

Direct Personal Care, Inc. CDPAP PROGRAM

CONSUMER WELCOME PACKAGE

Contents

WELCOME.....	3
INTRODUCTION TO CDPAP.....	4
DISCOVERING YOUR NEEDS.....	4
SERVICES TO BE PROVIDED BY YOUR PERSONAL ASSISTANT.....	4
WHAT IS CDPAP?.....	5
CDPAP ELIGIBILITY.....	5
CDPAP BENEFITS.....	5
CONSUMER RESPONSIBILITIES.....	6
Direct Personal Care, Inc. RESPONSIBILITIES.....	7
MANAGEMENT OF HUMAN RESOURCES.....	8
RECRUITING.....	9
SCREENING APPLICANTS.....	10
THE INTERVIEW PROCESS.....	11
SAMPLE QUESTIONS.....	12
CHECKING REFERENCES.....	12
HIRING.....	13
PERSONAL ASSISTANT TRAINING.....	14
CONFLICT RESOLUTION AND TERMINATION.....	15
PERSONAL SAFETY.....	16
PRIVACY AND SECURITY TIPS.....	17
PRIVACY AND SECURITY-YOU HAVE THE RIGHT TO:.....	18
FINANCIAL INFORMATION - YOU HAVE THE RIGHT TO:.....	18
QUALITY OF CARE - YOU HAVE THE RIGHT TO:.....	19
CONSUMER ACKNOWLEDGMENT FORM.....	20
EMPLOYMENT AND CONFIDENTIALITY AGREEMENT.....	21
RECEIPT OF NOTICE OF PRIVACY PRACTICES.....	22
DRIVING WAIVER.....	23

WELCOME

Welcome to Direct Personal Care, Inc., Consumer Directed Personal Assistance Program (CDPAP). The Consumer Directed Personal Assistance Program is a Medicaid funded home care program in the New York State. The program allows people with disabilities and/or personal care needs to have more control over their personal assistance services.

Direct Personal Care, Inc. "CDPAP", enables individuals who are independent and non-independent too, self-directing home care service consumers to directly affect their quality and continuity of home care services. The self-directed consumer is responsible for the recruiting, interviewing, hiring, training, scheduling, supervising and terminating Personal Assistant(s) of their choice.

Direct Personal Care, Inc. is readily available to assist you in becoming a consumer of the CDPAP. If you would like to know more about the program or receive free consultation, please call our office at [646.464.4473](tel:646.464.4473)

We are located at 11940 Metropolitan Avenue, Suite 110 Kew Gardens, NY 11415

The office is open **Monday to Thursday from 9AM to 5PM, and on Friday from 9AM to 4PM.**

INTRODUCTION TO CDPAP

DISCOVERING YOUR NEEDS

With what tasks do you need assistance from a personal assistant? It may be helpful to break down your daily living needs, and include these tasks in a written job description. Examples of tasks include: dressing, undressing, shaving, bathing, bowel care, cleansing after toileting, communication assistance, telephone assistance, writing or typing, brushing teeth, grooming, skin care, hair care, medications, cooking, laundry, mobility, transferring, trimming nails, transportation, turning at night, shopping or errands, use of assistive devices, cleaning equipment.

Assess when you need the most assistance, and approximately how long each task will take. It is also helpful to include the qualifications/skills you would like your assistant to have, and any equipment you use. You may only need assistance at certain times of the day, or you may need an assistant for a block of time each day.

If you receive your services through a state assistance program, there may be restrictions placed on what your assistant can and cannot perform. Check to see if the state program you are on covers tasks that may be delegated by a registered nurse to a personal assistant.

SERVICES TO BE PROVIDED BY YOUR PERSONAL ASSISTANT

Your PA is allowed to, but not limited to providing assistance with: shopping, reading, paying bills, dressing, eating, taking medications, personal hygiene, cooking, respite, communication, daily planning, getting in/out of bed, and assistive technology.

Whether you are looking for a personal assistant for the first time, or have utilized personal assistance services for many years, the CDPAP presented by Direct Personal Care, Inc. believes this manual offers excellent tips on locating, training, and managing an assistant. Remember, you have the right to choose an assistant that best matches the qualities and experience you desire.

WHAT IS CDPAP?

Direct Personal Care, Inc. "CDPAP" is a Consumer Directed Personal Assistance Program, a viable alternative to conventional home care services, promotes consumer independence.

The program enables self-directed consumers and/or advocates to recruit, interview, hire, train, schedule, supervise and dismiss Personal Assistance(s) of their choice. Self-directed consumers and/or advocates assess needs, determine how and by whom these needs should be met, and monitor the quality of services received. Individuals independently make all decisions and manage services directly.

CDPAP ELIGIBILITY

To participate in the Consumer Directed Personal Assistance Program, the consumer must be:

- Eligible for Medicaid.
- Self-Directing or has an advocate willing to make decisions about the services being provided.
- Eligible for long-term home care, certified home health agency services.
- AIDS home care or personal care services.

CDPAP BENEFITS

The program enables independence and consumer empowerment by gaining more control over their personal care needs. A consumer can:

- Independently or with the assistance of an advocate, recruit, interview, train, schedule, supervise and dismiss the Personal Assistant(s) of their choice.
- Hire as many Personal Assistants as may be deemed necessary to satisfy the consumer's needs, and as authorized by the Service Provider.
- Develop a direct working relationship with the Personal Assistant.

CONSUMER RESPONSIBILITIES

Consumers must sign an agreement to fulfill the following responsibilities:

- Manage the services of the Personal Assistant employed.
- Notify the Service Coordinator of any changes in status, including, but not limited to, the consumer's address, telephone number and hospitalization.
- Notify the Service Coordinator of any changes of each Personal Assistant(s) name, address, phone number, employment status, and hours worked.
- Arrange and schedule back-up Personal Assistant coverage for vacations, holidays, absence due to illness and personal time.
- Develop an emergency backup system in the event substitute employees are needed to replace permanent employees.
- Process in a timely manner the required paperwork such as time sheets, health assessment, vacation and time off requests, and other required employment documentation.
- Schedule visits with a registered nurse once every six (6) month for the required nursing assessment.
- Sign a contract agreement with the Program to fulfill these responsibilities.

Direct Personal Care, Inc.

RESPONSIBILITIES

- Process the payroll for each Personal Assistant. Payroll will be processed on a weekly basis provided that Direct Personal Care, Inc., has received the weekly signed time sheets.
- Coordinate all matters that relate to the employment forms for each Personal Assistant.
- Act as the employer of record.
- Maintain a confidential personnel file on all hires Personal Assistants.
- Advise and encourage the consumers to provide equal employment opportunities to all prospective employees, regardless of their race, creed, color, national origin, sex, disability, marital status, orientation or sexual preference.
- Monitor the completion of the required nursing assessment forms and the consumer agreement outlining obligations and responsibilities.
- Engage in ongoing monitoring activities, which include periodic contact with the consumer and review of the six (6) month nursing assessment.
- Provide appropriate notification pertaining to any intention to transfer or terminate the consumer from the Program.
- Sign a contractual agreement with the consumer to fulfill these program responsibilities.

MANAGEMENT OF HUMAN RESOURCES

Consumers should encourage a safe and pleasant work atmosphere. This can happen when everyone cooperates and commits to appropriate standards of behavior.

The following is a list of behaviors that the consumer may consider unacceptable. Any employee found engaging in these behaviors may be subject to disciplinary actions including reprimand, warning or dismissal:

- 1.** Failure to be at work at the regular starting time.
- 2.** Intentionally giving any false or misleading information to obtain employment.
- 3.** Willfully damaging, destroying, or stealing property belonging to the consumer.
- 4.** Using threatening or abusive language.
- 5.** Engaging in disorderly conduct.
- 6.** Refusing or failing to carry out instructions of the consumer or their Representative.
- 7.** Falsifying any record.
- 8.** Willfully or habitually violating safety or health regulations.
- 9.** Failing to wear clothing conforming to the standards set by the consumer.
- 10.** Possessing firearms, weapons, alcohol or drugs on consumer property.
- 11.** Leaving your consumer unattended without permission.
- 12.** Ignoring work duties as dictated by consumer Plan of Care.

RECRUITING

In recruiting a personal assistant, it is essential to determine what qualities or training level you desire in a personal assistant and find someone who is able and willing to perform the job.

There are many methods of advertising and recruitment that a person can utilize when looking for a good dependable personal assistant. Below are some suggestions for finding prospective employees:

1. NEWSPAPER ADVERTISEMENTS

Neighborhood newspapers are cheaper than major citywide papers, and are good to target potential assistants who live closer to your home.

2. LOCAL NEWSLETTERS

Sometimes disability and other community organizations will run short ads.

3. COLLEGES AND UNIVERSITIES

Colleges can be an excellent source for finding personal assistants. Many students are looking for extra income to help them through college. It is often possible for students who are interested in majors in the area of health and human services who need work experience in their chosen field. To advertise a position, contact the career placement office or the student housing office on campus.

4. WORD OF MOUTH

Don't forget to ask family, friends and neighbors if they or someone they know would be interested in being employed as your personal assistant. The only restrictions to hiring family members are that they cannot be your spouse or child, however, a child can care for their parent.

5. BULLETIN BOARDS IN HIGH TRAFFIC AREAS

Hang flyers on bulletin boards in high traffic areas, such as: grocery stores, banks, apartment buildings, restaurants, community centers, churches, temples, Laundromats, day care centers.

The more complete the information, the more you can be sure that the prospective employees that contact you are truly interested, and potentially qualified for the job. It is a good idea to include:

1. Job title and a short description of the job
2. Days and hours of service
3. Compensation and benefits offered
4. Must be at least 18 years of age
5. Must supply proof of citizenship or ability to work in the US

Optional, but helpful information you may include:

1. Age group of consumer: Pediatric, Senior Citizen
2. Is driving necessary
3. Location (City/Area)
4. Smoker or non-smoker preferred

SCREENING APPLICANTS

1. Give a brief description of the duties of the position, amount of hours the job requires, and the amount and method of payment (payment through a payroll vendor).
2. If the job includes bowel/bladder care, medications, use of medical equipment.
3. If the applicant is interested, ask applicable questions and record the answers:
 - a. Will you give me your name, address, and phone number?
 - b. What days and hours are you available to work? Do you have any restraints on your schedule that I need to consider? Are there days you definitely cannot work?
 - c. Have you ever assisted or worked for a disabled or chronically ill person? (If yes) Tell me a little about the kinds of duties you performed.
 - d. Do you have reliable transportation?
 - e. Do you smoke?
 - f. Are you allergic to pets?
 - g. Are there personal hygiene tasks you object to performing?
 - h. Do you have medical restrictions that will prevent you from lifting, transferring, and positioning?
 - i. Do you cook and would you mind doing housework?
 - j. Do you object to me doing a criminal background check?
4. Tell the person you will call back to make an appointment for an interview (if you are interested in a face-to-face interview). Ask them to bring identification for filling out an I9 form and W-4.
5. You may consider meeting at a “neutral” location outside the home for personal safety.
6. Even if the person is unsuitable for the job, always thank them for their interest. You may want to file their name and phone number to use in the future.

THE INTERVIEW PROCESS

Call all those applicants that appeared to be good prospects and schedule each for a face-to-face interview. Allow plenty of time between each interview. About one hour for each interview is usually good. The interview is important because this is the time when you let the applicant know about the job in detail and gather information about the person you may hire as an assistant.

When the prospective assistant arrives there are a few suggestions that can make the interview successfully. Some things may need to be repeated from the telephone contact for clarification purposes:

1. Help the person feel as comfortable as possible, and get to know each other a little.
2. Tell the person about your needs or that of your family member.
3. Ask the applicant to fill out your application. Applications are useful because they are a good way to keep up with the prospective assistants that you have interviewed. They also simplify record keeping and are an easy way to have quick reference to the information you will need to make a final decision. It will give you good background information to form your questions.
4. Give him/her a copy of your job description to read. If you have one, and explain the duties and responsibilities of the job thoroughly. Ask if they can easily and safely perform the functions of the job. (I.e. Lifting, transferring, positioning, use of medical assistive devices) as checked on the application form.
5. Ask them to tell you about themselves. Be sure to question about past work history, reasons for leaving other employment, any past experience with personal assistance and why they are interested in this position. Ask about their career goals and why they are pursuing this type of work.
6. Describe the work schedule, payment method, benefits and your method of evaluating an assistant. Review Holiday coverage.
7. Give the applicant an opportunity to ask you questions.
8. Tell the applicant you will call as soon as you make a decision. (Be sure to call the applicant even if you decide not to hire them)

SAMPLE QUESTIONS

The following are a few questions you may choose to ask during the personal interview to help choose your assistant:

1. How far do you live from here? (Turnover seems to be higher among workers who commute long distances, especially in bad weather).
2. Have you had any experience giving personal care?
3. Do you smoke or drink?
4. Do you object if other people smoke or drink when you are present?
5. How would you handle multiple tasks at the same time and ensure that all are performed?
6. Are you comfortable performing personal care duties such as bathing and toileting?
7. What do you think will be the best and the worst part of this job?
8. What are your strong and weak qualities?
9. Why are you interested in being a personal assistant?
10. Give me an example of how you have handled disagreements with your past employers.
11. Have you ever been convicted of or are you presently being charged or under indictment for a crime? (If the answer is YES-ask for details)
12. Do you object to obtaining a criminal history check?

CHECKING REFERENCES

If you are hiring a friend or relative known to you, you may choose not to check references. Before you make a decision about hiring a stranger as an assistant, check each person's references. Call a former employer if possible as listed on your application. Look carefully at how long they were employed at each place. Ask former employers if the applicant worked there and the dates worked. You may ask any and all questions you like, but the previous employer is not legally required to provide you the information. If work references are not available, Check personal references.

HIRING

Once you narrow down your choices to the individual(s) you wish to hire, call them and offer them the position. Set up a time when you give them more details about the job, review the job requirements, arrange a time and day for them to start, and have them fill out a Contract Agreement if you desire to formalize the arrangement. You can hire the personal assistant on a trial basis (for example, three months probation) then review the continued employment based on your assessment of job performance.

Back-up or substitute assistants are persons you can call in the event that your regular assistant cannot work. Substitutes can be used when your attendant is on vacation, is ill, or quits without notice. It is highly suggested to keep a list of four or five back-up assistants to guarantee you get help when you need it. It is a good idea to advertise, screen, and file applicants at the start of care of the program for back-up positions.

You can find substitutes in several ways. Whichever method you choose, it helps to have a phone list of substitutes within reach in time of an emergency fill-in.

1. Perhaps the best method is to recruit and hire backups just as you would your “regular” assistant(s). Keep the names and numbers of applicants as backups.
2. Friends, neighbors, and certain family members can be on stand-by for emergency situations.
3. Requesting that your assistant finds his/her own replacement when unable to work could be helpful as well.
4. Hiring two assistants on a split schedule has worked for many individuals (i.e. One for weekdays, one for weekends and shared holidays)

PERSONAL ASSISTANT TRAINING

The following is a list of suggestions that will help you in training your personal assistant:

1. Explain the nature of your disability or illness in as much detail as possible.
2. Conduct training sessions with your new assistant every day, covering one topic a day.
3. Review previously covered sessions regularly to ensure the assistant understands what you taught.
4. At the beginning of each training session, present a brief overview of what you will teach.
5. At the end of the session review what was taught in that session.
6. Be sure to emphasize the safety precautions and what to do in case of an emergency.
7. Explain the proper use of any life support systems in detail.
8. Fully describe all procedures, such as transferring, in a step by step method.
9. Explain and limit use of technical words, ask for feedback to guarantee you are communicating effectively with your assistant. It may be helpful to have pre-written instructions to hand out to your assistants.
10. Try to have a family member, former assistant, or a friend demonstrate proper methods of performing procedures as you train your new assistant. Return demonstrations by your new assistant is an excellent way to judge understanding of procedures and any mistakes can be quickly corrected.

CONFLICT RESOLUTION AND TERMINATION

As with any employment situation there are bound to be some areas of conflict at times between You as the EMPLOYER and YOUR assistant as the Employee. Sometimes conflict is due to poor job performance. Perhaps the training the assistant received did not answer all their questions about procedures and techniques that you would like to, or must have done. If you suspect this might be the case, re-train your employee on the aspects of the job that are causing them difficulty. Many times this “refresher course” will solve what seem to be serious problems.

Punctuality is a frequent problem for some assistants. If a pattern begins, confront your assistant. Convey the importance of their timelines to your life. Get them to agree to a timeframe. If they violate that time frame, let him/her go.

There are other times when an assistant and the employer simply just do not get along due to personality differences. Perhaps the person you thought would be a perfect assistant turns out just the opposite. Before you give up completely on the relationship here are a few suggestions to try to solve the problem:

- 1. Keep the lines of communication open.** When conflict arises, it's easy to shut down. Keep talking, and try to find out the true reasons behind the conflict. The problem will not go away just by ignoring it.
- 2. Look to your written contract for resolution.** A written contract helps prevent or clear up disagreements about duties, salary, time off and benefits. This is another good reason to have a complete, clearly written contract between you and your employee.
- 3. Bring in a third party to help settle the conflict.** A friend, neighbor, clergy person who is objective can often find a resolution that both parties can live with.
- 4. In genuine differences of opinion, look for compromise.**

If all else fails, then you must take the responsibility of terminating your employee. The exact method you use is up to you. A face-to-face exit interview or per phone call. You need to discover your comfort level in this situation. Make arrangements for the employee to receive their final paycheck. A simple statement of “I won't need your services anymore” is sufficient. It is your choice as to whether or not you give the traditional two week notice. Analyze what went wrong, to avoid a similar situation in the future.

It is recommended that you arrange a backup prior to terminating your employee.

PERSONAL SAFETY

1. You have the right to receive personal assistance without being taken advantage of sexually, mentally, physically, or financially. You have the right to terminate exploitive or abusive relationships. If you feel that the behavior an assistant is displaying towards you is inappropriate, talk to someone you can trust about the situation. It can help to get a second opinion of the situation and how to handle it.
2. Remember that criminals often enter through unlocked doors and windows. Keep your doors locked, especially at night. If it's a friend at the door, he or she won't mind waiting for you or your assistant to open the door.
3. If you suspect someone is trying to get into your home, call 911. Even if you're not sure, it is best to call. If it is an assistant or someone you know, but they are acting suspiciously, call the police.
4. Most sexual abuse happens with someone known to the person. Remember, you have the right to say NO to any unwanted touch, whether it is a personal assistant, a romantic partner, or family member.
5. If you receive an unwanted sexual touch from a personal assistant, be aware that it is a violation of professional ethics, your rights, and the law. Report it as soon as you can to the police. For support, call your local rape crisis center and/or a personal counselor. Trust your instincts. If you feel unsafe, terminate the relationship with your personal assistant.
6. Have friends, neighbors, family handle things that you do not feel comfortable delegating to your assistant (i.e. Assistance with financial matters). Let your assistant know through casual conversation that your family and neighbors are watching out for your well-being.
7. In cases of child abuse, call the police immediately. Call your local Hot Line Abuse # found in your area phone book. Call your vendor for further assistance.

PRIVACY AND SECURITY TIPS

1. Make an inventory. Give a copy of your inventory to your family or friend or insurance agent. If you have a loss, it will help establish proof of value for filing claims.
2. Everything should have a place known to you and should be kept in that place.
3. Make it evident that you are aware of your surroundings, what you have, and where those items belong through casual conversation.
4. Keep an inventory of your consumables. Also, keeping a mental inventory can help control purchasing.
5. Discuss phone use with your assistant at the time of hire. Detail phone use while working and responsibilities for long distance bills. Check your bill for charges that are not recognized as yours. Make phone use part of your employment contract in order to avoid conflict.
6. Use extreme caution when allowing your employee to use your ATM card, credit card or access to bank accounts. You as the employer do this at your own risk. When terminating an assistant, change your PIN numbers. Ask your assistant for receipts for any purchases and regularly count your change.
7. Use caution when giving your assistant use of your car. It is your responsibility to check with your auto insurance carrier for specifics on liability.
8. Upon termination of your employee, make sure you get all keys back. If not, you may wish to change the locks on the doors to your house.

PRIVACY AND SECURITY-YOU HAVE THE RIGHT TO:

- **PRIVACY AND SECURITY** – to respect your property, personal privacy and security during Home care visits. You have the right to unlimited contact with visitors and others and to communicate privately with these persons.
- **CONFIDENTIALITY** – the confidentiality of written, verbal and electronic information, including your medical records, information about your health, social and financial circumstances or about what takes place in your home;
- **HEALTH INFORMATION** – to access, request changes to and receive an accounting of disclosures regarding your own health information as permitted by law; and
- **RELEASE OF INFORMATION** – to request us to release information written about you only as required by law or your written authorization.

Our Notice of Privacy Practices describes your rights in detail.

FINANCIAL INFORMATION – YOU HAVE THE RIGHT TO:

- **INSURANCE INFORMATION** – to be informed of the extent to which payment may be expected from Medicare, Medicaid or any other pay or known to us before any care is delivered.
- **KNOW OF CHARGES NOT COVERED BY MEDICARE** – to be informed of the charges that will not be covered by Medicare before any care is delivered.
- **KNOW OF CHARGES NOT COVERED** – to be informed verbally and in writing at the time of admission, the approximate maximum dollar amount, if any, of care or services to be borne by the patient.
- **RECEIVE INFORMATION WITHIN 30 DAYS** – to receive this information verbally and In writing, before care is initiated and within 30 calendar days of the date the home care provider becomes aware of any changes in charges.
- **HAVE ACCESS TO ALL BILLS** – to have access to all bills for services you have received regardless of whether the bills are paid out-of-pocket or by another party.

QUALITY OF CARE – YOU HAVE THE RIGHT TO:

- **RECEIVE HIGH QUALITY CARE** - to receive care of the highest quality.
- **PAIN MANAGEMENT** – education about you and your family’s role in managing pain when appropriate, as well as potential limitations and side effects of pain treatments.
- **BE ADMITTED ONLY IF WE CAN NOT PROVIDE THE CARE YOU NEED** – A qualified staff member will assess your needs. If you require care or services that we do not have the resources to provide, we will inform you, and refer you to alternative services, if available, or admit you, but only after explaining our limitations and the lack of a suitable alternative: and
- **RECEIVE EMERGENCY INSTRUCTIONS** – to be told what to do in case of an emergency.

CONSUMER ACKNOWLEDGMENT FORM

I have completed the required training time provided by Direct Personal Care, Inc. I understand the responsibilities of all involved parties and agree to abide by them.

I have received training in the following areas:

Assessing my needs Recruitment and Hiring Contents of an Advertisement, Screening Applicant, Conducting an Interview, Checking References

Hiring

Back-up Assistants, Conflict Resolution

Personal and Property Safety, Training my Personal Assistant

I acknowledge that I will meet with and interview my employee's according to guidelines provided through my training program. I understand that I am responsible for completing the requested paperwork.

Consumer Signature: _____

Consumer Representative: _____

The program Representative Signature: _____

Date: _____

EMPLOYMENT AND CONFIDENTIALITY AGREEMENT

This is an agreement between _____ and _____
(Client) (Personal Care Assistant)

This defines the conditions of employment.

You employ me, as a participant in the Consumer Directed Program. I understand that I am directly responsible to you and not to Direct Personal Care, Inc.

I agree to work on the assigned days and times of my employment. I understand that I must contact you at least two hours before my assigned work in case of an illness or any other emergency.

I understand that I have to perform the tasks as listed on the care plan in a responsible, courteous, and prompt manner, and will be expected to respect your possessions, your lifestyle, and your home.

I understand that I must provide you with at least 2 weeks' notice in case of extended time off or termination of my employment.

I understand that no confidential information is to be discussed or disclosed in any way without permission of Direct Personal Care, Inc. or you the client.

Date: _____

Client Signature: _____

Personal Assistant Signature: _____

RECEIPT OF NOTICE OF PRIVACY PRACTICES

I acknowledge that I have been provided with a copy of Direct Personal Care, Inc. Notice of Privacy Practices that provides a description of protected information uses and disclosures, and that I have had an opportunity to ask questions about anything that I did not understand.

Signature: _____

Print Name: _____

Dare: _____

DRIVING WAIVER

I have been advised that Direct Personal Care, Inc. is not liable or responsible for any injury, to persons or property which might occur as a result of being transported by my Personal Assistant.

I have been further advised that I should verify that my Personal Assistant is a duly licensed driver in the State of NY and has at least the minimum medical and liability coverage on his/her vehicle and is occupants, as required by the laws of the State of New York.

Consumer Name: _____

Consumer Signature: _____

CIN: _____

Date: _____

And/Or

Advocate Name: _____

Advocate Signature: _____

Date: _____