

## FAQs – FMS in NV PD Waiver Program

1. **Q: I heard the NV PD Waiver Program is starting a new self-direction option. Is the existing ISO self-direction option phasing out?**
  - **A:** No - the existing ISO option is not going away with the addition of the FMS option through Acumen. But with the new FMS option, Acumen is paid with funds outside of your services budget which means potentially higher wages for your self-directed employee(s).
2. **Q: When will the new FMS option be available?**
  - **A:** Acumen will go live with the FMS option starting March 1, 2025.
3. **Q: Is there a waiting list for the FMS option with Acumen?**
  - **A:** No. Acumen will accept and serve all PD Waiver participants who are eligible for and who wish to use FMS. Speak with your case manager to determine whether the FMS option is right for you. If you are currently on the PD Waiver waiting list, the FMS option will not be available until you come off the waiting list.
4. **Q: Which of the PD waiver services are included in FMS?**
  - **A:** Chore, Homemaker, Respite and Attendant Care
5. **Q: What is a Financial Management Services (FMS) agency?**
  - **A:** An entity that offers support for participants who choose the sole-employer model for self-directed services in lieu of ISO self-direction or traditional agency-based services. An FMS agency helps participant employers to maintain compliance with program rules, State and Federal employment laws and tax reporting. FMS agencies also process timesheets for self-directed employees and issue payroll on behalf of the participant employer, staying within the limits of the authorized budget of service units.
6. **Q: Who is Acumen?**
  - **A:** Acumen is a Financial Management Services (FMS) provider for self-directed services in multiple states and programs across the US. Acumen was founded in 1995 and has extensive industry experience with programs just like the Nevada Physical Disabilities Waiver. Our technology platform (known as DCI) helps families to track their budget balances, to submit and approve employee hours and to comply with electronic visit verification (E.V.V.).
7. **Q: Who is the “participant employer?”**
  - **A:** When a PD Waiver participant elects to receive services through FMS self-direction, Acumen will assist them with being set up as an “employer of record” with the IRS and the State of Nevada. The participant then steps into the EMPLOYER role and is responsible to hire, train, schedule, supervise and even fire their self-directed employees. As an FMS agency, Acumen’s role is to be a trusted partner for the employer by walking them through the initial employer registration process, providing tools like DCI to help them to comply with E.V.V. and to manage utilization

of their services budget. Acumen also issues paychecks to their employees and manages the employer's taxes, reporting and Worker's Compensation on their behalf.

**8. Q: Who is the “employee?”**

- **A:** The participant employer can hire anyone they choose, making sure to comply with conflict-free case management rules and other program and labor rules. This could be a spouse, family member, neighbor, friend, or even a stranger they met and interviewed, just like any other hiring employer.

**9. Q: What is DCI?**

- **A:** DCI (Direct Care Innovations) is a web time entry system that provides a simple way for families to comply with E.V.V., manage employee's time submission for hours worked and to monitor service utilization.

**10. Q: Is electronic visit verification (E.V.V.) required for self-directed services?**

- **A:** Yes. The Federal 21<sup>st</sup> Century Cures Act mandates that all State Medicaid Agencies implement a way to electronically verify that in-home personal care services and home health services were provided to a Medicaid recipient. The mandate requires real-time, electronic verification of six key data elements at a minimum:
  1. The date of service
  2. The location of the service delivery
  3. The time the service begins and ends
  4. The individual receiving the service
  5. The individual providing service
  6. The type of service performed

For families served by Acumen, we are pleased to offer DCI as the one-stop solution for participant employers and their employees. Using a smartphone or web-enabled tablet, employees will simply log into the DCI mobile app to clock in and out in real time at the beginning and ending of each shift. Employers can review and approve hours electronically in DCI as well. Training on how to use Acumen's E.V.V. and time entry system will be provided to families as they become enrolled in Acumen's services.

It is important to understand that because of the E.V.V. requirement, Acumen is not able to support paper timesheets for the PD Waiver program. All self-directed employee hours must be submitted using an E.V.V. compliant method.

**11. Q: Where can self-directed services be provided?**

- **A:** Employees must clock in and out at the client's home. To ensure this is happening, DCI captures the geo coordinates in real time when the employee clocks in and clocks out, then compares them against a very tight geo-fencing radius of 76 meters (or 249.78 feet) from the client's home address. If the clock-in

or clock-out occurred at a location outside of this geofencing radius, the shift is not E.V.V. compliant.

1. It is very important to immediately update Acumen anytime the participant's physical address changes to avoid E.V.V. compliance issues related to geofencing errors.

**12. Q: Is there a minimum compliance threshold for E.V.V. in Nevada?**

- **A:** Yes. The State of Nevada requires at least 90% compliance with E.V.V., including the services provided to participants using self-direction in the PD Waiver. Self-directed employees should always strive for 100% compliance. The small 10% buffer allows for very infrequent manual corrections if necessary. Manual corrections and manual entries are not E.V.V. compliant and should be avoided at all costs.

**13. Q: What is the payment schedule for paid employees with Acumen?**

- **A:** Self-directed employees are paid bi-weekly, and the schedule is provided to participant employers and employees when enrollment with Acumen is complete. It will also be found on the Nevada page of Acumen's website: <https://www.acumenfiscalagent.com/state/nevada/> (Be sure to navigate to the Physical Disabilities Waiver section for the applicable payment schedule.)

**14. Q: Does minimum wage apply to self-direction in the PD Waiver?**

- **A:** Yes. Nevada Medicaid has a minimum wage for all providers. Self-directed employees must be paid at least \$16.00/hour for services provided to the PD Waiver participant.

**15. Q: What is the maximum wage that a self-directed employer can be paid?**

- **A:** The service code billing rate as set by Nevada Medicaid is the starting point in calculating the max wages that can be paid to self-directed employees, but there's so much more to factor into the equation! The participant employer's tax and Worker's Compensation costs and whether or not the paid employee has a relationship that qualifies for an exemption from any of the employer's taxes must be considered on an individualized basis. This gets complex, but not to worry! Acumen staff are well trained in this area and will help to determine the unique max pay rate calculations that apply to each participant employer and their paid employees.

**16. Q: Can an employee caregiver work overtime?**

- **A:** The program disallows employee caregivers to work more than 40 hours per week unless they have an FLSA exemption form on file for the specific employee, indicating that the employee is either a live-in caregiver or has a qualifying kinship relationship. When this is the case, an employee may work more than 40 hours/week but will earn "straight time" hourly wages rather than 1.5x their hourly

wage. If the employer schedules a non-exempt employee to work OT, the employer is responsible to pay the OT hours out of their own pocket.

**17. Q: What if I need more than 40 hours of service per week?**

- **A:** Because caregivers cannot be paid overtime, you will need to hire more than one caregiver to fulfill your service needs, unless your employee(s) qualify for the FLSA live-in or kinship exemption.

**18. Q: Who can I hire under the FMS option?**

- **A:** You may hire anyone you choose, with a few requirements and exceptions:
  1. Employees must be at least 18 years of age.
  2. Designated Representatives cannot be paid employee caregivers.
  3. All employee caregivers must pass a background check.
  4. All employees must have an NPI number.
  5. All employees must be able to use one of the E.V.V. options.

**19. Q: What are the payment options for self-directed employee paychecks?**

- **A:** Paid employees can choose to receive their paychecks via paper check, direct deposit or pay card. Most new employees who select direct deposit or pay card will still receive their first paycheck or two in the USPS mail, pending completion of the direct deposit or pay card setup.

**20. Q: Will paid employees receive pay stubs?**

- **A:** Yes. Those who receive their paychecks via direct deposit or pay card will receive pay stubs through the secure DCI messaging system. Employees simply log into their DCI employee portal and navigate to their Inbox where paystubs are stored indefinitely, until the employee deletes them. Those who receive paper paychecks receive a pay stub attached to their paycheck in the USPS mail.

**21. Q: Are self-directed employee wages subject to tax?**

- **A:** Yes. Employees complete a federal W-4 form and Acumen withholds payroll taxes in accordance with tax laws and the employee's stated withholding preferences. Acumen will also issue W-2s at the end of the year for tax filing purposes.

**22. Q: Can my Employer apply for Difficulty of Care if I am a live-in caregiver?**

- **A:** Yes, Employers are welcome to explore and file for the Difficulty of Care exemption if they believe their live-in caregiver qualifies for the exemption. The Difficulty of Care form is part of the enrollment packet and must be completed, signed and submitted to Acumen for the exemption to be applied prospectively. (Retroactive exemptions are not permitted.)

**23. Q: What type of training is offered for DCI?**

## FAQs – FMS in NV PD Waiver Program

- **A:** Acumen offers a wide variety training resources which can be accessed anytime through the online Helpdesk:

<https://acumenfiscalagent.zendesk.com/hc/en-us/articles/32178569016717-Nevada-DHCFP-PD>

Additionally, at the time of enrollment, the Acumen Client Services Agent who is assigned to the participant's account will reach out to offer individualized support with first-time login and budget monitoring training. This agent remains the participant employer's main contact anytime they have a problem or need additional training or support with Acumen services.

### 24. **Q: How can I get the ball rolling with self-directed services?**

- **A:** This program is only available for participants in the Physical Disabilities Waiver. Case managers can review the service plan to determine if the participant's services fit into the self-directed program. If so, the case manager will then discuss the self-direction option with the participant to allow freedom of choice of service delivery model (agency-based, ISO or FMS self-direction). If the participant chooses FMS self-direction, the case manager will make the initial referral to Acumen to kickstart the enrollment process. Acumen will guide case managers and the recipient through the rest of the enrollment process.

### 25. **Q: What are the 4 major steps in the Acumen enrollment process?**

- Case manager completes the Referral Form and sends it to Acumen via email to [enrollment@acumen2.net](mailto:enrollment@acumen2.net)
- Acumen staff prefill the enrollment documents and send them to the participant employer and their employee(s) for signature via DocuSign or USPS mail.
- When all documents are returned complete and correct, and Acumen has received the Employer Identification Number (EIN) from the IRS, Acumen will communicate to the case manager that the enrollment is complete.
- Case manager sets the start date for FMS services on the PA, considering all factors including 30-day advanced notice to agency-based providers for existing participants who are transitioning to FMS.
  - The start date of FMS is either the "Good to Go" date or the PA start date, whichever is LATER.

### 26. **Q: Who can I contact for additional support?**

- **A:** During enrollment into Acumen services, all participant employers will receive contact information for their dedicated Acumen Client Services Agent. The agents are typically in the office during normal business hours (Mon through Fri, 8:00 AM – 5:00 PM, excluding holidays).

If assistance is needed outside of normal business hours, our central Customer Relations Department can be reached as follows:

## FAQs – FMS in NV PD Waiver Program

Phone: (833) 892-0412 (open 24 hours/day, excluding holidays)

Fax: (866) 496-4551

Website: <https://www.acumenfiscalagent.com/state/nevada/>