

ACCESSING COMMUNITY FIRST CHOICE SERVICES

A Guide to Self-Direction

Senior and Long-Term Care Division



DEPARTMENT OF
**PUBLIC HEALTH &
HUMAN SERVICES**

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INTRODUCTION

Life changes. An accident, a long illness, a new disability, or simply getting older can make everyday tasks harder. Sometimes, we need help staying in our homes.

Fortunately, the Montana Medicaid program offers some excellent options: Community First Choice Services (CFCS) and Personal Care Services (PCS). This guide is specifically for those who choose the Self-Directed (SD) option, but it may also be useful for those using Agency-Based (AB) services.

THE SD-CFCS/PCS ADVANTAGE

The SD option gives you, the member, or your personal representative (PR) the ability to direct your in-home care. You have the right to:

- choose the individual caregiver(s) you want to hire,
- set their specific work schedule,
- train them on your personal needs and routines, and
- supervise and manage their day-to-day performance.

The difference from private pay is that the CFCS/PCS provider agency handles all the legal complexities: they process the payroll, withhold taxes, and manage the mandated pre-employment checks.

This booklet was created as a guide to navigate the process of accessing CFCS/PCS services as well as choosing and working with your in-home caregiver.



SECTION 1: ELIGIBILITY AND ACCESS

To be eligible for SD-PCS, a person must meet all the following criteria:

- be Medicaid eligible,
- demonstrate a medical and functional need for assistance with one or more activities of daily living (ADL), which are substantiated by symptoms and a medical diagnosis,
- have services authorized by the Department's utilization review contractor (UTC) based on unmet needs or have a temporary service authorization (refer to SD-CFCS/PCS 417),
- have the ability to direct services authorized by a health care professional, and
- meet capacity (be able to understand and make complex care decisions) to direct your PCS or have a PR who meets capacity to direct services.

To be eligible for SD-CFCS, you must meet the same criteria plus meet the level-of-care (LOC) functional threshold through the level of care assessment process. To meet nursing home LOC, a person must have a medical or physical condition that necessitates assistance with ADLs. It must be determined that without these in-home services, you would likely require placement in a long-term care facility (nursing home).

FIRST STEPS: NAVIGATING THE PROCESS

The process of getting help is not instant. It requires patience and attention to detail. The following steps will provide you with a roadmap to obtain the services you need.

1. Obtain Medicaid Approval

Apply at online apply.mt.gov or call **(888) 706-1535**.

The eligibility staff in the Office of Public Assistance (OPA) is responsible for determining initial and ongoing financial eligibility for Medicaid. Medicaid eligibility questions can be made at your closest OPA field office, or by calling the Montana Public Assistance Helpline at **(888) 706-1535**.



Reality Check: It can take up to 45 days (or longer if a disability determination is needed) for the state to process your initial application. During this time, the OPA will likely request documentation of your income and assets (bank statements, property deeds, trust agreements, etc.). It is very important to do this within the 10-day window you are given to respond. Failure to do this could result in the denial of your application.

2. Complete Your Assessment

Once your Medicaid eligibility has been determined, you will need to schedule an assessment with the Department’s Utilization Review Contractor URC, currently Mountain Pacific (MP). Call to schedule an assessment at **(800) 219-7035**.

The URC will work with you to create a Service Profile (SLTC-155), the summary document that lists exactly how many hours of help you are authorized to receive every two weeks. The service profile is a tool for collecting and documenting information needed to identify your physical needs and ability to perform ADL, instrumental activities of daily living (IADL), and health maintenance activities (HMA) (SD option only). It also documents service planning information relevant to service delivery.



3. Choose a Provider Agency

The Montana Department of Public Health and Human Services (DPHHS) maintains a list of authorized providers. You can find them by contacting:

- **Your Regional Program Officer (RPO):** These are state employees who oversee CFCS/PCS in your area. You can call the DPHHS Senior and Long-Term Care Division at **(406) 444-4077** to find your local RPO.

- **Mountain-Pacific (MP):** Since they are the Department's URC and handle the screenings, they often have lists of active agencies in your county.
- **Local Aging Services:** Your local Area Agency on Aging or Independent Living Center usually has a directory of provider agencies that serve your specific town.

Not all agencies are the same. When you have a list of a few in your area, call them and ask:

- What is the hourly pay rate for personal care attendants (PCAs) at your agency?
 - Does your agency participate in the Direct Care Wage Initiative?
 - If so, do PCAs receive this in their hourly wage, or is it provided in a lump-sum bonus?
- Do you offer personal caregivers benefits such as vacation, sick time, or health insurance?
 - Does your agency participate in the Healthcare for Healthcare Workers Initiative (HCHCW) to provide your PCA with health insurance coverage if they meet the eligibility requirements?
 - If so, how many hours per week must your caregiver work on average to be eligible?
- Do you offer training to PCAs, such as body mechanics?

Once you've decided which provider agency you would like to use, you will tell your URC (MP) or the person handling your assessment. They will then send your Service Profile and authorization to that specific agency so they can help you start your care.

4. Authorize Service Plan Services

Your **Service Profile** is the bi-weekly prior authorization for services, but it's not a standalone document. Your chosen provider agency is responsible for working with you or your PR to develop a daily care plan and to document that conversation on your Service Plan (SLTC-175).

The **Service Plan** is a document based on your functional assessment. It specifies the type, amount, and scope of assistance you are authorized to receive.

Developing a clear work agreement to help develop your Service Plan is important, so read this Accessing Community First Choice Services guide in its entirety and complete the agreement before your assessment.

SECTION 2: FINDING AND HIRING YOUR CAREGIVER

To help your service provider develop your service plan and to hire the right in-home caregiver, you need to clearly describe the tasks you need help with and the tasks your PCA will perform.

A Work Agreement form can help with this and more. This form can also be used during your discussion with the MP nurse during their in-home visit to assess your specific needs. It can serve as your agreement with your PCA, as well. You or your family can fill it out.

COMPLETING A WORK AGREEMENT FORM

A sample work agreement form is included on the next page for your convenience. It lists many common tasks and provides space to rate how much help you feel is needed for each. You can also note who will provide the care. You may or may not be approved for all the help you think you need, so the form can be adapted and updated after your assessment, once you know the number of service hours for which you are approved.

If you're already getting some help, mention it in the comments section. This helps track your current support and identify what additional help you might need.

Blank spaces under the task column allow you to add any specific needs not on the list, such as help with a therapy program, an exercise routine, or even outdoor chores like lawn mowing, hedge trimming, or shoveling snow. This helps ensure the form fully captures your unique requirements. Keep in mind, only outdoor tasks required for safe access to the home are covered under CFCS/PCS.

Once you've completed the form, review it carefully. Remember, you can enter information about how you would like the tasks to be completed, but you cannot add tasks beyond what has been approved. Do you still need to hire outside help, or can family and friends meet all your needs? Also, consider if you have enough backup help in case someone is unavailable or something unexpected happens.

SAMPLE WORK AGREEMENT FORM

Task	Score	Help	Comment
Bathing			
Dressing			
Grooming			
Transfer (in/out of bed or chair)			
Walking with walker or assist			
Medication assist			
Meal preparation			
Shopping			
Housework			
Laundry			
Help paying bills			
Transportation/escort			
Socialization			

Scoring: How do you currently complete each task?

- 0: Independently – Do not need help
- 1: With Difficulty – Can manage
- 2: With Help – Need assistance to complete task
- 3: Unable to – Cannot complete task without assistance

Help: Who is going to help you?

- H: Hired Help
- F: Family or Friend (Write in who helps you with this.)
- S: Self (You manage this on your own.)

USING THE WORK AGREEMENT FORM

- **Task Alignment:** Your PCA's duties must generally correspond to the services authorized in your Service Plan (e.g., assistance with bathing, meal preparation, etc.). Tasks that are not approved by the URC and are not medically or functionally necessary (like certain outdoor chores) may need to be funded outside of CFCS/PCS.
- **The "Help" Column (Who Provides Care):** For tasks requiring you to hire your PCA, mark "H." Use "F" to clarify needs already met by family or friends and "S" to indicate those that are self-managed, to ensure authorized units are not used for services already provided by another program or source.
- **The "Score" Column (Level of Need):** While the URC nurse has officially assessed your need (determining your authorized units), scoring the task (0-3) is a helpful way for you to explain to your potential PCA the level of assistance needed.
- **The "Comment" Column:** Use this for specific instructions (e.g., "Must transfer using a gait belt," "Only needs help with laundry sorting and machine operation," or "Family handles grocery shopping, PCA handles daily lunch prep").
- **Custom Tasks:** Use the blank rows to add specific authorized tasks not listed, such as authorized time for home exercise prescribed by your physical therapist, or for managing medical equipment.

REVIEWING YOUR NEEDS AND UNIT ALLOCATION

After completing the form, review it to ensure your care needs are covered effectively:

- **Focus on Gaps:** The tasks marked "H" represent the total workload you need to cover with your authorized CFCS and PCS units.
- **Unit Budgeting:** You must translate the authorized tasks marked "H" into a schedule that does not exceed your weekly or annual authorized units. This form helps you define the type of help; the scheduling converts it into hours.
- **Backup Plan:** Consider which family members or friends could step in should your PCA become sick or unavailable. Note these backup options in the "Help" or "Comment" columns.

SECTION 3: SELECTING AND HIRING YOUR PERSONAL CARE ASSISTANT

In the Montana SD-CFCS/PCS option, you retain the essential power of employer authority: the right to recruit, select, train, supervise, and dismiss your PCA. However, the individual you choose must be formally enrolled and employed by a state-approved CFCS/PCS provider agency.

This relationship is defined by shared employment responsibility:

- **Your Role (Managing Employer):** You direct the PCA's work (schedule, duties, training).
- **The Agency's Role (Employer of Record):** The Agency handles all hiring paperwork, payroll, tax withholding, insurance, and liability; however, you, as the Managing employer, assume liability for the training you provide.

To hire the right PCA under the SD-CFCS/PCS SD option, you must clearly define their job duties within the limits of the units and tasks authorized by your URC service plan. This helps you communicate expectations, track hours accurately, and ensure the work aligns with the needs authorized in your service plan. Since you will have completed your Work Agreement form, you can also use it to help create your PCA job description.

CREATING THE PERSONAL CARE ASSISTANT JOB DESCRIPTION

Use your completed Work Agreement form to create a detailed job description. This is the official list of duties your PCA will perform and is key to a successful working relationship. Be sure to address:

- **Detailed Duties:** A clear list of authorized CFCS and PCS tasks (ADLs/IADLs)
- **Work Hours and Schedule:** The specific times and days you need help, scheduled within your total authorized units, in 15-minute increments
- **Behavior and Conduct:** Set clear expectations for conduct (e.g., professionalism, attendance) and zero-tolerance policies for abuse, neglect, or exploitation
- **Termination:** Clarify that you have the right to request the agency terminate the PCA's assignment to your household service at any time

UNDERSTANDING COMPENSATION

Because the Montana SD-CFCS/PCS option currently does not include budget authority, you cannot set the rate of pay or provide benefits directly.

- **Hourly Wage:** The PCA's wage is determined and paid directly by the CFCS/PCS provider agency.
- **Benefits:** Any benefits (like health care coverage or paid time off) are governed by the policies of the provider agency. You or your PCA must confirm with your agency what benefits, if any, are allowable, as you are not authorized to offer or pay for them yourself.
- **Service Compensation:** Your PCA can only be compensated for services that are approved in your official CFCS/PCS Service Plan. The PCA cannot be paid for providing services that are not on your plan, such as major household repairs, general transportation, or assistance that exceeds your authorized hours.



RECRUITING YOUR PERSONAL CARE ASSISTANT

Since most participants already know whom they want to hire (a family member, friend, or neighbor), the process often begins with that person.

Adult children and other relatives may be eligible to be paid as a PCA under CFCS/PCS. A spouse or parent of a minor child can only be paid as a PCA under CFCS if they meet the specific rules for a legally responsible individual (LRI).

In Montana’s CFCS program, an LRI is someone who has a legal obligation under state law to care for another person, such as:

- **A Spouse:** The spouse of the person receiving services.
- **A Parent:** The natural, adoptive, or foster parent of a minor child (under 18) who is receiving services.
- **Legal Guardians:** A guardian who has a legal duty of care for a minor.

Montana allows LRIs to be reimbursed for providing services under the following specific conditions:

- **Extraordinary Care:** The care must exceed what is normally expected for a spouse or parent.
- **40-Hour Limit:** Paid LRIs are generally capped at 40 hours per week.
- **No Dual Roles:** An LRI cannot be the paid caregiver *and* the PR at the same time.

For individuals who do not meet the nursing home LOC but still need medical assistance under PCS, the LRI restriction remains in place. If you are currently on a PCS-only plan and want to hire an LRI, you will need to request a re-screening to determine whether you now meet the higher nursing home LOC required to transition into CFCS.

There are some key restrictions for LRIs as caregivers also:

- **Household Maintenance:** CFCS services provided by an LRI cannot be used for general household tasks that benefit the whole family (like cleaning the entire house). They must be specific to the member’s medical and functional needs.
- **Institutionalization Risk:** The Department must determine that using an LRI is necessary to ensure the health and welfare of the participant or to avoid them being moved to a nursing home.

Hiring a Non-Family Member or Friend

If family or friends are not available to provide the services you need, and you plan to hire someone you don't know well, note the following information:

<p>Recruitment Postings</p>	<p>State the position is for a PCA through a CFCS/PCS Provider Agency. Do NOT list your full name or home address in the posting.</p>
<p>Screening and Interviewing</p>	<p>If screening a candidate you don't know well, hold the initial interview in a safe, public place, such as a library or community center.</p>


SCREENING

The purpose of the screening is to confirm that the person is a good fit and willing to comply with the agency's mandatory enrollment process.

- **Describe the Job and Unit Limits:** Explain the tasks and emphasize that hours are fixed by the service plan's authorized units and the schedule you set.
- **Inform of the Agency's Role:** State clearly, "To be hired, you must successfully complete the formal application and training process through my CFCS/PCS provider agency as well as a background check in some cases."
- **Ask Basic Questions:**
 - "Are you available for the hours or schedule outlined in the job description?"
 - "Are you willing to comply with the required electronic visit verification (EVV) documentation standards?"
 - "Is there anything in the job description that concerns you?"
 - "Can you safely lift or move someone if needed?"

READY TO HIRE? NOT YET!

You have found the perfect PCA! Before they can start working, you must formally submit your candidate's information to your selected CFCS/PCS provider agency.

 **Your PCA cannot begin working, and your agency cannot pay them, until the agency confirms the person is fully cleared.**

MANDATORY PRE-EMPLOYMENT CLEARANCE

Because your PCA will be an employee of the CFCS/PCS provider agency, your PCA must complete an employee application with the agency that will perform all mandatory pre-employment clearance checks required by the state of Montana, including:

- the Office of Inspector General (OGI) exclusion list, and
- verification of completion of the Department’s mandatory CFCS/PCS training.

The Agency’s Responsibilities (Employer of Record)	Your Responsibilities (Managing Employer)
Perform all mandatory pre-employment clearance checks.	Submit the candidate’s name and contact information to your agency for processing.
Process all necessary employment paperwork.	Wait for the agency to notify you that the attendant is officially cleared to work.

NOW YOU CAN OFFER THE JOB!

Once the agency notifies you that your candidate is officially cleared, you can finalize the working agreement. At this stage:

- You confirm the service schedule, specific duties, and any back-up plans and provide them to the agency.
- The agency finalizes the employment paperwork and tax forms, then sets the pay rate according to state guidelines.
- The attendant officially becomes an employee of the agency but works under your direct management.



SECTION 4: MANAGING YOUR CARE UNDER THE SD-CFCS/PCS MODEL

This section defines the legal relationship between you, your attendant, and the provider agency. It provides guidance on what happens after services begin and who is responsible for what task.

THE CO-EMPLOYMENT RELATIONSHIP: MANAGING EMPLOYER VS. EMPLOYER OF RECORD

Under the SD-CFCS/PCS option, the relationship with your attendant is called **co-employment**. Each of you has certain responsibilities regarding your care. The following chart outlines some of these responsibilities.

The Agency's Responsibilities (Employer of Record)	Your Responsibilities (Managing Employer)
Process all hiring, contracts, and employment paperwork.	Recruit, interview, select, train, and schedule the PCA.
Handle all payroll, tax withholding, and tax filings.	Supervise daily performance and quality of care.
Provide workers' compensation and unemployment insurance coverage.	Approve the attendant's time/visits electronically (via EVV).
Process all necessary termination paperwork.	Direct the termination of the attendant.

YOUR ROLE IN COMPLIANCE: EVV

Your Role in Compliance: EVV

The state of Montana requires the use of EVV for all CFCS/PCS services, with the exclusion of mileage. This system ensures that the authorized services were delivered and is your way of approving the PCA's time.



EVV Requirement	Your Action
<p>Tracking Time: The attendant must use an approved device (like a smartphone or tablet) to electronically clock in and clock out at the start and end of every service visit.</p>	<p>Review and Approval: You or your PR are responsible for reviewing and approving the attendant's electronic time logs/visits. Only approve time claimed for services and hours that align with your authorized CFCS/PCS Service Plan.</p>
<p>Why it Matters: EVV records the time, date, location, and service. The agency cannot submit a claim for payment until the time has been approved by you.</p>	<p>Live-in Caregivers: Even if your attendant lives with you, they are still required to use the EVV system to clock in and clock out for their scheduled shifts.</p>

KEEPING YOUR PCA AND DEALING WITH ISSUES

The principles of setting clear expectations, providing positive feedback, and maintaining open communication still apply whether your caregiver is a family member, a friend, or someone you chose through a recruitment process.

Tips for Retaining Your PCA:

- **Create a good workplace:** Make your home a pleasant and respectful environment for them to work in.
- **Give clear directions:** Explain tasks simply and clearly, so they know exactly what to do.
- **Understand their need for time off:** Be flexible when your PCA needs time off for illness, injury, or vacation. Everyone needs time to rest and recharge. Refer to your backup plan for these situations.
- **Listen to their ideas:** They might have good suggestions for how to do things better or more easily.
- **Talk about schedule changes:** If the schedule needs to change, discuss it with them to make sure it works for everyone, and be sure to inform your provider agency.
- **Say “Thank You”:** A simple “thank you” for a job well done goes a long way in making someone feel appreciated.

Dealing with Performance Issues

Address conflicts or performance issues immediately, documenting the dates and details. Your authority is to direct the *work*. If a formal action (like a written warning or termination) is needed, you must communicate your decision and documentation to the provider agency, which will carry out the necessary employment actions.

Abuse, Neglect, or Exploitation

A caregiver, whether a family member, a friend, or someone else, paid or not, should **NEVER** hurt you physically, verbally, or mentally. They should also **NEVER** take advantage of you or your money. Notify your provider immediately if you feel that your caregiver is harming you in any way.

Ending Employment (Firing Someone)

You have the right to fire your attendant. If you decide to terminate the relationship, immediately contact your provider agency and plan facilitator to initiate the process. The agency will handle the final payroll and employment records.

ONGOING SERVICES

To keep your services running smoothly and without interruptions, remember to:

1. **Renew Medicaid:** Complete all redeterminations from the OPA on time. If you become ineligible, Medicaid payment terminates on the effective date of ineligibility. Each month, your provider agency will verify your continued Medicaid eligibility.
2. **Health Care Professional Authorization form (SLTC-160):** Your doctor must annually certify that you or your PR has the capacity to direct your own care and must approve any HMAs.
3. **Annual Assessment:** You must have a new assessment through the Department's URC every year.
4. **Communication:** If your health changes, contact your provider agency immediately to request a change-of-status assessment for an adjustment of your approved hours.