

8.11 PERSONAL ASSISTANCE SERVICES

Federal Definition

Personal assistance services means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability. Personal assistants provide a variety of services to individuals who, because of their disability, experience limited mobility or personal care skills.

Personal assistance services must be designed to increase the individual's control in life and ability to perform everyday activities on or off the job. The services must be necessary to the achievement of an employment outcome and may be provided only while the individual is receiving other vocational rehabilitation services. The services may include training in managing, supervising, and directing personal assistance services.

Scope of Services

Personal assistance services are provided for individuals whose secondary disability(ies) limit their physical functioning and mobility to the degree that a personal assistant is required to enable the individual to achieve an employment outcome. Personal assistance services include but are not limited to assistance with: personal hygiene; mobility; eating; dressing; errands and incidental communications.

Personal assistance services can only be provided by CBVH as a supportive service to another rehabilitation service. It can be authorized only when the individual is engaged in another rehabilitation service or preparing to access another service. Both the personal care service and the rehabilitation service being supported are to be indicated on the IPE.

Rule 1

Personal assistance services are not intended to supplant the care customarily provided by family members.

Evaluation of Need for Personal Assistance Services

A consumer shall be evaluated by a physician, occupational therapist, physical therapist or other appropriate professional having the skill and knowledge to determine the consumer's personal assistance needs. In some cases, individuals may be referred to

CBVH with adequate information concerning their personal assistance needs. If this information is current and sufficiently comprehensive, it may be used in lieu of an evaluation.

Recruiting a Personal Assistant

In order to provide flexibility and choice in obtaining personal assistance services, CBVH will inform individual of the availability of Consumer Directed Personal Assistance Programs. These programs allow individuals to recruit, hire, train and supervise their own attendants while a vendor agency handles the administrative tasks and provides training and support to the consumer.

Personal assistants may be recruited through the following resources:

1. the individual's informal network of family and friends
2. local CBVH district office
3. local independent living centers
4. local Department of Social Services
5. community service organizations
6. work study programs and personal assistants referral services at colleges
7. public and private home health care agencies

Selecting a Personal Assistant

Personal Assistants will be selected by the individual and counselor based on their ability to fulfill the individual's identified needs, and their rapport with the individual.

Consumer and Counselor Involvement

Some individuals may initially require assistance from their counselor for recruiting, training and supervising their attendants. This may be coordinated by the counselor with the individual through an independent living center, occupational therapist, physical therapist, disabled students program or other appropriate source.

Individuals who have demonstrated the ability to self-direct their personal assistance services should be encouraged to recruit, hire, train and supervise their attendants. The counselor will act as a facilitator, assisting the individual with any problems as well as compliance with CBVH standards. The individual should notify the counselor about any unresolved problems as soon as they occur.

Termination of Personal Assistance Services

Personal assistance services will be terminated when:

1. the service is no longer needed, or
2. the consumer becomes employed and does not need to continue receiving services during the first 90 days of employment.

Continuation of Personal Assistance Services During Employment

A transitional period of up to 90 days of personal assistance services may be provided after employment if the counselor determines that:

1. arrangements are being made for personal assistance services when CBVH sponsorship ceases, and
2. the consumer needs support during placement prior to case closure.

Economic Need

The provision of personal assistance services is not contingent upon the individual's economic need status.

Comparable Benefits

1. A full consideration of all comparable benefits available to a consumer must be made prior to authorizing payment for personal assistance services.
2. When personal assistance services are provided on an ongoing basis by another resource (i.e. Medicaid) prior to the consumer's involvement in a rehabilitation plan, that resource should be considered as a possible comparable benefit.

Payment

Payment for personal assistance services may not be made to a member of a consumer's family which includes: spouse; parents; stepparents; grandparents; children; and spouses of children.

When a Medicaid provider is used, payment will be the Medicaid provider rate.

When a non-Medicaid provider is used, payment will be at the minimum wage.

Minimum wage can be exceeded with senior counselor approval and case documentation indicating that a Medicaid provider or a provider accepting minimum wage cannot be found. However, when an agency or an individual provider is used, payment should not exceed the rate charged to other recipients of their services.