



SELF-DIRECTION & the ATTENDANT CARE PROGRAM

BACKGROUND

- The Attendant Care Program was established in July 1982 and was originally administered by the Maryland State Department of Education (MSDE). The Program was subsequently transferred to the Department of Human Resources (DHR) and then again to the Maryland Department of Disabilities (MDOD). MDOD has been managing the program since July 2004.

ADMINISTRATIVE AUTHORITY

- Code of Maryland Regulations (COMAR)
14.11.01
 - Revised as of September 21, 2009
 - Notable changes include ability to hire family members (other than a spouse) and continued participation beyond age 65
- Human Services Article §§7-401-7-406
Annotated Code of Maryland

MISSION

- The Attendant Care Program (ACP) provides financial reimbursement to eligible individuals with severe chronic or permanent physical disabilities so they can meet their personal assistance service needs. The goal of the program is to supplement the cost of personal attendant services so individuals with disabilities living in the community can maintain employment, seek employment, attend an institution of post secondary education, or prevent placement in a nursing facility.
- The original intent, which continues to be one of the present-day guiding principles, was to promote maximum independence by providing financial assistance so individuals could seek/maintain meaningful employment or higher education opportunities.

FEATURES

- Self-directed program for all participants; not an “either-or” program
- Provides partial financial reimbursement for payments made to personal care workers
- Emphasis on maintaining or securing employment and/or enrollment in higher education program
- Generous income allowance
- Reimbursement rates vary according to income and household size (sliding scale)
- Reimbursement is available for attendant services provided in the home, school, workplace, or other community location
- Has served an annual average of 176 unduplicated individuals over the past five years

ELIGIBILITY

- Technical requirements
 - Maryland resident
 - Severe chronic or permanent physical disability
 - Aged 18-64 at time of initial eligibility determination
 - Not receiving other personal assistance services for the same time period on the same day
 - Eligibility status
 - Working, looking for work, or enrolled in post-secondary education or
 - At risk of nursing facility placement

ELIGIBILITY

- Financial
 - Income limit = \$53,522 per year (includes total taxable and non-taxable annual income less 100% of total unreimbursed medical expenses
 - Allowable expenses include medical and dental care payments, insurance premiums, medical equipment and attendant care services

PROGRAM PARTICIPATION & SELF DETERMINATION

- Application and supporting documentation submitted annually after initial enrollment
 - Reimbursement rate determined at enrollment & redetermination
 - Based upon income & household size according to established sliding scale
 - The maximum reimbursement rate is \$308.75 every two weeks (i.e. \$8027.50 annually)
- All participants self-direct
 - Chooses staff
 - Determines services to be rendered/duties of attendant
 - Decides attendant schedule & pay rate
 - Provides training as deemed necessary (type, frequency and scope)
- Plan of Care/Service not developed or required
- Participant assumes all duties of employer
- Payment from ACP is retrospective & proportionate (up to the maximum)

PROGRAM PARTICIPATION & SELF DETERMINATION

- Participant pays staff directly & is reimbursed bi-weekly
- Participant submits signed timesheets & certification of services according to designated pay periods every two weeks
- Participants may request up to two advanced payments per year
- Payment is made directly to participant via US mail or direct deposit

PERSON-CENTERED VS. SELF-DIRECTED

Person-Centered

- Plans, services and/or programs that are designed with the participant as the sole focus but where decisions are often made based upon team consensus.

Self-Directed

- Plans, services and/or programs that are designed with the participant as the sole focus **and** the primary decision-maker; the participant is in charge of every aspect of his/her life.

PERSON-CENTERED VS. SELF-DIRECTED

- While all self-directed programs are inherently person-centered, not every person-centered program is necessarily guaranteed to be self-directed
- There are gradations of self-directed programs; with the basis of the program being person-centered but providing only one or two opportunities for the participant to self-direct; up the continuum to a fully self-directed program where the participant directs every aspect of his/her life

ACP: a fully self-directed program

ACP

- Staff chosen by person
- Attendant trained based upon what participant deems relevant
- Participant receives services in his/her home; we don't "count towels"
- Participant oversight
- No POC/POS; services provided based upon what participant decides is needed & can change monthly, weekly or daily
- Participant decides who, what, where, when and how
- Person decides upon his/her life plan just like everyone else; may get input from friends/family informally

OTHERS

- Staff must be "qualified" according to the state/provider
- Prescribed, generic training requirements
- Homes are licensed
- "External" oversight provided by state, provider, third party
- Annual plan of care/service developed by a team of people, including "professionals"; changes must be made according to a designated process
- Decisions are made by others about the person's needs, services and life
- Team approach to life planning

CHALLENGES

- Participants are not always familiar with applicable labor laws & employer tax responsibilities
- Participants may have difficulty keeping track of employee records
- Participants sometimes have trouble locating personal assistance workers
- The demand for participation greatly exceeds available budget; there is a very low attrition rate

THE BOTTOM LINE...

- The two most important aspects of a successful self-directed program are the provision of ***full control & appropriate supports!***
 - Participants must be in complete control of their services and service providers or it's not a truly self-directed program; and
 - Participants need to have necessary supports & resources in order to effectively & efficiently manage their services
 - (e.g. accurate information, organizational supports, help with doing the “leg work” of finding service providers or getting the information needed to make an informed decision)

PROGRAM CONTACT INFORMATION

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QUESTIONS???