OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD)  
FREQUENTLY ASKED QUESTIONS AND ANSWERS  

***Questions/Answers are new***

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GENERAL INFORMATION QUESTIONS

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| Who can complete the background check for new workers? | • You can use a state approved police vender to do background checks.  
• For self-direction the employer can go through Morning Sun and Acumen (the fiscal agents) for background checks. |
| Can a legal guardian who does not live with a participant become the worker during the Covid-19 emergency? | • Legally responsible relatives can be hired at this time provided they did not let the DSW go so they could be the worker, they must follow the same approved schedule and they cannot work 24 hours a day, 7 days a week. This will stop after the COVID-19 crisis is over. |
| Are drug screens required for family members who are workers for the duration of the COVID-19 emergency? Or for new employees hired during the COVID-19 emergency? | • Drug screens are not required by Office for Citizens with Disabilities as a requirement.  
• If your agency requires drug screens, that remains up to the agency. |
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| This individual asked about getting paid to care for their child when they were NOT on the clock with their primary employer, but at home. Please clarify this. We have parents that are receiving only partial pay for limited work from home and caring for their child when not working. Are you saying that even if they get part time pay, they can't pick up other hours working for their child? | • "At the same time" means while specifically on shift.  
• As long as they are not working their regular job, they can be the employee. |
| We were in the process of discharging a Supported Individual Living individual. The prior authorization has come through with a start date of April 1. If the new provider is ready will this change of providers still continue as planned? | If the new provider is able to support the individual, then the transition should move forward. Please contact the support coordinator to make sure everything is in place. |
| Neither of us have lost our jobs as of yet, but are both taking off to care for her since our employees can’t and schools/therapies are closed. So, my question is if either myself (employer) and/or my husband are able to be a support worker for her at this time? And if so, what are the restrictions/guidelines/rules we need to abide by. I have printed the Acumen forms and plan to submit if this is something we would qualify for. | • You are able to be the direct care staff for your child.  
• If you are working from home and providing care to your child, you should not submit timesheets as the worker for your child.  
• If you have taken leave time (which is paid) to care for your child, you can be the worker for your child. |
<p>| I understand that there is an exception where the worker can reside with you during time of crisis, are we allowed to stay with worker? Instead of the worker staying at the employer’s home, like in our case our employee is my son's grandmother, can we stay at her | Yes. During the emergency the recipient is allowed to live in the worker’s home, and/or the worker can live in the recipient’s home. |</p>
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| Can a Direct Support worker work more than 40 hours a week during the emergency? | Yes, under the exemptions a DSW can work over his or her allotted 40 hours per week.  
You should reach out to your service provider for questions regarding how your support worker will be paid. |
| How will the DSW be paid in the event that she works over 40 hours? (Straight time or time + 1/2)? | During the emergency the 16 hour limit is waived.  
You have to use the hours as they are budgeted. You cannot switch night hours for day hours.  
No one person should work 24 hours a day without a break in between. This is not healthy for a worker or safe for a recipient. |
| How long can a Direct Support Worker work for 24 hours in a row? Is there a limit? What if the Direct Support Worker is living with the participant? Explain the 16 hour reference in the memo. What is meant by requiring justification for changing night hours to day hours? | If the parent is working from home and getting paid for that job they cannot be the paid worker.  
If an individual has applied for, and/or is receiving unemployment, he or she must report the income from providing services. |
| What if the parent/guardian is employed, but temporarily working from home while caring for the recipient? My assumption is that one should not be paid by primary employer at same time as Individual and Family Support (IFS), but I’d like clarification (i.e., parent employment is 7:30 am to 3 pm; parent could then use IFS for 3 pm until 11 pm?). | Yes, you can live in the same house, and be a paid worker during this crisis. |
| If I am not legally responsible for a person receiving a waiver, but I live in the same house, can I be the paid worker? | Yes, the SOA can be substituted for the 90L for initial waiver workups during the COVID-19 crisis. |

Plan of Care and Documentation Related Questions

If a 90L cannot be completed for an initial CPOC, can the Statement of Approval be submitted in its place for the time being. Has there been a decision on if the SOA will suffice in lieu of the 90L when submitting initial plans during the COVID-19 pandemic period? | Yes, the SOA can be substituted for the 90L for initial waiver workups during the COVID-19 crisis. |
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<td>What is an acceptable electronic method of signing off on required</td>
<td>• Electronic signatures (via email) and verbal acknowledgement can be accepted until the documentation is received back from the individual.</td>
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<td>documents such as the person-centerd service plan?</td>
<td>• The hard copy documentation must eventually be signed by all parties and returned to the SCA. This should be done at the first quarterly meeting after the sheltering order has been lifted.</td>
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<td>• The signed documents will not have to be uploaded with the ePOC, but should be sent to the LGE as backup to the email or verbal confirmation.</td>
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<td>What about the paperwork? Do the family/staff have to complete the</td>
<td>• The requirement to document services has not been waived.</td>
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<td>paperwork? Family member are elderly</td>
<td>• The provider will train the family member on how to document services.</td>
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<td>Your memo states that signatures are not required; however, we need to</td>
<td>• We are asking SCs to document the conversation as to:</td>
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<td>have documentation of verbal agreement and the SC needs to sign the</td>
<td>o Who they talked to,</td>
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<td>budget. Please consider adding this requirement.</td>
<td>o When,</td>
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<td></td>
<td>o What time, and</td>
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<tr>
<td></td>
<td>o The nature of the conversation.</td>
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<td></td>
<td>• This should be submitted with the revision.</td>
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<tr>
<td>Do they have to log into LASRS? Family member are elderly</td>
<td>• Families will still be required to log into LaSRS while they are working.</td>
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<td>In the event that I am unable to provide natural supports to my child</td>
<td>• Contact your support coordinator if you need additional hours, but you have to give a reason.</td>
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<td>during this pandemic, can I request additional hours?</td>
<td>• Your support coordinator will do a revision of the Comprehensive Pan of Care and submit it for review, and approval or denial.</td>
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<td>I was hoping to find out how we should handle CPOC meetings that have</td>
<td>• Annual Plans of Care where the face to face meeting has not been held will be extended.</td>
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<td>to be completed within a timeframe that includes this emergency event.</td>
<td>• Please contact the individual by phone during the month you would have had the POC meeting. This will meet the requirements for payment for that month.</td>
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<td>Are we still held liable for having them completed during the required time frame or is there an option for completing them over the phone like quarterlies?</td>
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<td>Your memo states that signatures are not required; however, we need to</td>
<td>We are asking Support Coordinators to document the conversation as to who they talked to, when, what time, and the nature of the conversation. This should be submitted with the revision</td>
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<td>have documentation of verbal agreement and the Support</td>
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Coordinators needs to sign the budget. Please consider adding this requirement.

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| What type of documentation would be required in the event that our health circumstances have changed and we would no longer be able to provide the family care for our daughter? | • If you already receive Home and Community Based Waiver services, you should reach out to your support coordinator to discuss your circumstances and he or she can assist you with what is needed to revise your family member’s Plan of Care.  
• If you do not currently receive Home and Community Based Waiver services, you should reach out to your Local Governing Entity to discuss your situation and possible options to assist you. |
| Can the Residential Options Waiver (ROW) cap be exceeded due to day habilitation/pre-vocational and school closures? | Yes, if you usually attend a day program those hours will automatically become in-home support hours during this emergency. |
| If families do not use services for more than 90 days due to a COVID-19 related issue, will the recipient lose their waiver? | No, recipients will not lose their waiver if they do not use services during this emergency. |
| Are you allowing individuals to bump to the Residential Options Waiver and New Opportunities Waiver during this time? If so, are you waiving precertification visits? Will Medicaid honor these requests? | • We encourage you to work with your support coordinator if your needs are changing during this time.  
• If you need additional supports you should request an exemption in your current waiver, instead of a bump to a different waiver.  
• OCDD is working with Medicaid, both offices agree with the exceptions. |
| Will workers be allowed to report to work if Governor Edwards orders a “shelter in place” and the worker does not live with the individual? Should the authorized travel form be kept on the DSW at all times? Will a picture of the letter with the DSW’s name in it be sufficient? | • Yes, workers are essential workers and will be allowed to go to work.  
• On Sunday March 22, 2020 the Office for Citizens with Developmental Disabilities (OCDD) and the Office of Aging and Adult Services (OAAS) released a joint memorandum regarding DSWs as essential employees. [http://ldh.la.gov/assets/docs/OCDD/Coronavirus/OCDD-P-20-009JointMemoRegardingPCAandDSPS.pdf](http://ldh.la.gov/assets/docs/OCDD/Coronavirus/OCDD-P-20-009JointMemoRegardingPCAandDSPS.pdf)  
• OCDD/OAAS also drafted a letter for DSWs to use when they are traveling to and from work during a shelter in place order. [http://ldh.la.gov/assets/docs/OCDD/Coronavirus/OCDD-A-20-002LetterAuthorizingTravel.pdf](http://ldh.la.gov/assets/docs/OCDD/Coronavirus/OCDD-A-20-002LetterAuthorizingTravel.pdf) |
### Will additional hours be available due to school closures/day habilitation closures?

- **Children’s Choice Waiver** – Families will use the additional 20 hours first, saving their usual budget to use after the 20 are used. If their usual budget has been depleted on an environmental modification then they will still have the additional 20 hours weekly through the COVID-19 crisis. They do not have to have a $0 budget to obtain the additional 20 hours.

- **New Opportunities Waiver and Residential Options Waiver**—*day habilitation/vocational hours* will be converted to *in home support* without a revision.
  - Contact your support coordinator if no longer attending Day habilitation/Vocational services.
  - If you need more hours contact your support coordinator. You’ll need to tell the support coordinator why you need extra hours.

### Other Questions

**Are all Adult Day Cares/Home & Community Based centers also to follow what the governor has stated?**

- Yes, all day programs are closed by until midnight May 15, 2020 consistent with the governor’s orders.
- If the governor extends the stay at home order, the Louisiana Department of Health will issue guidance consistent with any order.

**Was guidance provided for circumstances on how to give medicine when medication administering Direct Service Providers were quarantined and new hires have not been trained?**

- The RN can provide training remotely via FaceTime, Skype, or phone as necessary.

**Will the overtime rule be lifted during this time when parents/DSW are having to work more than 40 hours a week? Some parents/grandparents are having to work around the clock 7 days a week due to be quarantined at home.**

- You should direct this question to the Louisiana Workforce Commission and/or the US Department of Labor. The state has not received any information on this.

**What happens to Children’s Choice age outs that are upcoming? Will they be able to receive their services at age 21? Families cannot have a lapse in services.**

- No, the Children’s Choice services must end at age 21.
- All of the children aging out in the next few months already have a link to a new waiver.
- The support coordination agency should prepare the plan of care to transition to the next waiver.
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<td>When I try to go to the link on the memo dated 3/24/2020, it does not work. Is there another way I can get to the recording?</td>
<td>• Try copying and pasting the link into your web browser. Ensure the entire link is copied.</td>
</tr>
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<td>Can families of adults who receive IFS funds through the LGE get 90 days of diapers paid through the LGE also? Or is this just children in Medicaid?</td>
<td>Please contact your SC to request a family support application. They will complete the application and submit to the LGE office for review. The LGE will notify you if the request is approved.</td>
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<td>For our recipients who are unable to get out at this time and are not able to shop or spend money, is Medicaid going to kick them off of any HCBS Waiver if their account reaches over $2000.00? If they will not, then what period of time will the recipients have to spend down the money?</td>
<td>No.</td>
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<td>If the number of days that are allowed for client to be out of the group home are exceeded beyond the maximum number, will the fee be waived until pandemic is under control and he is allowed to return?</td>
<td>The number of Leave Days will not count during this time.</td>
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<td>Are the Medicaid State Plan services going to increase EPSDT-PCS or LT-PCS hours during this time?</td>
<td>• Medicaid is working on requesting an emergency exception for these state plan services, we will provide guidance if we receive the exception.</td>
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<td>Good afternoon, I want to inquire about the mobile crew program we offer. Our services focus on a more holistic practice of employment readiness. The question I had is we only have small crews two days a week. The most participants per crew is 4, we promised them that we would send job training worksheets via mail or email, and the job coach would call/Skype them to follow up with the understanding and</td>
<td>• Your staff must be physically present with the individual to bill for the service. • You cannot bill for the service if you are providing training via skype or some other remote method.</td>
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comprehension of these activities. Are we able to bill for this service, and is this allowable? We truly can't have the people we work with lose all that we have taught, and are teaching because of COVID 19. Our services are community based, we don't offer any day habilitation or facility based services, only supported employment and mobile crew. So, we know the importance of keeping our crew motivated, and interacting with us using these tasks, in addition to documenting it, so once they return we are still on task. Thanks for any direction on this matter.

Good afternoon, I want to inquire about the mobile crew program we offer. Our services focus on a more holistic practice of employment readiness. The question I had is we only have small crews two days a week. The most participants per crew is 4, we promised them that we would send job training worksheets via mail or email, and the job coach would call/Skype them to follow up with the understanding and comprehension of these activities. Are we able to bill for this service, and is this allowable? We truly can't have the people we work with lose all that we have taught, and are teaching because of COVID 19. Our services are community based, we don't offer any day habilitation or facility based services, only supported employment.

- Your staff must be physically present with the individual to bill for the service.
- You cannot bill for the service if you are providing training via Skype or some other remote method.
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<td>So, we know the importance of keeping our crew motivated, and interacting with us using these tasks, in addition to documenting it, so once they return we are still on task. Thanks for any direction on this matter.</td>
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<td>Residents are not attending Day Habilitation Programs due to the mandatory lockdown. ICF’s have been providing these services in the community home setting and have incurred cost by adding additional staff to the schedules to ensure safety. Have there been any consideration for ICF to bill for providing Day Habilitation services?</td>
<td>This is being looked into, once there is an answer we will update.</td>
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| I am looking for additional details on the transferring of Day Program hours to IFS hours. Is this an equal transfer, meaning if they attend DP 6 hours per day are we receiving 6 hours of IFS Single Day? What about the transportation times? | • The Medicaid data contractor will automatically move the hours 1:1 over to the IFS provider.  
• Transportation times were not included here. |
| Will we have a separate login with DCI for us as employee versus us as employer? Or should we do time sheets and not use DCI? We have never used the phone app, just the computer. | • Log in the same way as you instructed staff to do prior to COVID 19. If you have specific concerns regarding log in, please contact the Fiscal Employer Agent. |
| What is companion care for New Opportunities Waiver (NOW)?               | • Companion care is a service where a per diem (daily) rate is paid to a companion who lives with someone with a disability, to help support the person with a disability.  
• Individuals in Companion Care are not eligible for Individual and Family Support (IFS) services in the NOW, Community Living Supports (CLS) services in the Residential Options Waiver (ROW), or skilled |
nursing. Companion Care is accessed through a regular Personal Care Attendant (PCA) provider.

- The provider receives a portion of the $92.02 per diem and the companion receives the rest.
- Companions are not normally employees, but contractors, so they are responsible for paying taxes on the per diem they receive.
- The provider is allowed to keep $17.00 of the daily per diem and required to pay the balance to the individual ($75.02).

| My child is a high school senior and transition planning is at a standstill. Will there be a work group to address transition issues? | • Contact the Department of Education (DOE) about transition planning.  
• If DOE is not clear, call your support coordinator to see what steps you should take. The support coordinator should be able to help you with the next steps, such as applying for services with Louisiana Rehabilitative Services (LRS) to begin looking for employment. |
## PROVIDER RELATED QUESTIONS

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| How should providers document care provided if they are no longer able to enter a home/have access to logs? During the 2016 floods, LDH provided an attestation form that providers could use. Is that an option now? | - Documentation of phone contacts, FaceTime, and Skype is sufficient.  
- Documentation on whatever an individual has access to is acceptable at this time (electronic, etc.).  
- If they just need to document they are providing services, it can be documented and dated on a sheet a paper.                                                                                                                                                                     |
| I have referrals wanting to start HCBS services. Is there any guidance about starting with a new provider during the stay at home order? | - Changing provider agencies at this time is not recommended, if they are a current recipient.  
- If this is a person who is seeking services because they are new to a waiver program, or someone who is looking for staff due to a current provider not having staff, they can seek new staff.  
- If it is an emergent situation, contact your Support Coordinator and Local Governing Entity. They can coordinate with State office.                                                                                                                                                       |
| I have a question regarding a previous employee, who has been gone for at least 5 months. Is it ok to waive 16hrs of orientation at this time if they come back to work for our company? | - Only if the prior training still meets the requirements for licensing.  
- OCDD recommends a refresher of infection control and abuse/neglect trainings.                                                                                                                                                                                                 |
| If your agency has an employee that has been gone for more than the 90 day period, is it allowed for Provider to waive the Pre-Certification training? | - Only if the prior training still meets the requirements for licensing.  
- OCDD recommends a refresher of infection control and abuse/neglect trainings.                                                                                                                                                                                                 |
| Are providers required to go into the homes of Supported Independent Living (SIL) recipients to conduct the face to face visit? | No, visits can be by telephone call, FaceTime, or Skype.                                                                                                                                                                                                                                                                                   |
| Is a Home and Community Based Service provider required to complete 16 hour training to work with an individual during this time? | - At a minimum, the Home and Community Based Service provider must provide training on:  
  o Abuse and neglect reporting and  
  o Infection control prior to staff providing services.  
- The rest of the 16 hour training can be provided following the start of services.                                                                                                                                                                                                                                               |
| Will staff be allowed to remain in hospital with the participant if both test positive? If so, can staff be paid? | • The hospital let you know what procedures to follow, and who is allowed at the hospital if a participant is hospitalized.  
• Right now we can’t pay direct support staff while the participant is in the hospital.  
• If staff has tested he or she should follow the advice of his or her physician or medical health professional about whether to go to work. |
| --- | --- |
| I have a provider wondering what the limit is for a DSW working straight, since appendix K states they can work over 16 hours if necessary, if they move in with a participant or if a participant moves in with them. For this particular provider the participant receives 24 hour services. | • Providers should determine what they need to do to ensure the safety of the participant, including scheduling the staff.  
• We recommend that the provider consider the participant's health conditions, and availability of other staff to work with him/her at this time. |
| How can DSWs get paid if they are at home with children due to school; have a sick child at home; are self-quarantined, or not allowed to work due to concern with employer? | • If a DSW cannot work during this crisis, he or she should apply for unemployment.  
• Please call 1-866-783-5567, or file for unemployment online at www.LAworks.net. |
| Should we continue to pay our employees who have been instructed by their physicians not to come to work? | • You cannot bill for waiver services if the Direct Service Worker (DSW) is not providing the service.  
• Each agency has to decide how to handle paying their employees.  
• You should follow all federal regulations throughout this event. |
# SELF-DIRECTION RELATED QUESTIONS

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| In Self Direction, is the hourly pay rate the same as current DSW staff or is rate controlled by an outside source? | - The employer (Self Direction participant) sets the pay rate for the employee.  
- That hourly pay rate must meet the minimum wage, and the maximum hourly wage is established by the Self Direction program. |
| How quickly can a new worker be hired in self-direction?                | - OCDD has asked Acumen and Morning Sun to expedite all new hires.  
- A family member can begin providing and billing for services at the time the application is received.  
- No additional action is needed from the self-direction employer to request an expedited review. |
| Can start date be as soon as the application is approved?               | Yes. We are asking that applications for hire be expedited, and this requirement is being waived.                                       |
| Will employment applications be expedited?                              | No. We are not able to backdate the billing for services until the application is approved.                                              |
| What actions do I need to take to get an application expedited?         | You should contact your support coordinator for questions about how to request a change in the plan of care hours.  
- There must be a justification for an increase in hours.  
  - There is an expectation that natural support hours that were previously provided continue to be provided through natural supports and not paid supports.  
  - There must be a revision of the POC, which must be submitted to the LGE for review and approval or denial.  
- If you are currently receiving services through a traditional provider agency, a family member can be hired by the traditional provider agency to provide services. |
| Will the start dates of the 1st and the 16th be waived?                 |                                                                                                                                           |
| Can start date be backdated since I have been providing the support?   |                                                                                                                                           |
| Explain the process—step by step—of changing hours for plans of care and then hiring the self-direction employee. |                                                                                                                                           |
| In self direction, if I am the employer and I need to become the worker, does my spouse need to become the employer? | - No. You can be both the employer and the worker during the emergency. |
If a self-direction employee is working over 16 hours, how will that be entered into Acumen?

Is Acumen going to allow the hours over 16 to go through and be paid?

- If you are approved for more than 16 billable hours a day Acumen and Morning Sun will allow the hours to be entered.

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<td><strong>Question</strong></td>
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<tr>
<td>Will the department relax regulations regarding the RN requirement of completing annual competency observations for medication administration in person? Can the observations be done via FaceTime or Skype?</td>
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| If the number of days that are allowed for client to be out of the group home are exceeded beyond the maximum number, will the fee be waived until pandemic is under control and he is allowed to return? | ● Emergency rules were posted on 3/27/2020 on the Louisiana Department of Health website concerning the 45 day leave exemption.  
● You can see the OCDD memo regarding the 45 day leave exemption at: http://ldh.la.gov/assets/docs/OCDD/Coronavirus/OCDDICFIIDLeaveMemo.pdf |
| We have questions regarding the following should a parent work for our agency taking care of their own child.  
● What type daily documentation is needed for the parent to complete? Such as; Timesheets, daily progress notes, etc.  
● Who signs off on the parent’s timesheet?  
● Will the parent have to use the Electronic Log in system (EVV)?  
● Will the agency bill as we typically do with DSW?  
● Will the rate of reimbursement be the same for parents working with their child? | ● The parent should be treated as any other employee.  
● We are not asking providers to make exceptions regarding timesheets, progress notes, or any other requirements with the exception of the abbreviated training, which would be needed for any new employee.  
● The provider dictates the rate of pay. |
| What do I need to tell families who want to allow family living in home to be their workers under self-direction? | ● Acumen will expedite the hiring process.  
● The hiring process includes:  
  ○ a background check,  
  ○ I-9,  
  ○ W4,  
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| What do I need to tell families who want to allow family members living in home to be their workers with a traditional provider? | - You should talk to the family and the traditional provider agencies.  
- The provider agency will need to complete the hiring process; that process will be expedited.                                                                 |
| Do we need to complete revisions for families who want to move from a traditional provider to the Self Direction option? | - Yes, since this is a change of provider that would require a revision.  
- Instead of moving from traditional providers to Self Direction, a family member can be hired by the traditional provider agency to provide services during this emergency.  
- It will be difficult to change from a traditional provider agency to self-direction at this time. |
| Is a Support Coordinator required to complete the crisis designation for Children’s Choice individuals? If so, is there a capped amount that can be assessed during this time? | - You will need to complete a crisis designation if a participant will exceed his or her budget.  
- Individual Family Support hours are capped at 40 hours a week in CCW.                                                                 |
| Are Support Coordinators required to complete initial face to face visits within 10 days or 30 days? | - The initial visit can be done by telephone, Skype, or FaceTime within 20 days.  
- Support Coordinators will be required to complete assessments within 30 days.                                                                 |
| Can a phone call count when Skype/FaceTime is not available? | Yes, a telephone call is acceptable.                                                                                                                                                                 |
| Who do we report to if staff fail to report to work? | - Notify the provider agency that employs the staff member.  
- The provider agency is responsible for developing a back-up plan.                                                                                                                                  |
| Are we required to observe job completion jobs? | - No, please document consent from families.  
- Email acceptance of the job is allowed.                                                                                                                                                         |
| What should a Support Coordinator do if a skilled nursing provider is unable to staff and services are needed in the home? Will there be exceptions to allow an Individual and Family Support to be staffed in home if no family is available? | - Yes, this should be documented in the plan of care.  
- There will need to be a request for revision to the POC.                                                                                                                                       |
| Will Support Coordinators be required to mail approved plans of care within current timelines? | - No, this can be done electronically to the family if possible.  
- We will not penalize timelines during this time.                                                                                                                                              |