

## Draft for public comment: PCA/CFSS worker criteria, requirements and responsibilities

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<b>Legal authority</b>	<a href="#">Minn. Stat. §256B.85, subd. 16, Minn. Stat. §256B.0659, subd. 11</a>	
<b>Comparison of PCA and CFSS</b>	<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 to CFSS</a>.</p> <p><b>Similarities</b> In both PCA and CFSS:</p> <ul style="list-style-type: none"> <li>• Workers must meet the same basic criteria and perform the same basic covered services.</li> <li>• DHS cannot reimburse provider agencies or financial management services (FMS) providers for hours worked by an individual worker beyond 310 hours per month. This limit applies regardless of the number of people the individual worker supports and the number of agencies and/or FMS providers that bill for the worker’s time. During the transition year from PCA to CFSS, the limit applies to the sum of all hours worked in both PCA and CFSS.</li> </ul> <p><b>Differences</b> In PCA:</p> <ul style="list-style-type: none"> <li>• A person cannot serve as a worker for their spouse or minor children who receive PCA.</li> <li>• A person who receives PCA cannot serve as a worker for other people who receive PCA.</li> </ul> <p>In CFSS:</p> <ul style="list-style-type: none"> <li>• A person may serve as a worker for their spouse or minor children.</li> <li>• A person who receives CFSS can serve as a worker for other people who receive CFSS.</li> <li>• A person who receives CFSS has a budget for worker training and development.</li> </ul> <p>Additionally, there are different limitations in PCA and CFSS for workers who are younger than age 18.</p>	
<b>Definition</b>	<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>	
<b>Criteria</b>	<p>A PCA/CFSS worker must meet the following requirements.</p> <p><b>Initial requirements</b> A person who wants to become a PCA/CFSS worker must:</p> <ul style="list-style-type: none"> <li>• Pass the standardized certification test (refer to the certification training and test section on this page).</li> <li>• Pass a background study initiated by the provider agency/FMS provider (refer to <a href="#">DHS – Background studies</a>).</li> <li>• Begin the enrollment process to become a PCA/CFSS worker.</li> </ul> <p><b>Ongoing requirements</b> A person employed as a PCA/CFSS worker must:</p> <ul style="list-style-type: none"> <li>• Complete training and orientation on the needs of the person receiving</li> </ul>	

	<ul style="list-style-type: none"> <li>• services.</li> <li>• Communicate effectively with the person and the provider agency/FMS provider.</li> <li>• Provide covered services according to the person’s individual service delivery plan and as directed by the person and/or their RP/representative.</li> <li>• Respond appropriately to the person’s needs.</li> <li>• Receive feedback from the person, RP/representative and provider agency, if applicable.</li> <li>• Document the services they provide and the times they provide those services.</li> <li>• Be supervised by the qualified professional (QP) (PCA) or provider agency staff with the appropriate background (CFSS agency model).</li> <li>• Report changes in the person’s condition to the QP (PCA) or the provider agency (CFSS agency model).</li> </ul> <p><b>Additional requirements for PCA workers age 16-17</b>  A PCA worker who is age 16-17 must meet the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Be employed by only one PCA provider agency responsible for compliance with current labor laws.</li> <li>• Be monitored by a QP every 60 days.</li> </ul> <p><b>Additional requirements for CFSS workers younger than age 18</b>  A CFSS worker who is younger than age 18 must meet the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Have an employer who is responsible for compliance with current labor laws.</li> <li>• Have all worker evaluations conducted in person and at the location the person receives CFSS services.</li> </ul>
<p><b>Certification training and test</b></p>	<p>The PCA/CFSS worker standardized training is available to anyone who wants to become a PCA/CFSS worker. The training is free and available any time. After taking the online training, the potential worker must pass a certification test with a score of 80% or higher. They can review the training materials as often as necessary to prepare for the test.</p> <p>To take the training and test, refer to <a href="#">DHS – Individual PCA and CFSS training overview</a>. The course is available in English, Hmong and Somali.</p> <p>If a worker took the test after April 15, 2020, their certificate meets the training requirement for both PCA and CFSS workers. New certificates clearly state that they apply to both PCA and CFSS.</p> <p>When DHS rolls out CFSS, DHS will require current PCA workers with a certificate dated before April 15, 2020, to obtain a new certificate. DHS will issue reminders at that time. Current PCA workers may choose to take the new test now in preparation for the transition to CFSS.</p> <p><b>Documentation</b></p> <p>After the worker successfully completes the test, the system will send a copy of the certificate to the email address the worker used to register for the test. The worker must keep a copy of the certificate. They can use it as many times as needed for employment with one or more PCA/CFSS provider agencies. If the worker cannot locate a copy of their certificate, they should:</p> <ol style="list-style-type: none"> <li>1. Search their email for a message from <a href="mailto:dhs.dsd.learn@state.mn.us">dhs.dsd.learn@state.mn.us</a> with a link to their certificate.</li> <li>2. Use the certificate lookup option at the bottom of the <a href="#">PCA/CFSS training</a></li> </ol>

	<p><a href="#">registration page</a>.</p> <p>3. Request a copy of their PCA/CFSS certificate at by submitting <a href="#">PCA/CFSS Certificate Form – Request a Copy</a>.</p>
<b>Limitations</b>	<p><b>Relationship to person receiving services</b></p> <p>In both PCA and CFSS, a worker cannot provide services to a person if they have any of the following relationships to that person:</p> <ul style="list-style-type: none"> <li>• RP (PCA).</li> <li>• Representative (CFSS).</li> <li>• Paid legal guardian.</li> <li>• Licensed foster care provider, unless the person and the worker live in the same home.</li> </ul> <p>Additionally, in PCA, a worker cannot provide services to a person if they have any of the following relationships to that person:</p> <ul style="list-style-type: none"> <li>• Legal guardian of a minor child who receives PCA services.</li> <li>• Parent or stepparent of a minor child who receives PCA services.</li> <li>• Spouse of a person who receives PCA services.</li> </ul> <p>A person cannot be a PCA worker if they receive PCA services. However, a person can be a CFSS worker if they receive PCA or CFSS services.</p> <p><b>Hours</b></p> <p>Only the first 310 hours worked by a PCA/CFSS worker are eligible for Medical Assistance payments to a provider agency/FMS provider, regardless of:</p> <ul style="list-style-type: none"> <li>• The number of people the PCA/CFSS worker supports.</li> <li>• The number of provider agencies/FMS providers with which the PCA/CFSS worker is affiliated.</li> </ul> <p><b>Note:</b> If the worker supports people in both PCA and CFSS during the transition, the 310-hour limit applies to the total hours worked in both PCA and CFSS.</p>
<b>Collective bargaining agreement</b>	<p>The terms and conditions of a worker’s employment by a person who participates in <a href="#">PCA Choice</a> or the CFSS budget model is governed by the agreement between the Service Employees International Union (SEIU) Healthcare Minnesota and Iowa and the state of Minnesota. To read this agreement, refer to <a href="#">SEIU Healthcare – Home care</a>. <a href="#">SEIU Contract Compliance Training</a> provides information for provider agencies and FMS providers about how to comply with the agreement.</p>
<b>Transitioning from PCA to CFSS</b>	<p>For instructions about transitioning from PCA to CFSS, refer to <a href="#">CFSS Manual – Transition from PCA and CSG to CFSS</a>.</p>
<b>Additional resources</b>	<p><a href="#">CFSS Manual – CFSS worker training and supervision</a></p> <p><a href="#">CFSS Manual – PCA/CFSS covered services</a></p> <p><a href="#">CFSS Manual – PCA/CFSS enhanced rate/budget</a></p> <p><a href="#">CFSS Manual – PCA/CFSS provider agency overview</a></p> <p><a href="#">CFSS Manual – Transition from PCA and CSG to CFSS</a></p> <p><a href="#">DHS – Background studies</a></p> <p><a href="#">DHS – Individual PCA and CFSS training overview</a></p> <p><a href="#">PCA/CFSS training registration page</a></p> <p><a href="#">PCA/CFSS Certificate Form – Request a Copy</a></p> <p><a href="#">PCA Manual – PCA Choice</a></p> <p><a href="#">SEIU Contract Compliance Training</a></p> <p><a href="#">SEIU Healthcare – Home care</a></p>