

Responsible party (PCA) and participant's representative (CFSS)

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Legal authority	Minn. Stat. §256B.0659, subd. 9 and subd. 10, Minn. Stat. §256B.85, subd.	
Comparison of PCA and CFSS	<p>DHS is in the process of replacing PCA with CFSS. For more information about this transition, refer to CFSS Manual – Transition from PCA and CSG to CFSS.</p> <p>Similarities In both PCA and CFSS, the person directs their own care unless they are unable to do so. If necessary, another individual can direct care on the person's behalf. The requirements, limitations and responsibilities of this individual are the same in both PCA and CFSS.</p> <p>Differences In PCA, the individual who directs someone else's care is called the responsible party (RP). In CFSS, the individual is called the participant's representative.</p>	
Definition	<p>Responsible party (RP)/participant's representative: 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>Note: All references to "representative" on this page refer to the participant's representative, unless otherwise specified.</p> <p>Directing your own care: Situation in which the person can identify their needs, direct and evaluate caregiver task accomplishments and provide for their health and safety.</p>	
Overview	<p>A person must have an RP (PCA) or participant's representative (CFSS) if they are:</p> <ul style="list-style-type: none"> • A minor. • An incapacitated adult who has a court-appointed guardian. • Determined through the assessment process to need an RP/representative. <p>The RP/representative could include, but is not limited to:</p> <ul style="list-style-type: none"> • Parent. • Licensed family foster parent. • Neighbor. • Friend. • Two people (e.g., divided households, court-ordered custodies). <p>The RP/representative must be:</p> <ul style="list-style-type: none"> • Listed on the person's service agreement and service delivery plan. • Identified before the lead agency authorizes PCA/CFSS services. 	
Limitations	<p>The RP/representative cannot be any of the following:</p> <ul style="list-style-type: none"> • PCA/CFSS worker, including a parent serving as a worker for their minor child or a spouse serving as a worker for their spouse. • Provider agency owner or manager. • Provider agency staff member, unless related by blood, marriage or adoption. • Lead agency staff member or contractor acting as an employee. • Qualified professional (QP) (PCA only). • Financial management services (FMS) provider owner or manager 	

	<ul style="list-style-type: none"> • (CFSS only). • FMS provider agency staff member, unless related by blood, marriage or adoption (CFSS only). • Consultation services provider owner or manager (CFSS only). • Consultation services provider staff member, unless related by blood, marriage or adoption (CFSS only). • Worker training and development provider (CFSS only).
<p>RP/participant representative's responsibilities</p>	<p>The RP/representative is responsible for tasks related to participation, monitoring and health and safety.</p> <p>Participation The RP/representative must:</p> <ul style="list-style-type: none"> • Actively participate in planning and directing the person's PCA/CFSS services. • Help the person make choices about PCA/CFSS services. • Request changes to the person's service delivery plan, as needed. • Sign required forms, including all worker time and activity sheets. • Sign the RP/representative agreement. <p>Note: The RP/representative is the only individual who may request that the person change models or providers. DHS will confirm all requests for changes are from the RP/representative listed in MMIS.</p> <p>Monitoring The RP/representative must:</p> <ul style="list-style-type: none"> • Be available when the person receives services via an agreed upon communication method (e.g., phone call) that is documented in the service delivery plan and on the RP/representative agreement. • Monitor PCA/CFSS services to ensure workers follow the person's service delivery plan. • Communicate with all providers and/or workers, as needed. • Monitor the delivery of services to ensure they are provided (e.g., ensure documentation is accurate). • Review and approve the worker's documentation of time worked (refer to notes below.) <p>Notes:</p> <ul style="list-style-type: none"> • If there are two RPs/representatives of a minor, only one must sign the documentation. • The RP/representative must be the person approving the worker's documentation of time worked, with one exception: When there are two biological or adoptive parents living with a minor, either parent can sign and approve documentation (except in cases when one or more parents are serving as the worker.) <p>Health and safety The RP/representative must:</p> <ul style="list-style-type: none"> • Develop the service delivery plan with the QP (PCA) or consultation services provider (CFSS). • Determine if current PCA/CFSS services meet the person's health and safety needs or if the person needs a change to their services.
<p>Agreement</p>	<p>Before the person receives PCA/CFSS services, the RP/representative must sign an agreement to indicate understanding of the responsibilities associated with the role. The RP/representative must complete and sign</p>

	<p>a new agreement annually. When there are two individuals identified as the person's RP/representative, each individual must sign the agreement. If the person receives PCA services, the RP works with the PCA provider agency to complete PCA Program Responsible Party Form/CFSS Participant Representative Agreement, DHS-6893F (PDF).</p> <p>If the person receives CFSS services, the representative works with the consultation services provider, CFSS provider agency and/or FMS provider to complete the PCA Program Responsible Party Form/CFSS Participant Representative Agreement, DHS-6893F (PDF).</p>
Delegation	<p>During a temporary absence of at least 24 hours (but not more than six months), the RP/representative may delegate their role to another individual who meets the requirements for an RP/representative. The RP/representative must communicate to the provider agency or FMS provider about the need for a delegated RP/representative, including the following information:</p> <ul style="list-style-type: none"> • Name of the delegated RP/representative. • Contact information for the delegated RP/representative. <p>Delegated RPs/representatives must:</p> <ul style="list-style-type: none"> • Be identified at the time of the assessment, if possible. • Be listed in the service delivery plan. • Meet all criteria and perform the functions of the RP/representative. • Complete and sign PCA Program Responsible Party Form/CFSS Participant Representative Agreement, DHS-6893F (PDF) with the provider agency or FMS provider.
Lead agency's responsibilities	<p>The lead agency assessor identifies the person's need for an RP/representative during the assessment process.</p> <p>PCA-specific information</p> <p>If the person needs an RP, the lead agency can only authorize services if the person has identified an RP. The lead agency enters the RP into MnCHOICES and completes the appropriate MMIS fields, including the RP name(s).</p> <p>CFSS-specific information</p> <p>If a person using CFSS needs a representative and has not identified one, the lead agency can only authorize consultation services. The lead agency cannot authorize any other CFSS services until the person identifies a representative.</p>
Consultation services provider's responsibilities	<p>If a person using CFSS needs help to identify a representative, the consultation services provider can educate the person on how to find an appropriate individual. Once the person identifies a representative, the consultation services provider meets with the representative and delivers all services listed on CFSS Manual – CFSS consultation services overview.</p>
Provider agency and FMS provider's responsibilities	<p>All PCA/CFSS provider agencies and FMS providers must:</p> <ol style="list-style-type: none"> 1. Maintain a written agreement with the RP/representative [PCA Program Responsible Party Form/CFSS Participant Representative Agreement, DHS-6893F (PDF)] 2. Meet with the RP/representative to: <ul style="list-style-type: none"> • Discuss roles and responsibilities. • Obtain all necessary signatures. 3. Provide a copy of the written agreement to both the person and the RP/representative.

	<p>4. Retain documentation between the provider agency/FMS provider and the RP/representative in the provider file, including:</p> <ul style="list-style-type: none"> • Name and information about the RP/representative added to the service delivery plan. • A plan for how the RP/representative will be available. • How monitoring will occur. • Process for the RP/representative to review and approve the worker's documentation of time worked. • Name and information of the delegated RP/representative, if applicable, and the signature of the delegated RP/representative on the agreement. <p>5. Use PCA Technical Change Request, DHS-4074A or CFSS Technical Change Request, DHS-6893K to notify DHS of a change in the person's RP/representative.</p>
<p>Additional resources</p>	<p>CBSM – Assessment and support planning overview CFSS Manual – CFSS consultation services overview CFSS Manual – Transition from PCA and CSG to CFSS PCA Technical Change Request, DHS-4074A CFSS Technical Change Request, DHS-6893K PCA Program Responsible Party Form/CFSS Participant Representative Agreement, DHS-6893F (PDF) DSD MMIS Reference Guide</p>