do to correct the problem. Then give them a chance to resolve the issue.



If you are uncomfortable calling your Fiscal Intermediary, talk to your Supports Planner. You and your Supports Planner can make a list of things you want to say to the Fiscal Intermediary. If you still do not feel comfortable calling, your Supports Planner may be able to arrange to be on the phone with you when you call the Fiscal Intermediary.

If the issue has not been resolved, you can contact the MDoA Program Manager. Your experiences with the Fiscal Intermediary are very important to us. We will work with you and the Program Fiscal Intermediary to correct the problem.

You will not be disenrolled or penalized in any way for making a grievance.

SECTION 2: YOUR VDC BUDGET

This section focuses on your budget, how to write your budget and how to keep track of your spending.

- A. Getting Started
- B. Using your VDC Budget
- C. Budget Responsibilities



A. Getting Started

Initial Functional Assessment

Before you start the Budget process, your Supports Planner will with you to ask you a series of questions to assess your daily needs. These are questions about your personal care needs and your ability to manage in the home and community. It is a comprehensive assessment to determine what help you already have, and what you may need.

Reassessments

After six months, during your Supports Planner visit, they will issue a re-assessment of your needs and determine whether your current plan addresses these needs.

How to Get Your Needs Met

When you came into the program, you and your Supports Planner completed the Support Plan and Worksheets to help you decide what services and purchases will best meet your needs. Spend some time thinking about what is most important to you. This information will help you write your Budget. When you have made a list of the things you see as most important, use the following tips to assist you in making the best selection of services.

1. Can you get any of the things on your list for free? Does the VAMHCS provide this? Is there a local club, civic body, or faith-based organization that might provide services? Are your friends and relatives aware of your specific needs? If you have not discussed your needs with your friends and family in a while, take some time to talk with them. They may want to help but may not know how. Be as specific as you can. A specific request is much easier to say "yes" to than an open-ended general request for help, which can be overwhelming. If your friends and family cannot help, ask if they know someone else who can.
2. When you find a product or service you need search for the best price, but still make sure you have a quality product. Make sure what you buy meets your needs, whether it is services, equipment, or supplies.
3. There is a good chance that someone else in the program is looking for some of the same help you are. If you are interested in networking and sharing information, let your Supports Planner know.

B. Using Your VDC Budget

Thinking About Your Options

How you use your VDC funds is largely up to you. You can be creative, within the guidelines of the program, in choosing what kinds of purchases will best meet your needs and how much you want to pay for a service.



MDoA can coordinate with the VAMHCS to determine what services are already available to you as a Veteran. Using free VAMHCS services and equipment will allow you more funding for services and purchases in your budget.

You should talk with your Supports Planner if you have questions about writing your budget after reading the following sections. If there are any changes with your needs, you will write a new budget and make sure that you have everything you need to remain independent in the community.

Attendant Care Services

The majority of the Budget tends to be used for Attendant Care Services. This includes bathing, grooming, dressing, eating, transferring, toileting, mobility, and ambulation. Staying healthy, clean, safe, and comfortable are the most important things for your personal care.

Goods and Services-Out of Pocket

Under budget guidelines, you are allowed to spend up to \$100 on out of pocket goods and services related to your disability. These services must be listed on your approved Budget. If your approved budget allots an amount for out of pocket expenses, you may purchase those approved items and submit a reimbursement request to the Fiscal Intermediary. Only items that are on your approved budget will be reimbursed. You must submit a receipt ASAP or within 30 days of the purchase. The Fiscal Intermediary will issue a check in the amount for the purchased item(s) not to exceed your out of pocket allotment. The check will only be issued to the Veteran or Representative. If you wish for others to purchase these items for you, such as your employee, a family member or neighbor, you will be responsible for reimbursing them from the funds you receive from the Fiscal Intermediary.

Goods and Services -Purchased from Vendor

Under budget guidelines, you may purchase approved items from a Vendor and have them invoice the Fiscal Intermediary. Only items that are on your approved budget will be reimbursed. The Fiscal Intermediary will issue a check in the amount for the purchased items to the Vendor. Prior to

the purchase, a Vendor must fill out a Vendor Packet provided by the Fiscal Intermediary to submit invoices.

What is a Vendor Packet?

A Vendor Packet is documentation that an agency has to complete before they can be paid by the Fiscal Intermediary. This packet can be requested through your Supports Planner or you can contact the Fiscal Intermediary to have them send a Vendor Packet out to an agency that you would like to work with. Keep in mind that the Vendor may not agree to complete the packet, and if so, we would not be able to pay them for any services.

Guidelines for Using Funds for Goods and Services:

There are some guidelines you must follow for using your Goods and Services expenses. The most basic guideline is that everything you buy must be related to your long-term support needs and specifically listed on your budget. If are uncertain about a purchase, your Supports Planner is available for guidance in using the funds according to VDC guidelines.

The program funds may be used for:

- Services or purchases which support your ability to live as independently as possible and avoid the need for admission to community facility
- Respite care services when your caregiver needs some time off
- Home accessibility modifications
- Adaptive equipment and/or repairs to adaptive equipment
- Consumable medical supplies such as pads, adult briefs, or nutritional supplements
- Emergency alert response installation and maintenance
- Yard work/snow removal
- Adult Day Care



The program funds may NOT be used for:

- Gifts or loans for employees, family or friends
- Payments to someone to be your Representative
- Lottery tickets or tobacco products
- Haircuts, trips to the salon, or other personal luxuries
- Alcoholic beverages or illegal drugs
- Day-to-day groceries
- Home modifications that add square footage, or for a home other than the primary residence

- Large household appliances; small ones on a case by case basis
- Vacation expenses other than the cost of direct services
- Vehicle maintenance other than modifications related to the disability
- Tickets and related costs to attend sporting events or other recreational events
- Costs related to internet access
- Membership dues except as related to fitness or physical exercise
- Insurance except for insurance costs related to employee coverage
- Medical fees and co-pays
- Attorney costs or costs related to advocate agencies
- Experimental treatments
- All prescription and over-the-counter medications, compounds, and solutions, and related fees including premiums and copayments
- Any services, goods, or supports provided to or benefitting persons other than the Veteran
- Services provided to Veterans living in licensed foster care or other congregate residential setting
- Services that are available without charge from the VAMHCS, community organizations or other sources.

Emergency Saving Fund

Emergency Savings will be discussed in more detail in Section 5. Briefly, money that is not designated on your budget for Personal Care, Goods and Services or other needs will be listed under the Emergency Savings Funds section of your budget. These funds are to be used for emergency or respite. Emergencies are situations that are sudden and unexpected. Respite is for when the attendant needs time off, or is going on vacation and someone needs to replace them. This fund is separate from your Planned Savings. In the past, if there were any unexpected unused funds each month, such as hours that an attendant did not work, these funds were also added to the Emergency Savings Fund, but this is no longer the case. Any unused funds from your monthly allotment that are not already marked on your budget as Emergency Savings will be lost. Please look at this area on your budget and be sure to think of your needs and plan accordingly.



Planned Saving Fund

You might need to save a portion of your funds for a larger purchase, such as an electric recliner or a larger adaptive device. Your Fiscal Intermediary will keep a savings account for you if you are making use



of Planned Savings. Your budget must show the amount to be placed in the account each month, and you must get approval for the item that you wish to save for. You can request approval through your Supports Planner who will verify it through MDoA and the VA.

Things to Remember

- Your Budget must be approved by the VA Program Coordinator before starting the program or before enacting any changes on a new budget. See your Supports Planner for verification of approval. You should also have a copy of the finalized signed budget.
- If a budget increase is approved, then it will take effect at the next budget renewal date.
- Keep track of your spending throughout the month.
- Keep your spending within the monthly budget amount.
- Use your savings to make larger purchases.
- Save for emergencies.
- Make a list or log of all cash purchases and keep receipts. Receipts and/or invoices should be submitted as soon as they are received. Receipts need to be submitted within 2 weeks after the end of the month or they cannot be paid.

C. Budget Responsibilities

Writing a Budget

Your budget describes how you plan to spend your funds. You will probably need to practice writing several budgets.

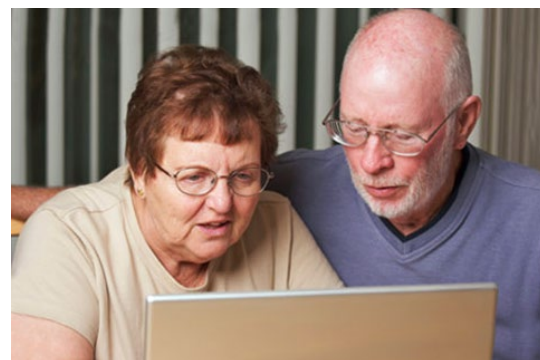
It will be helpful to know the cost of the different services you plan to buy before completing your budget. You will need to hire employees and choose a rate of pay you are offering.

Review the Budget with your Supports Planner once your decisions have been made. Your Supports Planner will tell you if your Budget items do not agree with VDC guidelines.

Both you and your Supports Planner will sign the budget and it will be forwarded to MDoA and then to the VA Program Coordinator for approval. Once they approve your budget, you will keep a copy, and your Supports Planner, MDoA, the Fiscal Intermediary will keep a copy. The signed original will be kept by the VA Program Coordinator.

Keep Track of Monthly Spending

The Fiscal Intermediary will submit monthly payment data to MDoA. MDoA will prepare a Spending Report and will send it to your Supports Planner, who will provide you a copy. However, this monthly report will be sent to you too late to prevent overspending, so you must



keep track of your spending throughout the month. Under VDC guidelines, if your account has no money left, the Fiscal Intermediary will not process payment, even if it has been approved.

Track the Hours Your Employees Work

Make a written note of the hours that your employees work. Your Fiscal Intermediary will provide you and your employee time sheets or instruct your employees in the use of the web-based time sheet portal. You must verify and authorize the timesheets submitted for payment. Never sign a blank time sheet.

It is your responsibility as the Employer to ensure that you are scheduling your employees and submitting requests for reimbursements of purchased items or services that are allowable under program guidelines and within your authorized Budget.

Updating Your Budget

You have the option to update your budget as your needs change. You will need to write a new plan and have it approved by your Supports Planner. You need to update your Budget if:

- You make a change, such as hiring a new employee or increasing your employee's rate of pay.
- You add a new need or a new service.
- Your monthly funds amount changes. There may be times where your condition improves and you need less funding, or times when your condition worsens, and you may need additional funding.
- You have used your savings to make a special purchase and you now want to continue saving for another item or moves the funds to another elsewhere to support your independence.
- Please call your Supports Planner at any time if you are unsure if a new budget is needed. Your Supports Planner can discuss what you want to change and let you know if a new plan is required or not.

Under-utilization of your Budget

Should you consistently under-use your budget, you may wish to work with your Supports Planner to update your budget. You can add additional hours to Personal Attendant Care, or save for the Purchase of an approved, if appropriate. Under-use of the budget may indicate that you may no longer need your current level of care and may result in reduction of funds.

SECTION 3: GETTING THE QUALITY YOU DESERVE

This section focuses on how to make your budget help you get what you need, and be an effective employer.

- A. Finding and Choosing Someone to Work for You
- B. Screening, Interviewing, and Background Checks
- C. Working with Your Employees
- D. Employee Problem Solving and Making Changes

Please Note: An employee cannot start being paid under Veteran Directed Care funds until the Fiscal Intermediary receives and processes all paperwork and the budget is approved by the VAMHCS. Make sure that everything is approved before you plan to pay this person.

A. Finding and Choosing Someone to Work for You

You have the freedom to choose an individual whom you want to provide your services. This can be a family member, friend, neighbor, or someone else you trust. It can also be an independent health care provider hired from the community, although you can only hire an agency to provide your care under certain circumstances, which will be discussed under “Getting Services from an Agency”. However, it is very important that the people you choose to provide your services are qualified.

Getting Services from an Individual

When hiring an individual to provide your services, make sure that:

- You are comfortable with the employee
- The employee is dependable
- The employee is at least 18 years of age
- They can work the hours that you need
- Your employee understands what tasks they will need to complete.
- Your employee knows their pay rate.

Use of Agency Services

You will not be able to hire an agency to provide your daily attendant care. However, you may hire someone from an agency under certain circumstances. You can hire an agency or vendor:

- If you have lost your attendant and need a short period of time to find a new attendant.

- As part of your emergency back-up plan when your regular employee is not available.
- If your budget includes supplemental services such as adult day care, snow-plowing, or yard work.
- If you have a safety or health concern and need professional assistance with this particular concern, such as specialized equipment, care or household products (please check to make sure that your VA does not already provide assistance with this need).
- If you a new Veteran to the program, you have a 90-day transitional period of time to use a Home Health Agency as a provider of personal care.
- You must develop a plan to transition to full self-direction of these personal tasks within 90 days. This means that you must hire and manage your own employees in that time period.
- A Veteran who wants to remain in traditional Home Health Agency care will be referred back to the VAMHCS.

Hiring Friends and Family

If you think you might like to hire someone you know well (family member or close friend), consider the following:

Benefits

- Easier to find someone
- More understanding of your likes and dislikes
- More dependable
- More flexible work schedules



Risks

- Terminating may be harder to do
- Giving criticism or resolving issues may be more difficult
- Adjusting to the employer/employee relationship could cause problems

Most importantly, consider what will happen to the personal relationship if the work relationship does not work out. For years, family members and friends have been providing support to loved ones who need help. It works well in some cases, and not so well in other cases. Only you can decide if this is a good choice for you.



Hiring in the Open Market

If you do not want to hire a family member or friend, you may want to run an ad in your local newspaper. You can also post a "help wanted" notice on a bulletin board of your local vocational school, university, library, religious institution, or hospital. You may have other ideas about where to post a notice. In smaller towns, people often post notices at the post office, grocery store, gas station, or other businesses. You can also access the Maryland Access Point website for personal assistance providers. This information listed in Section 8.

Writing a Job Description

Before you start looking for someone to provide services for you, it is a good idea to write a job description.

A job description has several uses:

1. Helps potential employees know what the job requires.
2. It can be used as a guideline for asking questions during the interview.
3. It can be used as a checklist of duties and responsibilities after an employee has been hired and is being trained.
4. It can be helpful when assessing how well the employee is doing.

The job description should be written with your personal needs in mind and might include:

1. Title of the job
2. A brief description of the job duties
3. Required qualifications
4. The number of hours per week and the days needed
5. How much you will pay per hour for the job
6. Smoking preference or experience necessary
7. How an interested person can get in touch with you (for safety reasons, never list your full name or address)

The information on the job description does not have to be permanent. It is fine to change the job description later if you change your mind about what you need. However, if you change the job description after you hire someone, you should discuss the changes with the employee to make sure they understand. The most important thing is that the information be shared with the employee before they agree to accept the job.

When you are writing a job description, stress the positive aspects of the job but always be truthful about what you want the employee to do. Keep the description of the job clear and short. The more requirements you list, fewer people are likely to respond so be sure to list the things that are most important to you. If you get lots of responses, you may want to consider doing a short interview on the telephone to narrow down the number of people you interview in person.

Sample Job Advertisement/Description

Personal Care Worker Wanted:

Looking for an experienced, compassionate and dependable companion/aide. Responsibilities include planning and preparing meals, light housekeeping to include dusting and vacuuming, and assisting with bathing, dressing and grooming. A valid driver's license and a car are required. Non-smokers only need apply. Hours are MWF, 9 am to noon. Please provide a resume and three references.

Please call 123-456-7891.

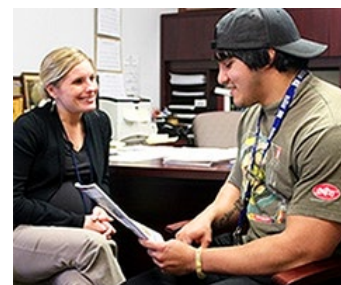
B. Screening, Interviewing, and Background Checks

Screen the candidates carefully before you make any employment offer, starting with a telephone screening, and then proceeding to a face to face interview.

Telephone Screening

If you decide to do a telephone screening, start the conversation with a brief description of the job. Be sure to mention the pay rate and give the person a general idea of where you live (without telling them your address). Make a list of questions you will ask during the phone call. As a rule, your list should include no more than ten questions. Some things you may want to ask about are:

- Why are they interested in this job?
- Have they ever done a job like this before?
- How will they get to work?



- Are able to lift (if the job requires heavy lifting)?
- Do they have other responsibilities that might interfere with their work schedule?
- What are some of the things they liked best about similar jobs they've had?

This is a time for you to learn things about the potential employee so you can narrow down the number of people you interview in person. Do not share personal information about yourself during the telephone screening. If the applicant asks questions, only answer job related questions. Write down or record your initial impressions of the candidate as soon as you end the call. By the time you have talked to several people, it is easy to confuse them in your mind.

Interviewing: Be Well Prepared

Before the applicant arrives, have a blank application form, the job description, and a list of questions ready. If you plan to check references, have a plan for getting the contact information from the applicant. When the applicant arrives, ask the applicant to fill out the application. You can provide the applicant with the job description to read while you review the completed application.

Face-to-Face Interview

The next step is to review your notes and call the people you want to interview face to face. You may want to ask them to bring to the interview:

- Resume
- Two employment references and two personal references
- Identification cards (with picture)
- Social Security card

If driving is a requirement of the job, ask them to bring their driver's license and proof of a clear driving record (available from the Office of Motor Vehicles.) Make sure you have their full name and phone number in case you need to change the date or time of the interview.

Background Checks

You are responsible for your own safety. Tell everyone you interview that you may or may not request a criminal background check and a check of any certifications the person may have. You have the choice as to whether you want your employees to have a background check. If you choose not to have a background check on a potential employee, there will be a form for you to fill out stating that you have refused this service.

Reference Checks

You should tell everyone you interview that you will check their references. It is highly recommended that you call at least two references for each potential employee. When you talk to the reference, explain that you are a potential employer of the person you want to hire. Ask questions about the potential employee that will help you decide about hiring. Think about the questions you want to ask before you call.

You may want to ask these questions:

- Was the employee dependable?
- Did they use good judgment?
- Would you want to rehire the person?
- Would you recommend the person for this kind of job?

Safety at the Interview

The two safest ways to interview someone you do not know well are:

- If you are at home, have one of your friends or family members present for the interview
- Have the interview at a public place (library, senior center, Center for Independent Living, restaurant)



C. Working with Your Employees

You get to decide if you are satisfied with your services. If you are not satisfied, you can make changes. You also have the power to influence the quality of your services by the things you do.



Invest Your Time in Training

If you train your employees on how you want things done, there is a good chance you will be more satisfied with your services. By training your employees, you have helped them succeed at doing things the way you want them done.

Training Your Employees

It is your responsibility to properly train your employees. Training your employees about the way you want things done will help insure your satisfaction with your services. The amount of training required will depend on how difficult the job is and the employee's experience.

Make sure your employee has a copy of their job description. During the training, focus on the things that mean most to you. It may be helpful if you explain to the employee why it is important that something be done in a specific way.

For more challenging tasks, such as lifting or moving you, it may take some coaching by you for your employee to learn to do it safely and comfortably. You may want a family member or friend who has been helping you to demonstrate a procedure for the new employee. Talk to your employee as they are doing the task and let them know when they are doing something incorrectly.

You may have to provide some refresher training. Your employee may forget something you told them or develop a habit you do not like. Gently remind your employee of the way you want the job done, but be specific. Giving your employee regular feedback on the job they are doing will help re-enforce what you have told them during training.

Providing Feedback to Your Employees

Keep the following in mind when communicating with your employee.

- Do not assume your employee has understood the job description or your instructions.
- Be patient. Do not expect your employee to get everything right the first time.
- Assume your employee wants to do a good job. Your role is to give them the information they need to do the job right.
- Be sensitive to differences in communication styles.
- Small problems may become larger if not addressed promptly.



Setting the Level of Pay

Program guidelines require purchases to be “cost-effective”, meaning that the price you pay for the good or service needs to be justified according to the value they bring to you. You should expect quality services for the money, regardless of who provides the services.



You get to decide how much you want to pay your employees for their services. There are probably going rates in your community for the kinds of service you need that you can talk to your Supports Planner about. You are free to pay an employee any amount you desire as long as the wages are meet MD Department of Labor **minimum wage rate** and **do not exceed the program limit of \$20.00 per hour**. Please contact your Fiscal Intermediary for current minimum wage rates.

Pay Raises

Since you decide how much to pay your employee, you can also choose to give them a pay raise. Reasons you might want to consider paying your employees more are:

Example 1: An employee is doing their job so well that you need less of their time than you planned. The employee's efficiency allows you to pay a higher hourly rate for less time, still have the same work done and perhaps even save money.



Example 2: You have increased an employee's job responsibilities to include more demanding or more skilled duties. In this example, you will have to rearrange your funding from other areas of your budget to support extra funds for the increase.

Example 3: Local market conditions change, such as a new employer coming to your area who is able to compete with you for the labor you need, but at a higher rate.

Keep in mind that your funds will not increase unless your needs change significantly. You will not be given a cost of living increase on your funds.

Keeping Employees Happy

Happy employees tend to work better. But being happy is not just about fair pay and conditions. Employees need to be encouraged to take pride in their work,



which is easier for them if they believe that you value them – as people as much as your employees.

So what can you do to get the best out of your employees? Here are some ideas:

- Pay your employees a fair wage for the work they do for you
- Let your employees have a say about their work schedule
- Encourage your employees to take planned vacations (unpaid)
- Allow your employees to take sick days (unpaid)
- Compliment your employees when they are doing a good job
- Where you can, make the job interesting and fulfilling

D. Employee Problem Solving and Making Changes

If you have tried training your employee and giving him/her regular feedback and things are still not working out, talk with your Supports Planner for guidance. If the problem is not serious and you are interested in solving the problem, try talking to someone else about it. Often a new perspective can help you understand a problem better. Your Supports Planner may be able to make some suggestions about how to solve the problem. If you choose to talk to a friend or family member, find someone who is a good listener, someone who may offer suggestions but will not be tempted to tell you what to do.

Terminating an Employee

Change may not be easy, but is sometimes necessary. As an employer, you are responsible for telling your employee they are terminated. Be direct when talking to your employee so there are no misunderstandings.

Depending on the situation, you may want to give the employee a few days' notice. That will give your employee some time to start looking for another job and you time to start looking for another employee. If you decide to terminate an employee, you may want to use your emergency backup plan while you look for a replacement employee. If your emergency back-up plan costs more than regular services, make sure you make adjustments in your budget that month so you do not over-spend. You may have to use some of your Emergency Fund Savings to pay for services while you are changing employees.

If the problem is serious, the solution to the problem may be to terminate the employee immediately. For example, if your employee is hurting you or stealing from you, call your local law enforcement office to report it and terminate your employee. In this case, you may want to

terminate your employee over the phone. If you have to terminate them in person, have a friend or family member there with you. Make arrangements to pay the employee any wages you owe them and tell the employee you have called the local law enforcement office.

E. Written Employer/ Employee Agreements

You must complete the written Employer/Employee Agreement with each of your employees. Working through and signing the agreement will help you avoid misunderstandings later on. The form takes only a short time to fill out and includes all the important points of agreement between you and your employee:

- The start date
- The work schedule
- The job duties
- The hourly pay rate

When you and your employee sign the agreement, it reinforces your new employer-employee relationship.



Being a Successful Employer

One of the biggest challenges of an employer is to find a balance between getting what you want from your employee while still allowing your employee to be who they are. The following tips will help make your experience as an employer a successful and rewarding one:

- Take advantage of the diversified workforce available to you
- Allow people to behave and communicate differently from you
- Communicate openly and directly with others
- Show respect, courtesy, and appreciation to others
- Tackle issues early and tactfully; do not let problems build up

SECTION 4: CHANGES IN ENROLLMENT STATUS

A. Institutional Care

When an enrolled Veteran is institutionalized, you must contact your Supports Planner as soon as possible. The Supports Planner must notify MDoA immediately, who will alert the VA.



Personal care hours will not be paid for during an institutional stay with the exception of the day of admission and the day of discharge for accommodating the Veteran's transitional needs. Goods and Services can be paid on a case-by-case basis only (e.g., continuing to pay for a monthly service to prevent termination, or following through with a purchase that was already scheduled for a certain date). Please talk about this with your Supports Planner.

For an institutional placement which continues beyond 15 days, you would be placed in an inactive status. Your condition will then be reassessed to determine whether the VDC Program is no longer clinically appropriate, usually within 30 days.

****Please notify or ask one of your contacts to notify your Supports Planner as soon as possible in the case of an institutional placement (i.e. placement in a hospital, nursing home or rehabilitation center).****

B. Disenrollment

If you feel the program is not working, you may disenroll voluntarily at any time. Please notify your Supports Planner who will notify MDoA.

Veterans who are unable to self-direct services will be required to select a Representative to assist them with the responsibilities of self-direction. Signs of the inability to self-direct would be misuse of funds, disuse of funds, consistent non-adherence to program guidelines, an ongoing health and safety risk to oneself or others, or other issues as identified by the Supports Planner, MDOA Program Manager or the VA VDC Program Coordinator.

If a Veteran refuses to select a Representative or a Representative is unable or unwilling to manage the services, the Veteran will be required to disenroll. If the Veteran loses the original Representative and cannot locate a suitable replacement, he/she will be required to disenroll from the program.

A Veteran also may be disenrolled when the Veteran's needs exceeds the scope of the program as determined by the Supports Planner and MDoA in consultation with the VAMHCS.

There is a Disenrollment Form that can be used in any of the above situations. In any case, the Supports Planner can refer you to other options, or you can contact the VA for assistance.

SECTION 5: EMERGENCY BACK UP PLANS

This section focuses on creating an emergency backup plan. Emergencies are always a little easier to cope with, or ideally avoid, if you have a plan in place before they happen.

- A. Planning for Emergencies
- B. Keeping Safe: Understanding Universal Precautions

A. Planning for Emergencies

Planning for emergencies is one of the most important things you will do to get yourself ready to direct your own services. The Emergency Backup Plan is to provide critically needed services when an employee is unable to provide services. Emergencies are situations that are sudden and unexpected. Respite is for when the attendant needs time off, or is going on vacation and someone needs to replace them. This fund is separate from your



Planned Savings. You must notify your Supports Planner ahead of time, or as soon as possible after you have learned about the emergency need, to get approval for use of your emergency back-up. In the past, unused funds each month were also added to this savings account, but this is not the case any longer and any unused funds from your monthly allotment that are not already marked as savings will be lost. So please be sure to think of your needs and plan accordingly.

Your choice of a backup provider is important for services that relate to your health and safety. The backup may be an agency or an individual who you know who can help when an employee is unavailable. There is no minimum requirement on how much you have to save, but the cost for emergency attendant care will likely be more expensive than your regular employee cost. If you plan on using an agency for emergency backup, it is important that you contact that agency now to find out what the cost will be and to confirm their availability. The money you usually pay your attendant will go towards the backup employee, and for costs over that amount, your Emergency Savings Fund can be used to cover the additional cost of an emergency care attendant.

Your Emergency Backup Plan must be included in your Budget in the section on titled “Emergency Savings Fund” that allows you to save money each month for this plan. If the Emergency Backup is an individual, the person must fill out an employee packet with the Fiscal Intermediary. You must

provide an hourly rate for individuals who will be the Emergency Backup. The rate sheet is provided as part of the employee packet. If the Emergency Backup is an agency, the Veteran needs to follow up with the Supports Planner and the Fiscal Intermediary to make sure that the provider has a completed vendor packet prior to attempting to use them for backup services.

While there is no minimum amount that you have to save, this fund can only accrue up to your monthly budget amount minus \$100. For instance, if your monthly budget is \$1000, you can accrue up to \$900. Please note that if these funds are not used by the end of the fiscal year (September 30) for either an emergency or respite, they will no longer be available. Remember, you must notify your Supports Planner ahead of time, or as soon as possible after you have learned about the emergency need, to get approval for use of your emergency back-up.

****Remember, it is not allowable, under Veteran Directed Care guidelines, to use the VA Inpatient or Outpatient Respite Care Services, as you are expected to make plans for respite care with your Emergency or Attendant Care funds.****

B. Keeping Safe: Understanding Universal Precautions

A universal precaution is a way to control infection. Infection can be found in human blood and certain human body fluids. The most common infections or blood borne pathogens are Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV). Blood borne pathogens are organisms that are in blood and can cause disease in humans. Universal precautions are to be followed in all situations where there is a possibility of contact with blood or other infectious material. Other infectious material might be saliva, urine, feces, semen and vaginal or other bodily fluids. You should always treat your bodily fluids as if they are infectious, even if they are not.

Occupational exposure is contact an employee may have with blood or other infectious materials while on the job. You must train your employee to use protective equipment to help prevent occupational exposure to infectious materials. Such equipment includes gloves, face shields or masks, and eye protection. This equipment is inexpensive and can be purchased at a medical supply store. Good protective equipment does not permit blood or other infectious materials to pass through or reach your work clothes, street clothes, undergarments, skin, eyes, or mouth. Your employee should practice proper methods to control or reduce the likelihood of exposure to infectious material. All procedures involving blood or other potentially infectious materials must be done in a manner that will minimize spattering, splashing, or spraying. Have your employee:

- Wash hands before and after they have contact with you and immediately if they come in direct contact with blood or body fluids
- Avoid hand to mouth/eye contact
- Avoid eating, drinking, smoking, or applying cosmetics or lip balm, or handle contact lenses in areas of infectious conditions
- Wash hands when gloves are removed and as soon as possible after skin contact with blood or other potentially infectious materials

Being careful and following safe procedures will reduce your employees' risk, and your risk, of being exposed to infectious bodily fluids.

SECTION 5: EMERGENCY BACK UP PLANS

This section focuses on creating an emergency backup plan. Emergencies are always a little easier to cope with, or ideally avoid, if you have a plan in place before they happen.

- C. Planning for Emergencies
- D. Keeping Safe: Understanding Universal Precautions

A. Planning for Emergencies

Planning for emergencies is one of the most important things you will do to get yourself ready to direct your own services. The Emergency Backup Plan is to provide critically needed services when an employee is unable to provide services. Emergencies are situations that are sudden and unexpected. Respite is for when the attendant needs time off, or is going on vacation and someone needs to replace them. This fund is separate from your



Planned Savings. You must notify your Supports Planner ahead of time, or as soon as possible after you have learned about the emergency need, to get approval for use of your emergency back-up.

Your choice of a backup provider is important for services that relate to your health and safety. The backup may be an agency or an individual who you know who can help when an employee is unavailable. There is no minimum requirement on how much you have to save, but the cost for emergency attendant care will likely be more expensive than your regular employee cost. If you plan on using an agency for emergency backup, it is important that you contact that agency now to find out what the cost will be and to confirm their availability. The money you usually pay your attendant will go towards the backup employee, and for costs over that amount, your Emergency Savings Fund can be used to cover the additional cost of an emergency care attendant.

Your Emergency Backup Plan must be included in your Budget in the section on titled “Emergency Savings Fund” that allows you to save money each month for this plan. If the Emergency Backup is an individual, the person must fill out an employee packet with the Fiscal Intermediary. You must provide an hourly rate for individuals who will be the Emergency Backup. The rate sheet is provided as part of the employee packet. If the Emergency Backup is an agency, the Veteran needs to follow

up with the Supports Planner and the Fiscal Intermediary to make sure that the provider has a completed vendor packet prior to attempting to use them for backup services.

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A universal precaution is a way to control infection. Infection can be found in human blood and certain human body fluids. The most common infections or blood borne pathogens are Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV). Blood borne pathogens are organisms that are in blood and can cause disease in humans. Universal precautions are to be followed in all situations where there is a possibility of contact with blood or other infectious material. Other infectious material might be saliva, urine, feces, semen and vaginal or other bodily fluids. You should always treat your bodily fluids as if they are infectious, even if they are not.

Occupational exposure is contact an employee may have with blood or other infectious materials while on the job. You must train your employee to use protective equipment to help prevent occupational exposure to infectious materials. Such equipment includes gloves, face shields or masks, and eye protection. This equipment is inexpensive and can be purchased at a medical supply store. Good protective equipment does not permit blood or other infectious materials to pass through or reach your work clothes, street clothes, undergarments, skin, eyes, or mouth. Your employee should practice proper methods to control or reduce the likelihood of exposure to infectious material. All procedures involving blood or other potentially infectious materials must be done in a manner that will minimize spattering, splashing, or spraying. Have your employee:

- Wash hands before and after they have contact with you and immediately if they come in direct contact with blood or body fluids

- Avoid hand to mouth/eye contact
- Avoid eating, drinking, smoking, or applying cosmetics or lip balm, or handle contact lenses in areas of infectious conditions
- Wash hands when gloves are removed and as soon as possible after skin contact with blood or other potentially infectious materials

Being careful and following safe procedures will reduce your employees' risk, and your risk, of being exposed to infectious bodily fluids.



SECTION 6: FINANCIAL MANAGEMENT

This section focuses on the financial aspect of the program, including the following areas:

- A. Worker's Compensation Insurance
- B. Payroll Taxes
- C. Labor Laws

A. Worker's Compensation Insurance

Highlights

- Payment of your workers' compensation premium comes out of your Budget, however, this payment will be made on your behalf by the Fiscal Intermediary.
- You may not withhold, deduct, or collect payment for worker's compensation premiums from any employee.

Worker's Compensation Laws

Worker's compensation is an insurance program established by State law. This law requires that all employers having one or more employees, either full or part-time, have insurance for the benefit of their employees to protect employees and employers from the cost of injury on the job. Both full time and part time employees are counted. Maryland requires that you must tell your employees whether you have worker's compensation insurance or not.

Employees or Independent Contractors?

Worker's compensation laws only apply to people you hire as employees and do not apply to independent contractors. Examples of independent contractors include a person or business you hire to cut your lawn, or other professionals that work independently from an agency.

Your Fiscal Intermediary will assist you in the purchase of worker's compensation insurance. The cost of this insurance will be included in your monthly budget.

B. Payroll Taxes

As an employer, you are required to report whom you hire and when they resign. You should report these changes to the Fiscal Intermediary. They will work with you and your employee to make sure all necessary paperwork is completed correctly. Employer monthly taxes will be deducted from the Budget, and taxes and social security payments must be withheld from your employees' paychecks. Your Fiscal Intermediary will do these tasks for you.



What follows is a brief explanation of some of the most important things that you must keep track of or complete. If you do not understand any of these areas, please call the Fiscal Intermediary so they can explain it to you.

Important information

File SS-4 Application for Federal Tax I.D. number: A part of the package you will receive from the Fiscal Intermediary is called the “Provider Authorization Form”. By signing this form, you are authorizing the Fiscal Intermediary to file the IRS SS-4 Application for you. The Fiscal Intermediary will use this information to apply for a Federal Identification Number on your behalf. The Federal Government uses this number to track information about your employees.

Report newly hired employees to MDoA: The Fiscal Intermediary will report all of your newly hired employees to MDoA so their taxes may be properly tracked.

File and Provide Copies of Employee W-2: The Fiscal Intermediary will file and send a copy of the W-2 to each employee at the end of each calendar year.

Immigration Law: The Fiscal Intermediary will complete the DHS Form I-9 for each new employee. The I-9 form will be included in the startup packet for you and the employee to complete. The people you hire must be U.S. Citizens or must have been granted special rights to work in the United States. The employee must give you this information and fill out a 1-9 that the government will use to verify their employment status.



Employer Taxes

As an employer, you are required to withhold and pay taxes to state and federal taxes. For Social Security, you are required to match the amount your employees pay. You must also pay unemployment taxes to the state and federal government on behalf of your employees. The Fiscal Intermediary will do this for you.

Social Security Taxes

Federal Insurance Contributions Act (FICA)-FICA provides for a federal system of old age, survivors, disability (Social Security), and hospital insurance benefits (Medicare) for employees and their families. You are responsible for paying FICA. The Fiscal Intermediary will collect and set aside the withholding and your share for every hired employee. The total FICA that is due is 15.3% of wages. Your employee's share is 7.65% and the employer's share is 7.65%. If the total wages for one employee for the year are less than \$2,000, then both the employees' withholding and your share will be refunded.

Federal unemployment tax (FUTA) - In general you will be taxed at the rate of .006 of the wages earned by each employee up to a maximum of \$7,000. You do not have to pay FUTA on certain family members or employees who earn less than \$1,000 in any calendar year. If you do not understand why a certain tax is being paid, ask the Fiscal Intermediary for an explanation.

State Unemployment Tax Act (SUTA) - You will pay a Maryland state unemployment tax. The rate for new Maryland employers in 2016 is 2.3% and it is done similarly to the Federal tax. At least quarterly, you will pay taxes on the amount of money your employees earn. All Unemployment Compensation (UC) tax payments are deposited to the Unemployment Compensation Trust Fund for the sole purpose of paying benefits to eligible claimants. The employer pays for this unemployment compensation program. The UC tax requirement applies to all employees regardless of the source of funds for their pay.

Total Employer Taxes (percentage based on wages paid to employees):

- Tax rate of 13.25%
- SS / Medicare: 7.65%
- SUTA : 2.60%
- FUTA : 0.60%
- Employees Comp: 2.40%

Exempt From Employer Taxes

Services performed by children, or stepchildren, under the age of 21, for a parent are exempt from employer taxes.

C. Labor Laws

Fair Labor Standards Act (FLSA)- FLSA establishes minimum wage and record keeping affecting full-time and part-time employees. You are required to follow the provisions of the Fair Labor Standards Act. Personal Care Attendants are covered if their cash wages from one employer are at least \$1,000 in a calendar year or they work more than eight hours a week for one or more employers that are covered by the Fair Labor Standards Act.



While FLSA does set basic minimum wage there are a number of employment practices that the Fair Labor Standards Act does not regulate. For example, FLSA does not require:

- Vacation, holiday, severance, or sick pay
- Meal or rest periods, holidays off, or vacations
- Premium pay for weekend or holiday work
- Pay raises or fringe benefits
- A discharge notice, reason for discharge, or immediate payment of final wages to terminated employees

Overtime

Employees are required to receive 1.5 times their usual hourly rate for all work over 40 hours per 7-day work week. The work week is determined by the Fiscal Intermediary.

It is important to keep track of how many hours they work and how that will impact your available budget. If your employee works more than 40 hours in a work week, they are required, by the Department of Labor, to receive overtime pay. Overtime pay is time and a half. This could dramatically impact your budget.

If you find yourself frequently scheduling an Employee for more than 40 hours a work week, it may make sense for you to add an additional Employee. You would then be able to distribute hours between them to possibly avoid overtime costs.

Live-in Domestic Service Employees Overtime Exemption

In order to be a live-in domestic service employee, an employee must reside on the employer's premises either "permanently" or for "extended periods of time." An employee resides on the employer's premises permanently when he or she lives, works, and sleeps on the employer's premises seven days per week and therefore has no home of his or her own other than the one provided by the employer. An employee resides on the employer's premises for an extended

period of time when he or she lives, works and sleeps on the employer's premises for five days a week (120 hours or more).

Domestic service employees who reside in the employer's home and are employed by an individual, family, or household are exempt from the overtime pay requirement, although they must be paid at least the minimum wage for all hours worked. For additional information, please go to the MD Dept of Labor Website at: <https://www.dol.gov/whd/regs/compliance/whdfs79b.htm>

IMPORTANT: Employees must be at least 18 years of age to participate in the Veteran Directed Care Program. This is a national regulation that cannot be amended nor revised.

Record Keeping

The Fair Labor Standards Act (FLSA) requires employers to keep records on wages, hours, and other items, as specified in Department of Labor record keeping regulations. Employers in ordinary business practice and in compliance with other laws and regulations generally maintain most of this kind of information. The records do not have to be kept in any particular form and time clocks need not be used. With respect to an employee subject to the minimum wage provisions, the following records must be kept:

- personal information, including employee's name, home address, occupation, sex, and birth date if under 19 years of age
- hour and day when workweek begins
- total hours worked each workday and each workweek
- total daily or weekly earnings
- regular hourly pay rate
- deductions from or additions to wages
- total wages paid each pay period
- date of payment and pay period covered

Terms Used in FLSA

Workweek - A workweek is a period of 168 hours during seven consecutive 24-hour periods. It may begin on any day of the week and at any hour of the day established by the employer. Generally, for purposes of minimum wage payment each workweek stands alone; there can be no averaging of two or more workweeks. Employee coverage, compliance with wage payment requirements, and the application of most exemptions are determined on a workweek basis.

Hours Worked - Covered employees must be paid for all hours worked in a workweek. In general, "hours worked" includes all time an employee must be on duty, on the employer's premises, or at any other prescribed place of work.



Scheduling your Employees

You are responsible for scheduling your employees. Employees should only be scheduled for hours that are within your budget. You are responsible for paying and hours that are not covered by the Budget. Your Fiscal Intermediary is only able to provide payroll for hours worked within the Budget parameters. If not, you will then be asked to adjust the employee's timesheet to fit within your budget. It is your responsibility to pay for the remaining hours worked.

Timesheets

Timesheets should only be submitted for **hours worked**. The Fiscal Intermediary will only bill the VA for hours of service actually provided. It is considered fraudulent to submit timesheets for hours not worked. You should never sign a blank time sheet and allow the employee to fill in their hours. You must keep track of their time.

Conclusion

If you don't understand something, ask your Supports Planner or call your Fiscal Intermediary for clarification. No question is too small or unimportant. Know where your money is going and why things are happening. This program is meant to make you more independent, not to burden you with forms and regulations.



SECTION 7: FRAUD, ABUSE, NEGLIGENCE AND EXPLOITATION

Why You Need to Know What These Words Mean

The words fraud, abuse, neglect, and exploitation can be frightening. You, as an informed Veteran, need to know what these words mean. Please be aware that professionals, friends, and even family members can commit fraud, abuse, and exploitation. An informed Veteran will recognize the signs of fraud, abuse, neglect, exploitation and avoid these problems whenever possible.

Since there is not a typical description of someone who is likely to commit fraud, abuse, neglect, or exploitation, you need to be careful about who you hire. Watch out for people who question you about how much money you have to pay for their services. Watch out for employees who ask if anyone else is around during the day or how much money you have in a savings or checking account. All of this information could be used by someone planning to defraud, abuse, neglect or exploit you.

Understanding Fraud, Abuse, Neglect, and Exploitation

Fraud: Fraud is the intentional twisting of the truth to trick someone into giving up something of value or to surrender a legal right. For example, your employee requests that you give them something valuable or asks you to put their name on your checking account. If you do, you risk never seeing the item of value again or losing the money in your checking account. Also, signing a blank time sheet, or having your employee record hours they did not work are acts of fraud.



Abuse: Abuse is a deliberate act that causes physical or mental injury. Your employee cannot forcefully grab or restrain you. Your employee may not verbally abuse you. It also means that your employee cannot encourage someone else to abuse you. For example, your employee should never call you names or talk to you as if you were a child. For example, your employee should never say to you, "I can't believe you asked me such a stupid question."

Neglect: Neglect is a repeated act of carelessness. The employee must not fail to provide the services you have contracted with them to provide. For example, if you hired an employee to get you out of bed in the morning and he/she continually arrives several hours late, this is neglect. If you do not have enough food to eat, or if you are left in soiled clothing, this is neglect.

Exploitation: Exploitation is when you trust someone and he/she lies or scares you in order to take or use your property or money for him or herself. In-home care providers may charge for services; keep change from errands; pay bills which don't belong to the Veteran; ask the Veteran to sign falsified time sheets; spend their work time on the phone and not doing what they are paid to do.

Who to Tell If You Suspect Fraud, Abuse, Neglect, or Exploitation

If you believe or suspect that you are a victim of abuse, neglect or exploitation you should report it immediately. Call your Supports Planner or the MDoA, Monday-Friday, 8:30am-4:30pm (toll free) at 1-800-243-3425 or Adult Protective Services, 1-800-91-PREVENT or 1-800-917-7383.

If you have any questions or are unsure who to call, please contact your Supports Planner.

SUMMARY

Now that you've read your VDC Notebook, we hope you have a good understanding of how the program works. Veteran Directed Care is a program that allows you, the Veteran, to direct and manage a monthly budget that you can use to pay people to help you meet your long-term support needs. You can also use your monthly funds to buy items that allow you to remain in the community. You are not alone in this program as you will have a Supports Planner to coach you and a Fiscal Intermediary to assist you.

You decide what services and purchases you need. You will need to create and write a budget. You have been advised to keep track of what you're spending each month and keeping receipts for purchases. Receipts and/or invoices should be submitted as soon as they are received. Receipts need to be submitted within 2 weeks after the end of the month or they cannot be paid.

You are responsible for not overspending your monthly funds and your Supports Planner and Fiscal Intermediary will help you stay on track. You have the choice of who works for you, how much to pay employees and what you need them to do.

The Fiscal Intermediary assists you in completing and submitting the required forms to pay your employees, pay employee withholding and pay employer costs.

Your Supports Planner will coach you through the program. By working together on developing a Budget, your wishes and needs will become known. You also learned about planning for emergencies as being one of the most important things you will do to prepare yourself to direct your own services.

On the following pages, you will be provided Contact Numbers, Caregiver Resources, a Glossary of Terms, and program documents and forms.

CONTACT NUMBERS

Maryland Department of Aging

Program Manager, 410-767-1114 or 410-767-1100

Maryland Department of Aging, Monday-Friday, 8:30am-4:30pm, (toll free) 1-800-243-3425

The Department of Veteran's Affairs

VDC Coordinator, 410-642-2411, x26016

Centers for Independent Living

Jurisdictions Served	Agency	Website	Address/Telephone
Allegany, Garrett, Washington	Resources for Independence	www.rficil.org	30 North Mechanic Street, Unit B Cumberland, MD 21502 301-784-1774 ext. 101
Carroll, Frederick	The Freedom Center	www.thefreedomcenter-md.org	14 West Patrick Street, Suite 10 Frederick, MD 21701 301-846-7811
Baltimore City, Baltimore County, Harford	The IMAGE Center of Maryland	www.imagemd.org	300 East Joppa Road, Suite 302 Towson, MD 21286 410-982-6311
Cecil, Queen Anne's, Talbot, Caroline, Kent, Dorchester, Somerset, Wicomico, Worcester	Bay Area CIL	http://discoverhci.org	909 Progress Circle, Suite 3011 Salisbury, MD 21804 443-260-0822
Anne Arundel, Howard	Accessible Resources for Independence	http://arinow.org	810 Nursery Road, Suite 1 Linthicum Heights, MD 21090 410-636-2274
Montgomery, Prince George's	Independence Now, Inc.	www.innow.org	12301 Old Columbia Pike, Suite 101 Silver Spring, MD 20904 301-277-2839
St. Mary's, Charles	Southern Maryland Center for Independent Living	www.smcil.org	38588 Brett Way, Suite 1 Mechanicsville, MD 20659 301-884-4498

Adult Protective Services in Maryland: 1-800-91-PREVENT or 1-800-917-7383

Veteran's Crisis Line 1-800-273-8255, press 1



CAREGIVER RESOURCES

Peer Support

Some of the most useful help you will get will come from other Veterans in the Program and in the community. There are peer support groups at most Centers for Independent Living through MDoA . There are probably other groups or organizations in your community that provide peer support activities as well. You may even want to start a peer support group of your own by exchanging your name and phone number with other people in VDC. You can use telephone calls, written letters, small group meetings, or electronic means (email, for example) to talk to one another. If you do not want to be part of a group, you might want to exchange information with one person.

Maryland Access Point

On the Maryland Access Point (MAP) website, you can access, learn and search for long-term support information and services throughout Maryland. MAP is designed to help older adults, individuals with disabilities, and their caregivers and support network locate information and services in Maryland.

Please visit the MAP website at www.marylandaccesspoint.info where you can find resource information by using the tabs called ***Explore Your Options, Search for Resources, Connect with your local MAP, or Plan and Prevent.***

Explore Your Options provides more information on what options are available for older adults and individuals with disabilities. This tab explores options that are available “in your community, in your home, in a facility”, and others.

Search for Resources allows an individual to search for resources and services on their own. There are currently over 13,000 different services and programs for the entire state of Maryland on the MAP website.

Connect with your local MAP will allow consumers to contact your local MAP office if you have questions or would like to talk with someone in person about your situation. Consumers can get assistance and help via phone call, in person, or email. No matter what service you search for on MAP, you will always see this section. Below is an image of what this section looks like. When searching for services in your county this section will list the county MAP site and the local Center for Independent Living.

Plan and Prevent provides access to information, tools and guidance to help plan for future needs before they arise.

Three other tabs called ***Find a Personal Assistance Provider***, ***Create a Care Record***, and ***Give Feedback*** are available for your use as well.

Find a Personal Assistance Provider is a directory for individuals needing in home personal care assistance. Consumers can search for a provider based on their preferences.

Create a Care Record allows you to *securely* enter your information that you can return to anytime. Information such as the services you are currently receiving, important contacts, (doctors, paid help, family, etc.), medical history and many other important documents can be added.

Give Feedback is a brief survey. Consumers can provide feedback on the website.

The screenshot displays the Maryland Access Point website interface. At the top, there is a navigation bar with icons for Home, Explore, Search, Connect, and Plan. Below this is a secondary menu with links for About Us, Give Feedback, Email your Local MAP Office Directly, and For Providers. The main heading is "Connect with your local MAP office". A sub-heading explains that Maryland Access Point is a partnership between Area Agencies on Aging and their regional Center for Independent Living organization. A map of Maryland is shown, with counties color-coded and labeled: Garrett, Allegany, Washington, Frederick, Carroll, Baltimore County, Harford, Cecil, Howard, Baltimore City, Kent, Queen Anne's, Montgomery, Anne Arundel, Talbot, Caroline, Prince George's, Dorchester, Wicomico, Charles, St. Mary's, and Worcester. Below the map, the "MAP Contact Information" section is divided into two columns. The left column provides contact details for the Baltimore City MAP Office of Aging and CARE Services, including the address (417 East Fayette Street), phone number (410-396-2273), website (health.baltimorecity.gov/programs/seniors), and email (BaltimoreCityCommissionAgingCARE@baltimorecity.gov). The right column provides contact details for the Centers for Independent Living (CIL) The Image Center of Maryland, including the address (300 East Joppa Road, Suite 302), phone number (410-982-6311), fax number (410-372-4037), and website (www.imagemd.org).

Caregiver Support Services through the VAMHCS

VA offers a number of services to support Family Caregivers. These services are available in and out of the home to help you care for the Veteran you love and for yourself.

Caregiver Support Line

Help is just a phone call away with VA's Caregiver Support Line – **1-855-260-3274**. If you're just getting started with VA, calling the Caregiver Support Line is a great first step to take to learn more about the support that's available to you. Caring licensed professionals staffing the support line can connect you with VA services, a Caregiver Support Coordinator at your nearest VA medical center, or just listen if that's what you need right now.



Monthly Telephone Educational Groups

Caregivers can participate in monthly telephone education groups, where they can discuss self-care tips and ask questions on a variety of topics. Want to learn more about the monthly calls? <https://www.caregiver.va.gov/support-line/presentations.asp>

Building Better Caregivers

Build the skill and confidence to care for your Veteran at home with the free, online workshop, Building Better Caregivers™. The program has been recognized for its ability to reduce caregiver stress and depression, and increase caregiver overall well-being. <https://www.va.gov/health/NewsFeatures/2013/August/Are-You-a-Caregiver-for-a-Veteran.asp>

REACH VA

Mentoring in the challenging areas of caregiving, stress management, mood management, and problem-solving is available through REACH VA . The program is available for Caregivers of Veterans diagnosed with: ALS, Dementia, MS, PTSD, or Spinal Cord Injury/Disorder. https://www.caregiver.va.gov/REACH_VA_Program.asp

Tips and Tools

Visit Tips & Tools for additional information on managing medicines, talking with your provider, caring for oneself, staying organized, and moving around safely. https://www.caregiver.va.gov/Tips_Tools.asp

Caregiver Support Coordinator

Your local Caregiver Support Coordinator is a licensed professional who can support you by matching you with services for which you are eligible, and providing you with valuable information about resources that can help you stay smart, strong and organized as you care for the Veteran you love. https://www.caregiver.va.gov/help_landing.asp

GLOSSARY

AAA (Area Agencies on Aging): Area Agencies on Aging are regional centers, such as the Centers for Independent Living and the Imaging Center, that administer programs at the local level.

Abuse: Abuse is a deliberate act that causes physical or mental injury.

Budget: A monthly services and supports expenditure plan developed by program Veterans. This may also be referred to as a purchasing or spending plan.

Exploitation: Exploitation is when you trust someone and he/she lies or scares you in order to take or use your property or money for him or herself.

Fiscal Intermediary: This is the financial agency who is contracted by MDoA. The Fiscal Intermediary is a vendor operating under Section 3504 of the IRS Code and Revenue Procedure 70-6 who acts as the Intermediary of Veterans or their Representatives for the purpose of receiving and disbursing program funds; withholding, filing and depositing federal and state employment taxes; collecting, verifying and processing employees' time sheets; preparing and disbursing employees' payroll checks; and processing and paying non-labor related invoices included in the program Veterans' budgets. The Fiscal Intermediary also assists in verifying citizenship/documentation status, providing technical assistance to program Veterans/Representatives and Supports Planners, and generating standardized reports for state program agencies, program Veterans and their Representatives as required.

Fraud: Fraud is the intentional twisting of the truth to trick someone into giving up something of value or to surrender a legal right.

MAP (Maryland Access Point): An online resource designed to help older adults, persons with disabilities, as well as their caregivers locate information and services in Maryland. The web address is www.marylandaccesspoint.info.

MDoA: The Maryland Department of Aging.

MDoA Program Manager: An employee who serves as liaison with the Supports Planner and with the Fiscal Intermediary and is responsible for monitoring performance and compliance with contract terms and conditions.

Neglect: Neglect is a repeated act of carelessness, or a withholding assistance.

Veteran: The Veteran enrolled in the VDC Program.

Representative: An individual selected by the Veteran to manage the program on their behalf. Representatives may also be duly appointed or designated in the manner required by law or rule to

act on behalf of another individual (e.g., legal guardian, conservator, or power of attorney). Representatives act on behalf of the program Veteran in all VDC matters.

Supports Planner: A human services professional specifically trained to work with VDC Veterans with program administration and care management.

VA Maryland Health Care System (VAMHCS): The Veteran Directed Care Program is under the auspices of the Veteran's Administration. Referrals are sent to the VA Maryland Health Care System (VAMHCS), the Washington D.C. VA Health Care System, or the Martinsburg West Virginia VA Health Care System for their respective coverage areas.

Veteran Directed Care (VDC): A philosophy based upon the belief that informed individuals or their Representatives can determine their own service needs, determine how and by whom these service needs will be met, and monitor the quality of services received. Program Veterans and their Representatives use a Fiscal Intermediary to assist them with employer-related (i.e., payroll) and bill paying tasks. Supports Planners coach Veterans/Representatives in assessing their needs and determining how to access services, in developing and implementing their budgets and in obtaining information about how to manage their services, providers, and employees.

Best Wishes for Success In Your Veteran Directed Home & Community Based Services Program!



**Maryland Department of Aging and the
VA Maryland Health Care System**