

## Draft for public comment: PCA service options and CFSS service models

Page posted: Draft	Page reviewed:	Page updated:
Legal authority	<a href="#">Minn. Stat. §256B.0659, subd. 19, 20 and 21</a> , <a href="#">Minn. Stat. §256B.85, subd. 11a, 11b, 13, 13a and 14</a>	
Comparison of PCA and CFSS	<p>DHS is in the process of replacing PCA with CFSS. For more information about this transition, refer to <a href="#">CFSS Manual – Transition from PCA and CSG CFSS</a>.</p> <p><b>Similarities</b></p> <p>In both PCA and CFSS:</p> <ul style="list-style-type: none"> <li>• The person can choose from two service options/models (traditional PCA or PCA Choice; CFSS agency model or CFSS budget model).</li> <li>• If the person cannot direct their care, a representative can do so on their behalf.</li> </ul> <p>In traditional PCA, PCA Choice and the CFSS agency model:</p> <ul style="list-style-type: none"> <li>• The person selects a provider agency.</li> <li>• The lead agency authorizes units of time to the person’s provider agency.</li> </ul> <p>In PCA Choice and the CFSS budget model, the person:</p> <ul style="list-style-type: none"> <li>• Has more control over employment-related activities.</li> <li>• Cannot be on the Minnesota Restricted Recipient Program (MRRP).</li> </ul> <p><b>Differences</b></p> <p>The CFSS budget model gives the person more control over employment-related activities, as well as more responsibilities.</p> <p>In PCA Choice, the person selects a PCA Choice agency. In the CFSS budget model:</p> <ul style="list-style-type: none"> <li>• The person selects a financial management services (FMS) provider.</li> <li>• The lead agency authorizes a budget (in dollars) to the person’s FMS provider.</li> </ul> <p>In CFSS, the person can choose to purchase goods, services and PERS only (i.e., not receive personal care services). In this situation, the person must use the CFSS budget model.</p>	
Definitions	<p><b>Traditional PCA:</b> Service option in which the person selects a PCA provider agency that is responsible for all employment-related activities.</p> <p><b>PCA Choice:</b> Service option in which the person is responsible for some employment-related activities.</p> <p><b>CFSS agency model:</b> Service model in which the lead agency authorizes units to the person, and the person selects a CFSS provider agency to employ workers. This service model is similar to the traditional PCA service option.</p> <p><b>CFSS budget model:</b> Service model in which the lead agency authorizes dollars to the person, and the person employs their workers. The person selects an FMS provider to assist with employer-related tasks.</p> <p><b>Responsible party (RP)/participant’s representative:</b> An individual who is age 18 or older and capable of directing care on behalf of a person receiving PCA/CFSS services when the person is assessed as unable to direct their own care. In PCA, this individual is called the RP. In CFSS, this individual is called the participant’s representative.</p> <p><b>Note:</b> All references to “representative” on this page refer to the participant’s representative, unless otherwise specified.</p>	
Overview	A person using PCA/CFSS must select a service option/model before	

	<p>receiving services. This page includes:</p> <ul style="list-style-type: none"> <li>• <a href="#">PCA-specific information</a> (traditional PCA and PCA Choice).</li> <li>• <a href="#">CFSS-specific information</a> (CFSS agency model and CFSS budget model).</li> </ul> <p><b>Note</b> All references to the person’s responsibilities on this page are the RP/participant representative’s responsibility if the person has one.</p>
<b>Additional resources</b>	<p><a href="#">CFSS Manual – CFSS consultation services provider requirements</a>  <a href="#">CFSS Manual – Goods and services through CFSS</a>  <a href="#">CFSS Manual – PCA/CFSS provider agency requirements overview</a>  <a href="#">CFSS Manual – PCA/CFSS provider agency training requirements</a>  <a href="#">CFSS Manual – Transition from PCA and CSG to CFSS</a>  <a href="#">PCA Manual – QP services</a>  <a href="#">Worker Information for CFSS Budget Model, DHS-6893T</a></p>

**PCA-specific information**

<b>Overview</b>	<p>All people using PCA must select one of the following service options:</p> <ul style="list-style-type: none"> <li>• Traditional PCA.</li> <li>• PCA Choice.</li> </ul> <p><b>Similarities</b> In both service options:</p> <ul style="list-style-type: none"> <li>• The lead agency authorizes service units.</li> <li>• The person selects a PCA provider agency.</li> <li>• The provider agency must have a signed, written agreement that states which model the person selected and the responsibilities of both the person and the provider agency.</li> <li>• The person works with a qualified professional (QP) to write the service delivery plan.</li> <li>• The QP is responsible to oversee the delivery of PCA services (refer to <a href="#">PCA Manual – QP services</a>).</li> <li>• The person directs their services.</li> <li>• There are limitations about who can and cannot serve as the person’s worker.</li> <li>• The person reviews and approves the worker’s documentation of time worked.</li> <li>• The covered and non-covered services are the same.</li> </ul> <p><b>Differences</b> In traditional PCA, the provider agency is responsible for all employment-related activities. In PCA Choice, the person is responsible for some employment-related activities, as explained in the <a href="#">person’s responsibilities</a> section below.</p>
<b>Lead agency responsibilities</b>	<p>After completing the assessment and determining the person is eligible for PCA services, the lead agency must:</p> <ul style="list-style-type: none"> <li>• Inform the person of the two service options.</li> <li>• Authorize PCA units.</li> <li>• Document if the person is eligible to use PCA Choice.</li> </ul> <p><b>Note:</b> If the person is on MRRP, they cannot use PCA Choice.</p>
<b>Person’s responsibilities</b>	<p>After the assessment, the person must:</p> <ul style="list-style-type: none"> <li>• Choose a PCA provider agency that offers the option they want to use.</li> </ul>

	<ul style="list-style-type: none"> <li>• Sign a written agreement that states which option the person selected and the responsibilities of the person and the provider agency.</li> </ul> <p>In both options, the person is responsible to direct care and review and approve the worker's documentation of time worked.</p> <p><b>Responsibilities specific to PCA Choice</b></p> <p>If the person selects PCA Choice, they are also responsible to:</p> <ul style="list-style-type: none"> <li>• Develop a service delivery plan with support from the QP, if desired.</li> <li>• Provide the provider agency with a copy of the service delivery plan.</li> <li>• Recruit workers.</li> <li>• Hire workers.</li> <li>• Train and ensure competency of workers.</li> <li>• Schedule workers.</li> <li>• Arrange for emergency back-up workers, if applicable.</li> <li>• Fire workers, if necessary.</li> </ul>
<p><b>Traditional PCA provider agency responsibilities</b></p>	<p>If the person selects traditional PCA, the provider agency is responsible to:</p> <ul style="list-style-type: none"> <li>• Develop a service delivery plan with the person.</li> <li>• Find workers.</li> <li>• Hire workers.</li> </ul> <p><b>Note:</b> The person can suggest/decline workers.</p> <ul style="list-style-type: none"> <li>• Train and ensure competency of workers.</li> <li>• Oversee the delivery of PCA services.</li> </ul> <p><b>Note:</b> The QP is responsible to do this task (refer to <a href="#">PCA Manual – QP services</a>).</p> <ul style="list-style-type: none"> <li>• Schedule workers.</li> <li>• Arrange for emergency back-up workers, if needed.</li> <li>• Fire workers, if necessary.</li> </ul> <p><b>Note:</b> The person can request a different worker.</p> <ul style="list-style-type: none"> <li>• Pay employer taxes.</li> <li>• Provide worker's compensation.</li> <li>• Arrange for unemployment insurance.</li> <li>• Comply with other applicable laws.</li> </ul> <p><b>Note</b></p> <p>Existing traditional PCA agencies can continue to provide agency model services in CFSS by passing an online test and submitting updated surety bonds. For more information, refer to <a href="#">CFSS Manual – PCA/CFSS provider agency training requirements</a>.</p>
<p><b>PCA Choice provider agency responsibilities</b></p>	<p>If the person selects PCA Choice, the provider agency is responsible to:</p> <ul style="list-style-type: none"> <li>• Support the person in carrying out employer-related functions.</li> <li>• Oversee the delivery of PCA services.</li> </ul> <p><b>Note:</b> The QP is responsible to do this task (refer to <a href="#">PCA Manual – QP services</a>).</p> <ul style="list-style-type: none"> <li>• Pay employer taxes.</li> <li>• Provide worker's compensation.</li> <li>• Arrange for unemployment insurance.</li> <li>• Comply with other applicable laws.</li> <li>• Comply with the Service Employees International Union (SEIU) Healthcare Minnesota and Iowa collective bargaining agreement.</li> </ul> <p><b>Note</b></p> <p>Existing PCA Choice agencies can continue to provide agency model</p>

services in CFSS by passing an online test and submitting updated surety bonds. For more information, refer to [CFSS Manual – PCA/CFSS provider agency training requirements](#).

## CFSS-specific information

### Overview

All people using CFSS must select one of the following models:

- CFSS agency model.
- CFSS budget model.

### Similarities

In both models:

- The person directs services.
- The person selects a consultation services provider to help them understand CFSS and the models and to support them in writing their service delivery plan, if desired.
- The person writes their service delivery plan.
- The consultation services provider reviews the service delivery plan.
- The lead agency approves the service delivery plan.
- The person can purchase goods and services.
- The person can purchase a personal emergency response system (PERS).
- Spouses and parents of minors can be paid to provide services, with some limitations.
- The person reviews and approves the worker's documentation of time worked.
- The covered and non-covered services are the same.

### Differences

In the agency model:

- The lead agency authorizes service units.
- The person selects a CFSS provider agency.
- The CFSS provider agency helps the person finalize details in their service delivery plan.
- The CFSS provider agency is the employer of the person's workers.

**Note:** The person can suggest or decline CFSS workers and/or request new CFSS workers.

In the budget model:

- The lead agency authorizes dollars.
- The person selects an FMS provider.
- The person is the employer of the workers, if applicable.
- The person recruits, hires, trains and fires the workers, if applicable.
- The person determines workers' wages and benefits within program guidelines, if applicable.
- Workers are part of the SEIU Healthcare Minnesota and Iowa bargaining unit, if applicable.

**Note:** The person can choose to purchase goods, services and PERS only (i.e., not receive personal care services). In this situation, the person must use the budget model.

### Budget calculation

A person's total budget is the total units for which they are eligible multiplied by the current state-set rate. If the person is eligible for the enhanced rate, the person's total budget is the total units for which they are eligible multiplied by the current state-set enhanced rate.

<p><b>Lead agency responsibilities</b></p>	<p>After completing the assessment, the lead agency must:</p> <ul style="list-style-type: none"> <li>• Inform the person about the two models.</li> <li>• Provide the person with a list of consultation services providers. DHS is working to create this list.</li> <li>• Authorize consultation services.</li> <li>• Approve the service delivery plan.</li> <li>• Authorize services to the selected CFSS provider agency or FMS provider.</li> </ul>
<p><b>Person's responsibilities</b></p>	<p>After the assessment, the person must:</p> <ul style="list-style-type: none"> <li>• Select a consultation services provider.</li> <li>• Select a model.</li> <li>• Select a CFSS provider agency and/or FMS provider.</li> <li>• Develop the service delivery plan, with help from the consultation services provider, as desired.</li> <li>• Direct their care.</li> <li>• Review and approve the worker's documentation of time worked, if applicable.</li> </ul> <p><b>Additional agency model responsibilities</b> If the person selects the agency model and wishes to purchase goods and services, the person must work with an FMS provider to coordinate the purchase. For more information, refer to <a href="#">CFSS Manual – Goods and services through CFSS</a>.</p> <p><b>Additional budget model responsibilities</b> If the person selects the budget model and will use personal care services, they are the employer of their workers and assume all employment-related responsibilities, with support from the FMS provider. They must complete <a href="#">Worker Information for CFSS Budget Model, DHS-6893T</a> for each worker. When determining the worker's wages, the person must:</p> <ul style="list-style-type: none"> <li>• Comply with the terms of the SEIU Healthcare Minnesota and Iowa collective bargaining agreement.</li> <li>• Comply with all applicable federal, state and local minimum wage laws.</li> <li>• Set a wage within a reasonable range of similar services in the person's community.</li> <li>• Set a wage aligned with the skills and experience required to perform the job tasks the person needs.</li> </ul> <p>If the worker is the person's spouse or the parent of a minor person, the worker's wage cannot be greater than the current state-set CFSS rate on <a href="#">Long-Term Services and Supports (LTSS) Service Rate Limits, DHS-3945 (P)</a> If the person will purchase goods, services and PERS only (i.e., not receive personal care services), they have no employer responsibilities because they have no workers.</p>
<p><b>Consultation services responsibilities</b></p>	<p>For all people using CFSS, the consultation services provider must:</p> <ul style="list-style-type: none"> <li>• Explain the similarities and differences between the two models.</li> <li>• Answer the person's questions about the models.</li> <li>• Remain neutral about which model and providers the person selects.</li> <li>• Give the person a list of enrolled CFSS agencies, FMS providers and PERS providers. DHS is working to create this list.</li> </ul> <p>If the person selects the budget model, the consultation services provider is responsible to:</p>

	<ul style="list-style-type: none"> <li>• Offer support and education on being the employer.</li> <li>• Support the person in successfully employing workers.</li> <li>• Provide support to the person if they are not fulfilling their employer duties successfully.</li> <li>• Recommend DHS remove the person from the budget model if necessary.</li> </ul> <p>For more information about consultation services providers, refer to <a href="#">CFSS Manual – CFSS consultation services provider requirements</a>.</p>
<p><b>CFSS provider agency responsibilities</b></p>	<p>If the person selects the agency model, the provider agency is responsible to:</p> <ul style="list-style-type: none"> <li>• Employ the workers.</li> <li>• Supervise the workers, including training and evaluation.</li> <li>• Arrange for back-up staffing if necessary.</li> <li>• Bill DHS for covered and approved services.</li> <li>• Receive input from the person on the selection of the person’s workers.</li> </ul> <p>For more information about provider agencies, refer to <a href="#">CFSS Manual – PCA/CFSS provider agency requirements overview</a>.</p>
<p><b>FMS provider responsibilities</b></p>	<p>If the person selects the budget model, the FMS provider is responsible to:</p> <ul style="list-style-type: none"> <li>• Educate the person on how to employ workers.</li> <li>• Support the person to carry out the person’s employment-related activities.</li> <li>• Support the person in complying with the terms of the SEIU collective bargaining agreement.</li> <li>• Bill DHS for covered and approved services.</li> </ul> <p>If the person selects the agency model and wishes to purchase goods and services, the FMS provider must facilitate the purchase of the goods and services. For more information, refer to <a href="#">CFSS Manual – Goods and services through CFSS</a>.</p>