



Ethos

**Consumer Guide
to the
Personal Care Attendant
Program**

Consumer Rights and Responsibilities

- You have a right to apply for Personal Care Attendant (PCA) services.
- You have a right to receive the Skills Training you need to manage your own PCA program.
- You have a right to be treated in a friendly, courteous and respectful way.
- You have a right to a friendly, courteous and timely response to questions.
- You have a right to receive information in a way that you are able to understand.
- You have a right to confidentiality.
- You have a right to review the contents of your file.
- You have a right to be informed about any program changes.
- You have a right to appeal all decisions made by Ethos.
- You have a right to file a grievance if not satisfied with the services received.
- You have a right to transfer to another PCA agency.
- You agree to be visited by a Skills Trainer four times in the first year and annually thereafter.

- You agree to be evaluated by an Ethos RN annually or at the end of your authorization period.
- You will notify Ethos immediately if you enroll in a SCO (Senior Care Options) or One Care plan.
- You will notify Ethos immediately if you enroll in Adult Foster Care, Group Adult Foster Care or any other MassHealth funded program providing in-home care.

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Section 1:

Intake and Orientation

THE ETHOS PCA PROGRAM

Welcome to the Ethos Personal Care Attendant (PCA) program. The PCA program helps people with qualifying disabilities to maintain their independence by allowing them to hire the person of their choosing (their PCA) to provide physical assistance with their daily activities of living. This is different from more traditional home health care programs in which an agency such as Ethos provides the worker.

In this program, the person with the disability is referred to as a Consumer rather than a “client” or a “patient”. A PCA does not “take care of” a Consumer, rather they assist the Consumer to live independently.

As a PCA program Consumer, you are the employer and are responsible for hiring, training, scheduling (and if necessary) firing your PCA(s).

MassHealth, your health insurance provider, oversees and pays for this program. Ethos is your Personal Care Management (PCM) agency and will evaluate you to make sure you are clinically eligible for the program and provide you with the skills necessary to manage the program effectively (Skills Training). The payroll services for this program are provided by the fiscal intermediary (or FI), Cerebral Palsy of Massachusetts (CP of MA). Ethos will provide you with the contact information for CP of MA.

MassHealth requires your full participation to make your personal care attendant program work well for you. This manual is your guide to the program. The first section introduces you to the PCA program and explains how you apply. The second section discusses the skills training needed for successfully managing your program, hiring and working well with your PCAs, and the employment laws you must know. The final section gives you more information about the program rules and regulations.

If you need more detail about a subject or to find specific information, refer to the definitions in the back of this manual. If you have any questions about what you read, always feel free to contact your Ethos Skills Trainer.

Who is Eligible for the PCA Program?

In order to be eligible for the PCA Program, you must:

- Be eligible for either MassHealth Standard or CommonHealth
- Have the physician or nurse practitioner who oversees your health care prescribe these services
- Require hands-on, physical assistance with at least 2 of the Activities of Daily Living (ADLs)
- Require this physical assistance due to a disability that is permanent or chronic in nature

Before you can begin to use PCA Services, MassHealth must determine that the PCA Services are medically necessary.

Who is a Typical Consumer?

MassHealth provides funds to pay for PCAs employed by people with disabilities who need hands-on assistance with their activities of daily living (ADLs). As a Consumer, you are able to hire and train personal care attendants to assist with things you need to do.

MassHealth pays for authorized activity time performed by a PCA who is:

- Able to understand and carry out directions given by you or your Surrogate
- Willing to receive training and supervision in all PCA services from you or your surrogate
- Legally authorized to work in the United States

A PCA CANNOT be:

- Your spouse
- Your Surrogate
- Your legal guardian or other legally responsible relative, such as parent, foster parent, adoptive parent

What Does a PCA Do?

A PCA assists you with things that you are physically unable to do yourself. A PCA also helps you do things that would take you an exceptionally long time to do on your own. The help that a PCA provides enables you to live more independently and pursue activities such as school or work. The duties of the PCA vary, depending on your need for physical assistance with activities of daily living (ADLs), the nature of your disability, your living arrangement, and your daily schedule.

Activities of daily living (ADLs) include:

- Mobility (such as transfers, walking, or using equipment to move around)
- Taking medications
- Bathing
- Grooming
- Dressing and undressing
- Passive Range-of-motion exercises
- Toileting (physical help with bowel or bladder care)
- Eating (including help with tube feeding and special diets)

Your PCA can also help you with instrumental activities of daily living (IADLs) which can include:

- Household services, such as laundry, shopping, housekeeping, preparing meals and clean up
- Help with other special needs; for example, maintaining wheelchairs or travel to medical appointments

Differences Between PCA Services and Homemaker/Home Health Aide Services

Your PCA program is very different from homemaker or home-health services. You are the employer and your PCA works for you, not for Ethos or any other agency. It is your responsibility to work with your Ethos Skills Trainer to develop a list of back-up PCAs who are able to work for you if your regular PCA is unable to. Because your PCAs are hired, supervised, and directed by you, they can do things that home-health aides are not allowed to do, including assisting you with:

- Taking medication
- Emptying your bladder with a catheter

Using Other State-Funded Services

It may be possible for you to receive certain other MassHealth-funded services in addition to PCA services, as long as these services do not duplicate each other. For example:

- You may be able to attend an Adult Day Health program as long as your PCA Care Plan does not provide you with assistance during the times that you are at the program
- You may be able to continue receiving homemaker or personal care services from your local Home Care agency (such as Ethos) as long as your PCA Care Plan does not provide you with assistance for the same tasks that your homemaker or personal care worker is helping you with.

It is important to inform Ethos of any other MassHealth funded services that you are receiving so that potential duplication of services can be avoided. MassHealth considers such duplication to be Fraud and may prosecute accordingly.

- If you are enrolled with one of the MassHealth Home and Community Based Waivers (such as the Frail Elder Waiver) you may be required to maintain a certain level of Home Care services in order for the waiver to be maintained. Ethos will work with you and the other agency providing those services to be sure that the conditions for the waiver are met and that there is no duplication of services.
- If you are enrolled in a Senior Care Option (SCO) program, One Care program, or Program of All-Inclusive Care for the Elderly (PACE), PCA services must be provided through the SCO, One Care, or PACE plan.
- **You are not permitted to be enrolled in a Group Adult Foster Care (GAFC) or Adult Foster Care (AFC) Program while receiving PCA services.**

As a PCA Consumer you are ultimately responsible for making sure that you are not receiving duplicate services and for cancelling other services if necessary. If you have any questions about programs and services, please contact your Skills Trainer.

How to Apply

Anyone can call Ethos at 617-522-6700 to make a PCA referral however it's always preferable for the prospective Consumer to call us themselves. Ethos accepts referrals for people of all ages. Please make sure to have your MassHealth number available as well as contact information for your Primary Care Provider (your doctor or nurse practitioner). Upon receiving the referral, Ethos will send an Initial Referral to your PCP's office for your doctor or nurse practitioner to complete. Within 2 business days of receiving a completed referral, a Skills Trainer will contact you to schedule an in-home Intake and Orientation visit during which the program will be explained to you in greater detail. Once we receive our referral back from your PCP indicating that you are clinically eligible for the PCA Program, our nurse will contact you to schedule an in-home evaluation.

Cultural Competence

The Ethos PCA Program serves people of all ages, disabilities and backgrounds. Ethos has Skills Trainers who speak Spanish, Cape Verdean Creole, Haitian Creole, and English. For all other languages, consumers are asked to provide an interpreter when possible. If this is not possible, Ethos works with professional interpreters to ensure that we are able to communicate with you. Your PCA should not be your interpreter as this is a Consumer driven program and you know yourself best.

Assistance in Managing Your PCA Program

Ethos will assess whether you are able to manage your PCA program by yourself. If it's determined that you need help with any aspect of the program, you may be required to have someone assist you. This person is called your Surrogate and can be your legal guardian, friend, family member, volunteer, or service provider. Your Surrogate must live fairly close to you and be readily available to perform the tasks described in your Service Agreement (described in Chapter 2). No specific education or experience is required for this volunteer position. Your Surrogate must have the ability to assist you with your PCA program. Your Surrogate should have a strong sense of responsibility and a sincere desire to assist you. If you, the Consumer, have a legal guardian or if the Consumer is a minor, a Surrogate is always required. Your Surrogate cannot be your PCA.

Ethos conducts this face-to-face assessment using the MassHealth Surrogate Assessment form. Depending on the results of this assessment, a Surrogate may be responsible for all or some of the management tasks of your PCA program. The assessment involves Ethos asking questions about your functioning in the following areas:

- Communication and Decision Making (for example whether or not you're able to remember important information or manage your own finances)
- Knowledge of Disability and Related Conditions (for example whether or not you're able to describe your disability and describe your medication management plan)
- Knowledge of Personal Assistance Needs (whether or not you're able to describe a routine day and give examples of assistance needed or describe, for example, your housekeeping and meal preparation needs)
- Ability to Employ Personal Care Attendants (including whether or not you're able to describe how to recruit, hire, and train a prospective PCA or complete activity forms (timesheets) correctly)

If you require assistance in any of the above areas, a Surrogate must be identified before the application process can proceed. If you disagree with this assessment you have the right to appeal this decision with Ethos (see Chapter 8). Unless you have a legal guardian, you are still the employer, and have the right to make decisions regarding all aspects of your program, including whom to hire or fire.

Surrogate Tasks

Your Surrogate will assist you in performing PCA management tasks that you may be unable to perform on your own. These tasks must be described in your Service Agreement (described in Chapter 2) and may include signing and submitting activity forms (timesheets), hiring, firing, supervising, and otherwise directing your personal care attendants. Your Surrogate also needs to be available for required quarterly and annual Skills Training visits and RN evaluations. Your Surrogate needs to understand that control of your program is in your hands to the fullest extent possible so you can live your life more independently. You and your Surrogate should develop a meaningful, respectful relationship that is equally important to both of you. If you are unable to identify a Surrogate but still wish to be part of the PCA Program, Ethos will refer you to an appropriate service provider.

Intake and Orientation Steps

MassHealth's goal is to make sure that PCA services are approved within 45 days. However, getting you on the program may take longer if documentation from your doctor or nurse practitioner is delayed or if the Ethos nurse has difficulty scheduling an evaluation with you or your Surrogate.

Here are the ways Ethos will work with you in applying for the PCA program:

1. **Intake and Orientation Visit** – A Skills Trainer from Ethos will visit you at home to talk with you about your needs, introduce you to the MassHealth PCA program, and determine if you are eligible to apply for the program. If so, he or she must assess whether you will be able to manage the program alone or if you will need the assistance of a Surrogate (see the previous page). If you disagree with this assessment you have the right to appeal this decision with Ethos.
2. **Obtaining Medical Records / Other Documentation** – You must give Ethos permission to obtain records that document your limitations and disabilities. In order

to make a decision about whether or not PCA services can be approved, MassHealth requires certain documentation from other providers such as your visiting nurse agency or hospice provider.

3. **Evaluation** – An Ethos evaluation team, consisting of a registered nurse (RN) and an occupational therapist (OT), will meet with you to determine, in accordance with MassHealth regulations the number of PCA hours you need between 6am and midnight each day. Overnight hours (assistance provided from midnight to 6am for tasks such as toileting) may be included if medically necessary. The evaluation takes place in your home (or proposed home). If you have been in a hospital or facility for an extended period, the evaluation can be done there. The RN and OT will be evaluating the level of hands-on assistance that you may require with the following Activities of Daily Living (ADLs):
 - a. **Mobility** – This includes assistance that you might need as a result of a mobility impairment that prevents unassisted transferring, walking or use of prescribed medical equipment. A PCA might be needed:
 - i. To help you move between surfaces (i.e. to/from your bed, a chair or wheelchair or to/from a standing position).
 - ii. To help you move between locations in a room, within your home, and outside, including going up and down stairs inside and outside your home.
 - iii. To help you move to and from lying or sitting position, turning side to side and positioning your body while in bed or in a chair or wheelchair.
 - b. **Medication** – This includes assistance that you might need taking medications prescribed by a physician that would otherwise be self-administered. It can also include assistance provided for other health-related needs such as skin care, applying lotion, wound care, eye or ear drops, blood sugar checks etc.
 - c. **Bathing** – This includes physical assistance with tasks involved in bathing such as transferring in/out of the tub or shower, shampooing hair, and toweling dry.
 - d. **Grooming** – This includes assistance with maintaining personal hygiene such as helping with nail care, oral care, shaving, deodorant application, hair care, washing of hands and face, and menses care.
 - e. **Dressing/Undressing** – This includes physical assistance with putting on, fastening, and taking off of all items of clothing including donning/removing of prosthesis and orthotics.
 - f. **Passive Range of Motion Exercises** – These are a specific, medically necessary, series of movements done to your extremities by your PCA in order to maintain or improve the distance or direction through which a joint can move, or to alleviate pain or reduce severe spasms/cramping.

- g. **Eating** – This includes physically assisting you to eat or drink and can include tube feeding and special nutritional and dietary needs.
- h. **Toileting** – This includes physical assistance with using the toilet, commode, bedpan, or incontinence briefs/pads and includes transfer time. It can also involve the cleaning/changing of toileting equipment such as a Foley bag or catheter.

*****MassHealth will not approve PCA hours for assistance provided in the form of cueing, prompting, supervision, guiding, or coaching. PCA hours for ADLs are approved strictly for hands-on assistance*****

The RN and OT may also recommend that you receive PCA hours for assistance with Instrumental Activities of Daily Living (or IADLs). This includes activities such as:

- a. **Laundry** (sorting laundry, washing, drying, folding, ironing and putting away)
- b. **Shopping** (preparation of list, purchasing and putting away of groceries and medications)
- c. **Housekeeping** (dusting, picking up living space, kitchen cleaning, making/changing your bed, total floor care in all rooms, and garbage disposal)
- d. **Meal preparation and clean-up** (providing physical assistance with meal preparation and clean-up)
- e. **Transportation** (transportation to and from medical appointments including assistance in/out of your home, vehicle, and medical office)

Other Considerations

In determining the number of hours of physical assistance covered by MassHealth, these criteria will also be used:

- When you are living with family members (defined by MassHealth as your spouse or other legally responsible relative), your family members will provide assistance with most of the instrumental activities; for example, routine laundry, housekeeping, and shopping. Meal preparation and cleanup should also include yours.
- When you are living with one or more people using the PCA program, PCA time for household tasks (shopping, housekeeping, laundry, and meal preparation and cleanup) must be calculated on a shared basis.
- MassHealth will consider individual circumstances when determining how many hours of physical assistance you require.

4. **Signatures on Evaluation** – Once the evaluation is complete, you (and your Surrogate if you have one) must sign the evaluation form. Ethos then sends it to your primary care physician or nurse practitioner for their review and signature.
5. **MassHealth Decision** – The signed evaluation is then submitted to the MassHealth Prior Authorization Unit (PAU) for approval. The PAU reviews the application and determines if your medical conditions, physical needs and living conditions warrant the amount of PCA time requested. MassHealth has 21 days in which to make a decision, during which time they may request additional information. **This decision may be expedited if you are in urgent need of services, if you are receiving hospice services, if you have the Frail Elder Waiver, or if you are about to be discharged from a facility.**

Services Not Covered

MassHealth does not cover any of the following as part of the PCA program:

- Cueing and/or Supervision
- Medical services available from other MassHealth providers, such as a physician, pharmacy, or community health center services. Your PCA can still help you get to these places and assist with personal care, but cannot be with you in the office or hospital.
- PCA services provided to you while you are a resident of a nursing facility or other inpatient facility. Your PCA must stop working for you as long as you are in these situations. **Time Sheets are not to be submitted if you are in the hospital, or nursing home or other inpatient facility. This is considered fraud and will be referred to the Bureau of Special Investigations.**
- PCA services provided to you during the time you are participating in a community program funded by MassHealth including (but not limited to) day habilitation and adult day health (personal care during these hours would be available from the day habilitation or adult day health provider).
- Services provided by family members (defined by MassHealth to mean a spouse, parent of a minor child or other legally responsible relative).
- Services provided by your Surrogate.

Notice of MassHealth's Decision

MassHealth will send you a notice of their decision as follows:

Approval: If MassHealth approves your request for PCA services, they will send you and Ethos written notice of the approval. This will include information on the number of hours authorized as well as the effective date that your program begins.

Denial or Modification: If MassHealth denies your request for PCA services or approves less time than requested, they will notify you and Ethos. The notice will give the reason for the denial or modification, and will inform you of the right to appeal and the appeal process.

Your Ethos Skills Trainer is always available to help you understand this notice. **MassHealth will not pay for PCA services until this notice of approval has been issued.**

Section 2:

Functional Skills Training

SERVICE AGREEMENT

The Service Agreement is your written plan of services developed by Ethos with your participation and that of your Surrogate (if applicable). The Service Agreement describes in detail the responsibilities of the following parties: you (as Consumer), your Surrogate (if applicable), your PCAs, the Fiscal Intermediary (CP of MA), and Ethos.

Ethos will give you or your Surrogate a copy of your Service Agreement. If you do not agree with or understand the contents of your Service Agreement, your Skills Trainer will be happy to discuss it with you.

Consumer/Surrogate Responsibilities

In order to receive MassHealth PCA services, you are responsible for:

- Cooperating with MassHealth and Ethos during assessments, evaluations and reevaluations
- Reviewing and signing the evaluation or reevaluation prepared by the Ethos nurse
- Reviewing and signing the Consumer Assessment to Manage PCA Services form
- Reviewing and signing the PCA Service Agreement
- Complying with all applicable MassHealth regulations
- Ensuring that you do not bill for PCA services during the time you are attending a MassHealth program such as day habilitation, or adult day health, or while you are in a hospital or nursing facility
- **Ensuring that you do not enroll in a Group Adult Foster Care or Adult Foster Care program**
- Employing PCAs for no more than the number of hours per week or hours per night authorized by MassHealth
- Ensuring that PCAs perform only the tasks described on the consumer PCA evaluation as authorized by MassHealth
- Notifying the FI of the date of hire and the date of termination of your PCAs and of a PCA's change of address

- Contacting Ethos in an emergency situation that may require payment of Overtime (MassHealth pays overtime only for certain emergency conditions that Ethos can describe to the Consumer. Payment for overtime requires authorization from MassHealth).
- Notifying MassHealth, Ethos, and CP of MA when you move or change your phone number
- Notifying Ethos if more or fewer PCA hours are needed because of a change in medical condition or because of a change in living situation
- Working with Ethos to develop a backup list of persons to contact when the regularly scheduled PCA cannot work
- Working with CP of MA and Ethos to resolve any disagreements or complaints
- Complying with all applicable state and federal labor laws, including, but not limited to, federal and state child labor laws. (Ethos can tell consumers whom to contact if there are questions related to state or federal labor laws.)
- Hiring, scheduling, training, and terminating PCAs
- Employing PCAs who meet the requirements described in the PCA Service Agreement
- Informing PCAs of their right to have their paychecks directly deposited into their bank account or electronically onto a Debit MasterCard
- Distributing checks to PCAs unless they have chosen direct deposit
- Completing and signing all employment forms as required by CP of MA, including the Employment Eligibility Verification Form (I-9). CP of MA cannot pay your PCA until you and the PCA complete all required paperwork
- Submitting activity forms (timesheets) in the time frame required by CP of MA. The information on the activity form must correctly identify the PCA who provided the services and the correct dates and hours they were performed. Both you and your PCA must sign and date the timesheets.

Your Personal Care Attendant's Responsibilities

Your PCA must be able to understand and carry out directions given by you or your Surrogate (if you have one). Your PCA must receive training from you or your Surrogate in all PCA services stated in your Service Agreement. Your PCA must provide assistance with activities of daily living according to your directions and the evaluation which has been completed by the Ethos RN. As mentioned earlier, these duties may include:

- Personal care, such as transfers in and out of a wheelchair (includes lifting), dressing, undressing, bathing, grooming, range-of-motion exercises, and toileting needs.
- Meal preparation, feeding, and clean up.
- Housekeeping, cleaning, and laundry.
- Shopping for food and other necessities.
- Nighttime care, such as repositioning or assisting with toileting.
- Miscellaneous, such as keeping records, banking, billing for PCA services, etc.

Your PCAs are also responsible for arriving on time (or notifying you if they will be late), being aware of emergency procedures, communicating any problems or issues with you, and interacting respectfully with you and your other attendants.

Ethos' Responsibilities

Ethos is responsible for:

- Maintaining an accessible 24-hour communication system.
- Responding within two business days to your inquiries regarding MassHealth's decisions.
- Maintaining accurate records.
- Conducting a formal, written assessment of your ability to manage the PCA program independently.
- Performing evaluations and reevaluations of your eligibility for PCA services.
- Properly submitting all requests for PCA services for you to MassHealth on time.
- Developing, with you and your Surrogate (if applicable), a formal, written Service Agreement.

- Providing Intake and Orientation services to see if you are eligible for PCA services, and instruct you in the program's rules and policies.
- Providing Skills Training to you or your Surrogate (if applicable) for managing an effective PCA program.
- Maintaining procedures for resolving any complaints you may have.
- Providing written information to you in a language and format that is understandable to you.
- Providing management services to you that are culturally sensitive.
- Seeking out and include your input and feedback into the management services provided by Ethos.
- Educating you and your Surrogate (if applicable) about the tools available to promote safe PCA services, such as the availability of the Criminal Offender Record Investigation (CORI), Disabled Persons Protection Commission, the Sex Offender Registry, and the Elder Protective Services hotline.
- Working with you to establish a list of PCAs who can be contacted when your regularly scheduled PCA cannot provide services to you.
- Developing creative methods to assist you in the recruitment of PCAs.
- Reporting suspicion of fraud to MassHealth and cooperate with any investigation.
- Notifying MassHealth if we decide that your current Surrogate is not managing your PCA program well.

Ethos also include works closely with CP of MA (the Fiscal Intermediary) to:

- Assist you in enrolling for fiscal services before you hire PCAs.
- Educate you about the role of fiscal services.
- Work with CP of MA to resolve any complaints you or your PCA may have.
- Share information with fiscal services, as needed, about MassHealth approval of your PCA program, including your name, address, and date of birth.
- Provide CP of MA with the name, address, and phone number of your Surrogate (if any) and any changes in your Surrogate information.
- Respond to a request by CP of MA for Skills Training for either you or your Surrogate if you are having difficulty managing your PCA program. For example, you may be required to have more training if you or your Surrogate repeatedly submits activity forms (timesheets) for more hours than you have been approved.
- Notify MassHealth in writing of your request to change to another agency for PCA services. Ethos must continue to provide you with management and fiscal services until MassHealth gives approval for the change. If the request is approved, Ethos will cooperate in a smooth transition to the new agency. If you wish to transfer to a PCM agency that works with an FI other than CP of MA, MassHealth will only authorize this transfer during a specific period at the end of the calendar year.

CP of MA's Responsibilities

CPMA is responsible for:

- Performing the employer-required tasks that are described in the MassHealth Consumer Agreement
- Issuing checks for PCAs
- Ensuring you have an active prior authorization from MassHealth for PCA services before paying PCAs.
- Answering your telephone calls about activity forms (timesheets), tax forms, and the functions of the FI (When Consumer concerns cannot be addressed by telephone, Consumers may be referred to Ethos for face-to-face Functional Skills Training.)
- Operating a toll-free telephone service during business hours from 9:00 A.M. to 5:00 P.M., Monday through Friday, excluding holidays
- Operating a toll-free answering or voice messaging service during non-business hours
- Providing the consumer with a copy of CP of MA's complaint and grievance process and working with the Consumer to resolve any complaints about CP of MA's services in a timely fashion
- Sharing information about the Consumer's prior authorization with Ethos, including notifying Ethos if the consumer is sending in PCA Activity Forms (timesheets) for more than the hours per week or hours per night MassHealth has authorized
- Notifying the Consumer, Ethos, and MassHealth when the Consumer is overusing PCA hours

FISCAL INTERMEDIARY SERVICES

Fiscal Intermediary Documents

Fiscal Intermediary Services are provided by Cerebral Palsy of Massachusetts (CP of MA). After MassHealth approves your request for PCA Services, your Ethos Skills Trainer will give you a number of forms to sign which will be then sent to CP of MA. You must sign these forms regardless of whether or not you have a Surrogate (unless a legal guardian has been appointed). The legal guardian may sign these forms as long as CP of MA is provided proof of this guardianship. The following forms will be signed:

- **Consumer Agreement for PCA Fiscal Intermediary Services:** Every Consumer must sign this MassHealth document which details the responsibilities of both the consumer and the Fiscal Intermediary (FI) (CP of MA).
- **SS-4 Application for Employer Identification Number (EIN):** Each Consumer will be an employer and will need an EIN so that CP of MA can report tax withholding and other information to the Internal Revenue Service. The Consumer completes this form.
- **Form TA-1 Application for Original Registration:** This application is similar to the SS-4 above, but is an application to the Commonwealth of Massachusetts. The Consumer completes this form.
- **8821 Tax Information Authorization:** This form will allow CP of MA to inspect and receive information about the tax forms indicated on line 3(b) and for the tax periods indicated on line 3(c). This form must be completed and signed by the Consumer.
- **2678 Employer Appointment of Agent:** This form will allow Cerebral Palsy of Massachusetts to file the appropriate forms with the Internal Revenue Service as an agent of the consumer. The Consumer completes this form.

- **M-2848 Power of Attorney and Declaration of Representative:** This form will only allow CP of MA Power of Attorney over the State Income Tax withholding and TA-1 Application we file on your behalf. The Consumer completes this form.
- **Payroll Consent Form:** By signing this form the Consumer is acknowledging that he/she is aware that CP of MA subcontracts the payroll processing, tax payment and tax filing responsibilities with PayChoice. This form must be completed and signed by the Consumer.
- **Other Forms:** The Consumer will be given the CP of MA Grievance Policy, CP of MA Privacy Notice, and information about the PCA HomeCare Quality Workforce Council. The Consumer will also be asked to sign CP of MA consent forms.

Your Skills Trainer will give you a “**New Hire Packet**” which each PCA will need to complete and send in to CP of MA. CP of MA must process this paperwork before your PCA can be paid for working for you. The New Hire Packet contains an I-9, W-4, and a Signature Form as well as a direct-deposit form. Sample forms are included to assist your PCA in filling out these documents and your Skills Trainer is always available to assist with this also. In addition, you will find a brochure and enrollment form for ePay, which allows your PCA’s wages to be paid onto a Debit MasterCard. Please keep in mind that you are obligated to inform your PCAs that they have the option of receiving their net pay by direct deposit or debit card.

Timesheet Training

The final part of your Initial Functional Skills Training visit is a Timesheet Training where you will be shown how to complete a sample timesheet.

Payment Options: CP of MA will pay your PCAs directly by check, by direct deposit into their checking account, or electronically onto a Debit MasterCard. If your PCA has chosen payment by check, it will be mailed to you for you to give to your PCA.

Biweekly Payroll: The payroll period is biweekly, meaning that PCAs are paid every two weeks. Consumers and PCAs do not have the option of billing every week. You must send in timesheets every two weeks.

PCA Payment Schedule: Timesheets are submitted to CP of MA every two weeks according to a specific schedule. CP of MA assigns each Consumer to either Schedule 1 or Schedule 2. Your Skills Trainer will inform you of which schedule you are on and provide you with a copy of this schedule. The PCA Payment Schedule shows the payroll period beginning and ending dates, as well as the dates CP of MA must receive the timesheets by and the dates the timesheets will be paid. Keep in mind that CP of MA requires that the timesheets be in their office by 4:00 PM on the Monday after the end of each payroll period in order to process them in a timely manner. This is true even if Monday is a holiday.

Payroll Dates: In order to process timesheets in an accurate and timely manner, CP of MA will only process timesheets that have the correct pay period dates that are assigned to you based on your PCA Payment Schedule. If any other dates are printed in the Payroll Period boxes, the timesheet will NOT be paid.

One PCA Per Timesheet: The hours of each PCA must be recorded on different timesheets. Under no circumstances will a timesheet be processed if it contains information for more than one PCA.

Delivery of Timesheets: Timesheets can be faxed to CP of MA at their toll-free fax number listed on the front of the timesheet. In addition, you can drop off timesheets to their Stoughton office at 600 Technology Center Drive, Stoughton, MA 02072. **If you fax your timesheet to Stoughton, please do not mail in the original.** Timesheets dropped at the Stoughton office by 4:00 PM on Mondays will be considered to be on time.

Any mailed timesheets received with a postmark before the end of the payroll period will be returned to the Consumer, unless there are no hours on the timesheet after the postmark. For instance, if there are no hours on the timesheet for the second Saturday of the payroll period then the timesheet can be mailed, faxed or delivered on Saturday. Likewise, if there are no hours on the timesheet for the second Friday and timesheet can be mailed, faxed or delivered on Friday or Saturday. However, if you mail, fax or deliver a timesheet on Friday that has hours on Friday or Saturday, it will be returned to you without being processed. There will never be any exceptions to this policy.

Signatures: The PCA and the Consumer/Surrogate must sign the timesheet at the bottom of the timesheet and the signatures must be originals. Any timesheets received without both signatures will be returned to the Consumer without being processed.

Consumer Information: The Consumer is required to complete the Consumer name, Consumer # and telephone number information. The Consumer # is assigned by CP of MA. The telephone number should be the number you would like CP of MA to call if there is a problem with the timesheet.

PCA Information: The PCA is required to complete the name, last four digits of the Social Security number and telephone number section.

Checks, Direct Deposits and Debit Cards: All timesheets received on time will be processed so that checks or direct deposit/debit card stubs can be mailed to the Consumer on Wednesday. The checks and debit card/direct deposits will be dated for that Friday. Timesheets received after Monday at 4:00 PM may be processed with check dates in the following week.

Payroll Packages: Each payroll period, the Consumer will receive a payroll package which includes the checks for all the timesheets processed and payroll reports for the Consumer's records. A Consumer may allow someone else to pick up his or her payroll package each payroll period. That authorization must be in writing and will remain in force until canceled in writing. Although a Consumer can authorize a PCA to pick up the payroll package, a Consumer cannot authorize a PCA to pick up just that PCA's check. The entire payroll package must be picked up or mailed.

Time Worked- Night Hours: All hours worked between 12:00 AM and 6:00 AM are considered Night Hours **if the consumer is approved for Night Hours**. PCAs will be paid for two hours if they actually work between five minutes and two hours that night. If your PCA works from 12:00 AM - 12:15 AM, those 15 minutes should be recorded in the “Time In” and “Time Out” columns of the timesheet and two hours should be recorded under the “Total Night Hours” column. CP of MA cannot pay in excess of the approval per night. If a Consumer is approved for three Night Hours, the PCA would be paid for three hours only if that PCA worked more than two hours.

Overtime: Ethos must request authorization from MassHealth prior to payment for all requests for overtime. It is the Consumer’s responsibility to immediately notify Ethos of the request for premium pay for overtime and to provide Ethos with any information needed to submit this request to MassHealth (such as the work-week within which the PCA worked overtime, the name of this PCA, and number of hours requested, and whether or not the conditions listed below are met). If this request occurs during non-business hours, the Consumer must leave a voicemail message for their Ethos Skills Trainer. Within 2 business days of this notification, Ethos must request this authorization from MassHealth. MassHealth will authorize premium pay for overtime when all of the following conditions are met:

- An unforeseen event occurred that prevented the Consumer’s regularly scheduled PCA from providing PCA services to the Consumer, resulting in an immediate need for another PCA to provide PCA services for the member in excess of 40 hours for that week.
- The Consumer has demonstrated to MassHealth’s satisfaction that they have attempted to contact, at a minimum, all persons who are either employed by the Consumer or listed on the Consumer’s Backup Plan on page 4 of the Consumer’s Service Agreement.

MassHealth may request additional information before authorizing premium pay for overtime including but not limited to:

- The Consumer’s PCA schedule for a specific work-week that includes the names of all PCAs employed by the Consumer and the name of the regularly scheduled PCA that was unable to provide PCA services.
- Documentation that shows that the Consumer has attempted to hire PCAs to replace a PCA that has suddenly quit or is otherwise unable to work.
- The list of PCAs contacted.

Regular time will be paid for any overtime where no authorization was obtained before payment. If MassHealth approves, modifies, or denies the request for premium pay for overtime, written notice will be sent to both the consumer and CP of MA. CP of MA must forward this notice to Ethos within 2 business days. If the request is denied or modified, the Consumer will be informed of their right to appeal this decision by requesting a fair hearing.

Fill-In Version of the Timesheet: There is a version of the Fiscal Intermediary timesheet available on CP of MA's website that may be a more efficient way for consumers and PCAs to report payroll. Follow these steps to access this form:

1. Go to their website- www.masscp.org
2. Click on the **Fiscal Intermediary** button on the left side of the page
3. Click on the gray **FI Forms** button on the right side.

The only software you will need to use this timesheet is Adobe Reader which can be downloaded free on the internet at <http://www.adobe.com/products/reader/>. The timesheet can be downloaded from our website and saved on the user's computer. It can then be completed on the computer, printed out, signed and faxed to us for processing. The completed timesheet can also be saved and then revised for future payroll periods. The Consumer and PCA would only have to change the payroll period dates, make any revisions to the in and out times for that payroll period, print, sign and fax the timesheet for processing.

Electronic Timesheet User Agreement: The Electronic Timesheet (E-Timesheet) Module is a web-based interface through which Consumers, Surrogates, Personal Care Attendants (PCAs/Workers, and Fiscal Intermediary staff can respectively view relevant timesheet information. In order to use the E-Timesheets submission interface, a Consumer, their Surrogate (if applicable) and each PCA must sign an E-Timesheets Agreement which states that they both have a valid, separate e-mail addresses, and agree to use the E-Timesheet submission interface as a method of submitting time. Follow these steps to access the Electronic Timesheets Training Manual:

1. Go to the CP of MA website – www.masscp.org
2. Click on the **Fiscal Intermediary** button on the left side of the page
3. Click on the gray **FI Forms** button on the right side

CP of MA Employment Package

Once the Initial Functional Skills Training has been completed, Ethos will submit the FI documents to CP of MA. A couple of weeks later, once this paperwork has been processed and the IRS has issued you an EIN, you will receive an Employment Package from CP of MA which includes the following:

- Timesheets (while your Ethos Skills Trainer will have provided you with Timesheets, the timesheets from CP of MA have a carbon copy allowing you to retain a copy of the completed timesheet for your records)
- New Hire Forms (in addition to the New Hire packet provided by your Skills Trainer, these are additional W-4, I-9, PCA Signature Forms, Direct Deposit and Debit Card Applications for your use. As you hire new PCAs, have them complete these forms and send them to Cerebral Palsy of MA as soon as possible)
- Information about Unemployment Insurance and Worker's Compensation
- PCA Union Applications (completed applications should be submitted to the union, not to CP of MA)

Ethos recommends that each Consumer go to the CP of MA website (www.masscp.org) where many of these forms and additional information about the PCA Program and CP of MA's role as fiscal intermediary can also be accessed.

HIRING YOUR PERSONAL CARE ATTENDANTS

As a PCA Consumer, you (or your Surrogate) are responsible for recruiting, hiring, scheduling, training, supervising, and if necessary, firing, your Personal Care Attendants (PCAs). If you've never been an employer before, you may feel a little overwhelmed about trying to hire employees. This chapter will help you to find potential PCAs. You will learn tips for screening and interviewing new PCAs as well as how to check their references. It's also important that you're aware of laws covering employer-employee relationships, and to make sure that you follow these laws. MassHealth pays for authorized activity time performed by a PCA who is:

- Not your spouse
- Not your surrogate
- Not your legal guardian or other legally responsible relative
- Able to understand and carry out directions given by you or your surrogate
- Willing to receive training and supervision in all PCA services from you or your surrogate
- Legally authorized to work in the United States

MassHealth will not pay for a PCA:

- If you are enrolled in a Group Adult Foster Care (GAFC) program or Adult Foster Care (AFC) program
- While you are attending a community program funded by MassHealth, such as day habilitation or adult day health. Such programs have qualified personnel on hand.
- During scheduled or unscheduled medical appointments. However if you require mobility/transferring assistance your PCA may be able to assist in transporting you to and from these appointments.
- Whenever you are a resident of a nursing facility or other inpatient facility such as a hospital. Your PCA cannot work for you during this time.
- To provide assistance in the form of cueing or supervision

Finding Possible PCAs

Word of Mouth

This method is preferable as the potential PCA is known by you or has a connection to someone you know. It involves contacting people you know and asking them to tell anyone they know who may be interested in the job you have to offer. It's most effective when you work hard to get the word out. Good potential PCAs might be found among friends, friends of family members, former home health aides, neighbors, school or Adult Day Health program staff, or members of your religious organization. Try making a list of all possible word-of-mouth connections. Note on the list the name, phone number, and date you spoke to each person. Approximately one to two weeks later, make a follow-up call to inform each person that you are still looking for a PCA. If your contacts are not interested, ask them to talk with people they know and trust about your job.

Rewarding Work Resources, Inc. (www.rewardingwork.org)

The goal of Rewarding Work, developed in part by the Massachusetts PCA Quality Home Care Workforce Council, is to give people who need support with daily activities choice and control in finding PCAs. Rewarding Work has a current database of thousands of names of job candidates who wish to become PCAs and who have completed an application either online or by telephone. This database can be accessed online via the Rewarding Work website (www.rewardingwork.org) or by telephone (866-212-9675). Ethos has a subscription to this service and your Skills Trainer can provide you with the login information so that you can access this database free of charge. Alternatively, if you wish, your Skills Trainer can work with you to find prospective PCAs using this tool. It is important to note that PCAs listed on this site have not been screened.

Craigslist

Craigslist is a popular website (<http://boston.craigslist.org/>) that lists local classified ads. Many job seekers actively search this site for positions and it's easy, and free to post your own ad.

JobQuest

JobQuest is a free online job search service offered by the Massachusetts Executive Office of Labor and Workforce Development. It allows you to post jobs online and connect with job seekers. You can register as an employer by providing your EIN at <https://web.detma.org/JobQuest/Employers/>.

Newspapers

You may also want to consider placing a classified advertisement in a local newspaper. Newspaper ads must be brief, but you can get a lot of information into a short ad. For example:

“Personal care attendant wanted. Must be able to lift and transfer. Help with eating, bathing, toileting, chores, transportation. Car helpful. Variable part-time hours.”

Keep in mind that you cannot put any language in an ad that discriminates among job seekers. For example, an ad stating “Female PCA Wanted” is against the law. There are numerous local newspapers in the city of Boston and its surrounding communities, some of which permit online advertisements in addition to print ads. Examples include:

- Jamaica Plain Gazette
- Bay Windows
- Hyde Park Bulletin
- Mission Hill Gazette
- Roslindale Transcript

Miscellaneous

- Contact employment offices of local colleges or universities.
- Contact principals or guidance counselors at local high schools. They may be able to put you in touch with students looking for work. High school coaches may know of off-season athletes who might be available.
- Post an ad on a bulletin board (at a local business or at area nursing homes, libraries, hospitals, schools or your place of worship)

Telephone Screening

When people call your home in response to your ad, you can save time by asking a few questions before talking about yourself or the details of the job. Use these kinds of initial screening questions:

- Are you legally allowed to work in the United States?
- Do you have reliable transportation?
- Where do you live? (Recommended: Up to 20 minutes away. One hour away is too far.)
- Are you available during the hours needed?
- Is the pay acceptable?
- Would you be able to do heavy lifting and/or transferring?

If the candidate does not meet your requirements, thank them for responding to the ad and cut the conversation short. If they do answer favorably to these screening questions, briefly describe the job. If you feel he or she is a strong possibility, set up a time for an interview.

Make sure you have the person's name and phone number before you hang up. Be prepared to give clear directions to your meeting site and mention anything you want the applicant to bring such as references and a driver's license (if transportation is part of the job). Make sure they have your phone number and understand you will expect them at the scheduled time. Tell them to call if anything comes up and they can't make it. You may want to consider meeting at a neutral site rather than at your home.

Interviewing in Person

The interview is an opportunity for you and your potential PCA to get to know each other. Some preparation will help you feel confident and make the interview run smoothly.

- Have a job description ready
- You may hold interviews at a neutral location such as the library. By doing this, the applicants you choose not to hire will not know the location of your home.
- If you are uncomfortable doing interviews on your own, ask someone to join you. It is often helpful to have someone else to discuss your impressions of each candidate afterwards.
- Make sure you discuss the wage and benefits of the job, as well as your schedule and any rules or policies you have established.
- Have your interview questions prepared. It may be helpful to have a copy of the questions in front of you while interviewing. This will help you remember to cover all important points and also is a good place to take notes. Following is a list of possible questions.

Interview Sample Questions

Here are some examples of topics that you may want to cover in an interview. Add to or change the questions to get the information you need during an interview.

1. What is your past experience and background?
2. What made you want to apply for this job?
3. What hours are you available? How many hours per week are you looking for?
4. Are you willing to fill in in case of illness and/or an emergency?
5. Would you work weekends, holidays, etc.?
6. Would you be able to lift me or help me with transfers?
7. How do you feel about helping with personal care tasks (such as bathing, hygiene, etc.) which are often of a very intimate nature?

8. What do you consider your strongest quality?
9. Why did you leave your last job?
10. Do you have reliable transportation?
11. Discuss examples of situations that might arise, and how they would react.

Be aware that it is illegal to inquire about an applicant's age, marital status, religion, disability or national origin.

When a person comes for an interview, it's important that **YOU** present a good first impression. An applicant will respond most favorably to someone who is courteous and friendly rather than challenging and defensive. It helps to put a prospective PCA at ease. A good way to begin the interview is to describe your disability. You could give a brief explanation of when and how it began, its physical effects, and the problems that can arise from your disability (for example, skin breakdowns, spasticity, urinary tract infections, respiratory problems, etc.). Some of your personal interview might be a repeat of the phone interview, but that's okay. It would be better to ask a question twice than to forget it altogether. Make sure you explain exactly what the job will involve, even those things that only need to be done occasionally. Tell the applicant about your daily routine, adding anything you might have overlooked in the telephone interview. This would be a good time to show or demonstrate any special equipment that you use. Explain how occasional activities like wheelchair maintenance, laundry, shopping and more thorough housekeeping chores cause variations in the typical daily routine. Pay close attention to the person's reactions to the duties you describe. Ask each applicant how he or she feels about the responsibilities involved in the PCA job. Again, ask about the reliability of his/her transportation. Find out why each prospective PCA left his/her last job, and check this with the previous employer.

If your PCA will be transporting you, you may ask about the candidate's driving record. You may ask the candidate to provide you with a driving record history from the Registry of Motor Vehicles. If you are interested in hiring the candidate, a copy of their registration and insurance may also be appropriate.

Some employers present a prospective PCA with a potentially challenging situation (for example, an unexpected bowel movement after you're dressed and in your wheelchair) and ask the person how he or she would handle it. Your gut reaction to an applicant is an important part of the personal interview. Try to determine if the person's attitude is right for you. An applicant's lack of experience might not matter if he or she is willing to learn and has a good attitude.

Before the applicant leaves, make sure the application is filled out completely including a completed reference section. If accurate, explain to the applicant that you are in the process of interviewing and will call their references and get back to them in a reasonable period of time (1-2 weeks). Do not hire an applicant before you thoroughly check their references.

Live-In PCAs

The PCA program allows PCAs to live with you; however the program will pay only for the hours that you have been approved for. If you are a renter, make sure to check with your landlord before you consider hiring a live-in PCA. This is particularly important if you live in public or subsidized housing. In addition, if you have a live-in PCA you are responsible for complying with the recordkeeping requirements of the Fair Labor Standards Act (FLSA). This means that you must keep records regarding your PCA, the number of hours that your PCA works and their compensation. The FLSA requires that these records be kept for at least three years. The Consumer is also required to keep a copy of the reasonable agreement between the Consumer and live-in PCA which indicates the number of hours your PCA will work and the hours he or she may use for personal activities. The reasonable agreement must be an employee-employer agreement and not a unilateral decision by you. Such an agreement should normally be in writing in order to avoid any possible misunderstanding of the terms and conditions of your employee's employment. It must account for the time spent working and the time when your employee may engage in normal private activities, with sufficient time for eating, sleeping, entertaining and other periods of complete freedom.

For more information, see Fact Sheet #79C: Recordkeeping Requirements for Individuals, Families, or Households Who Employ Domestic Service Workers Under the FLSA

(<http://www.dol.gov/whd/regs/compliance/whdfs79c.htm>).

If you're looking for a live-in PCA there are many things to consider. You'll want to advertise differently so you can attract a good PCA who will also be a good roommate. Find out how many overnights per week the person is willing to work and which nights they are. If room and board or use of your car is offered, mention this in your ad. When interviewing on the phone and in person, you'll have to determine if the applicant would be a good person with whom to share your home. If you're offering room and board, be sure the person is fully aware of the conditions of this arrangement. The applicant must also understand your

expectations for food and other household sharing arrangements, if any, and how the bills are to be paid by both of you. Try to find out if you and the applicant would get along well in areas like tidiness and organization, when and how long you sleep, and preferences in music and television. Ask the person if he or she is a good cook and find out if you both like the same kinds of food. Is smoking an issue? How do you feel about alcoholic beverages? As with any shared living arrangement, compromises will have to be made by both people.

Checking References

Ask for a number of references – both work-related and personal. Not all of the references will be usable; a supervisor may be away, or a company may have closed. If a person has been out of the work force for a while, find out if they have been involved in any community activities or taken any classes. A professor or committee chairperson can tell you whether the person completed tasks properly and on time.

Some companies require a written release before telling you anything about an employee. Others have a policy not to give out any information except for the dates of employment. This is another reason to ask for more references than you think you might need. If companies refuse to give you information, call the applicant, explain the situation, and ask for more references.

When checking a reference, briefly verify what the applicant told you about dates of employment and the job title. Determine if his or her job performance was satisfactory. If the applicant no longer works there, ask about eligibility to rehire.

Some applicants may refuse to let you talk to their present employer, fearing that they will lose the other job. This is probably okay, as long as they provide you with other references. When talking to present employers, it is always helpful to stress that the hours are at night or on weekends, and that this job will in no way interfere with the other position.

Successful reference checking is mainly a question of balancing the information you obtain. Weigh employment references (including babysitting and classes) more heavily than personal references. Naturally, the applicant's brother and best friend will have only good things to say, but sometimes you can tell something about people by the company they keep.

If you get one bad reference and three good ones, try to determine which source has more credibility. An employer could have a personal grudge against a former employee or the employee may have been fired for opposing an unjust situation at the worksite.

Once you have spoken to all the references and weighed them against one another, it's time to make a decision. Ultimately, you will have to trust your instincts, and the accuracy of your judgments will improve over time.

Even though all the references look good and you think you'll like the person, you never know until the last minute whether he or she will end up working for you. You may call to offer the job, only to have the person say "I found something else", or "I've been thinking it over and I'm no longer interested". Don't take it personally. Keep a sense of humor and do some more interviewing.

Criminal Offender Record Information (CORI) Check

Ethos encourages Consumers to request a CORI check for all prospective PCAs, even if you know the person you would like to hire. A CORI check cannot be done until after you have determined that you would like to offer the person a job. This is to ensure that all job applicants are provided a fair chance to be hired. Ethos is happy to make this request on your behalf for Massachusetts-only criminal offender record information. We will do this free of charge so please don't hesitate to contact your Skills Trainer about this.

If you wish to obtain this information yourself, you may do so by submitting a CORI ON BEHALF OF – HOME HEALTH AIDE REQUEST FORM to the Massachusetts Department of Criminal Justice Information Services (CJIS). This form allows you to request a CORI check, free of charge, for someone who will work in the home of an elderly or disabled person. Part of this form should be completed by you or your Surrogate. Your prospective PCA should complete the other part, have this notarized, and return it to you for submission to CJIS. For more information, contact CJIS at 617-660-4640 or MASS.GOV/CJIS

Keep in mind that the CORI report provides a record of convicted criminal activity only in Massachusetts. It is only one resource of information used to help you with your decision to hire. When reviewing the CORI results, confidentiality should be maintained.

Obtaining Information About Sex Offenders

Another screening tool you may wish to use is the Sex Offender Registry. Each local police department maintains a list of sex offenders who live or work in your community. You can also find a list of class 3 sex offenders on the web at www.mass.gov. Both resources are available to the public at no charge.

Sex Offender Information Available at Local Police Departments

You may inquire whether a specifically named individual or a person described by sufficient identifying information to allow the police to identify the individual is a sex offender by going to your local city or town police station. After presenting proper identification, you must fill out a sex offender request form containing:

1. Your name and address
2. The reason for the request
3. The date and time of the request.

If your request results identify that person as a sex offender, the police will give you a written report with the offender's name, home address, work address, the name and address of the institution of higher learning if enrolled as a student or where the sex offender works, age, sex, height, weight, eye and hair color; the sex offenses committed, the dates of conviction and/or adjudication and a photo of the offender, if available.

Sex Offender Information Available Through Written Request to the Sex Offender Registry Board

You may submit a REQUEST FOR SEX OFFENDER REGISTRY INFORMATION form to the Board. The Board will provide a report identifying whether the person is a Level 2 (moderate risk) or Level 3 (high risk) offender, the offenses for which he/she was convicted or adjudicated and the dates of such convictions or adjudications. The law strictly prohibits the dissemination of information on [Level 1](#) (low risk) offenders. Level 3 sex offenders are not allowed to live in public housing.

New Hire Paperwork

Once you have decided to hire a specific PCA, the PCA must complete New Hire Paperwork which was discussed with you at the Initial Functional Skills Training visit. This paperwork should be submitted via fax (800-359-2884) or mail, to CP of MA Payroll Department, 600 Technology Center Drive, Stoughton, MA 02072. This paperwork **MUST** be submitted before the PCA starts working. New Hire Paperwork consists of three required forms:

- W-4 (Form W-4 enables CP of MA to withhold the correct federal income tax from a PCAs pay)
- I-9 (Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States - it's the Consumer's responsibility to ensure that this form is completed correctly and to review the documents that a PCA provides to establish identity and employment authorization)
- PCA Signature Form (a CP of MA form in which the PCA agrees to be your PCA)

In addition, there are optional forms which are listed below:

- E-Timesheets User Agreement Form (allows timesheets to be completed online – both Consumer/Surrogate and PCA are required to have different email addresses)
- Direct Deposit Application
- Debit Card Enrollment Form
- Union Application

1199 SEIU United Healthcare Workers East

All PCAs have the option of joining the PCA union, 1199 SEIU United Healthcare Workers East. 1199 SEIU has been working to improve the lives of PCAs and their consumer employers since 2007. 1199 SEIU has fought for and won a 23% increase in the PCA hourly wage, a sick time benefit, and training benefits among other improvements. The union fee is 2% of wages which is taken out of a PCAs pay check. Enrollment information will be provided to PCAs at the PCA Orientation as well as in the CP of MA New Hire Paperwork. 1199 SEIU can also be contacted at 877-409-1199 or at <http://www.1199seiu.org/mass> .

PCA New Hire Orientation Program

All new PCAs must complete the PCA New Hire Orientation within 6 months of their date of hire. This 3 hour program, for which the PCA will be paid, has been developed by the PCA Workforce Council and 1199 SEIU and it is held at various times and at various locations all over the state of Massachusetts. Your PCA will not be trained during this program – training is your responsibility as the Consumer. This Orientation will instruct new PCAs about:

- The Principles of Independent Living
- The Operational Procedures of the PCA Program
- Worker Rights
- Fraud, Abuse, and Neglect

You, as Consumer, have the option of conducting this Orientation yourself. In order to conduct the Consumer Taught Option for Orientation you must complete the Form and submit this to Cerebral Palsy of MA. Materials will then be mailed to you by the Home Care Training Benefit. **Failure to follow proper procedures may result in your PCA not being paid for their Orientation.** It is not currently possible for a Surrogate to provide this Orientation unless the Surrogate is the Consumer's legal guardian or durable Power of Attorney.

If your new PCA fails to complete the PCA New Hire Orientation within 6 months of their date of hire, an after-tax payroll deduction equal to two dollars per hour will apply until the program is completed.

Please see the PCA Workforce Council Website for more information (<http://www.mass.gov/pca/>).

Starting to Work With Your PCA

Employment Agreement

Because PCAs are “employees at will” (meaning that they can be dismissed by an employer for any reason), an employment agreement or contract is optional, but will help clarify what is expected of you and your PCAs while they are employed by you. This is an opportunity to clarify your personal policies for your PCA on paper. This may also be updated as the need arises.

Some Consumers routinely hire new PCAs on a 30-day trial basis, with an understanding that the PCA may be terminated at the end of the 30 days if the relationship is not working out. This can make it easier for both Consumer and PCA to terminate employment if either is not happy with the job. On the other hand, this might also make it more difficult to hire a PCA to begin with.

If you decide to write an employment agreement for your PCAs, here are some of the areas you may want to cover:

- **Duties:** What exactly is the PCA responsible for? (Attach a job description.)
- **Hours and schedule:** Will it vary? How far in advance is it set up?
- **Salary:** What is the hourly wage? Are there any live-in benefits (e.g., room and board or use of laundry facilities)?
- **Benefits:** PCAs are paid time-and-a-half for hours when they work over 40 hours in one week (only with MassHealth approval), and they receive holiday pay for working on Christmas, New Year’s, July Fourth, and Thanksgiving. In addition, effective July 1st, 2015, PCAs will be eligible for Earned Sick Leave.
- **Communication:** How should the PCA communicate if they will be late or absent or if they need to use earned sick time? If you do not have an existing policy or procedure for providing such notice, one should be established, preferably in writing.
- **Behavior:** Are smoking, drinking alcoholic beverages, and guests okay? How will the PCA handle confidentiality, privacy, and personal property?
- **Transportation:** Will PCAs use their own cars or yours for transportation to medical appointments or shopping trips? Who pays for gas, repairs, and/or maintenance?
- **Termination:** How much notice should each party give? How many warnings will be issued to the PCA if behavior is unacceptable?

Working Well Together

When your new PCA begins working, see if he or she is patient and attentive while you explain how and why procedures are done in certain ways. If a PCA disagrees about the way something is done, listen to the suggestion. Sometimes new ideas are good, but the final decision is yours. From the beginning, you need to make clear that you are the employer and the one responsible for making decisions regarding your personal care and managing your household.

If your hair isn't parted right or your clothes aren't on straight, continue to instruct your PCA until it is correct. Don't be afraid to let your PCA know, in a positive way, when you are not satisfied. You should not feel guilty if they seem annoyed. You are employing them to assist you.

In order for the relationship to work, it is important that each of you respect the other. Your new PCA also needs to feel confident that you are a good employer who is in charge of your own PCA program.

EMPLOYMENT LAWS AND PCA BENEFITS

You are the employer of your PCAs. It is your responsibility, with or without the help of a Surrogate, to recruit, train, and supervise your PCAs. As an employer, it is important for you to be aware of a PCAs benefits and also of the laws that apply to an employer-employee relationship, and to make sure that you follow these laws. This chapter gives a brief description of a PCA benefits as well some of the most important laws that cover employer-employee relations. This is just an overview. If you (or your Surrogate) need more detailed information about any of these laws, or have a situation that may fall under one of these laws, you should seek professional legal advice.

PCA salaries are determined through collective bargaining agreements. During collective bargaining, the PCA is represented by the 1199 SEIU and consumers are represented by the PCA Quality Workforce Council. PCAs have the option of joining the PCA union, SEIU 1199, but this is not required.

PCA BENEFITS

Current PCA benefits include:

- Worker's Compensation (if a PCA is injured on the job)
- Unemployment Compensation (if a PCA is eligible for this)
- Payment for Jury Duty
- Holiday Pay (time-and-a-half pay for specific holidays)
- Earned Sick Leave (effective July 1, 2015)
- Overtime wages (upon MassHealth approval)
- Training courses/workshops

Workers' Compensation Insurance

The Massachusetts Workers' Compensation Act requires all employers to purchase Workers' Compensation Insurance to cover workplace injuries. Workers' Compensation Insurance provides wage and medical payments to workers who suffer a workplace injury that causes them to miss work for more than five days. CP of MA provides you with Workers' Compensation Insurance in the event that an employee (PCA) becomes injured while working for you. You are required to notify PCAs that they are eligible for Workers' Compensation along with the necessary information to report an injury. In the Employment Package that they send to you, CP of MA will provide you with a notice that you should visibly post in a public area of your home. This notice lists the contact information of the insurance company that should be contacted in the event of an injury, Atlantic Charter, (617) 488-6500. The employer is responsible for calling the insurance provider as soon as possible to report the injury of an employee. Ethos may also provide you with this notice if necessary or you can find it on the CP of MA website at <http://www.masscp.org>.

When an employee is injured while on the job, he or she needs to seek appropriate medical care. Always show care and respect when your employee gets hurt on the job. The first few minutes are critical, so get help immediately.

In an emergency, do the following:

- Dial 911 or immediately go to the nearest medical facility.
- Provide necessary first aid, if possible.
- Direct the injured worker to a medical provider.
- Call and report the injury to the insurance provider (whether or not the PCA seeks medical attention) within 24 hours.

Unemployment Insurance Program

The Massachusetts Department of Unemployment Assistance (DUA) administers the Unemployment Insurance (UI) program which provides temporary income assistance to workers who have lost their job through no fault of their own, and who are able to work, available for work, and looking for work. In certain circumstances PCAs may be eligible to collect unemployment benefits. CP of MA will provide you with a DUA pamphlet titled “How to Apply for Unemployment Insurance Benefits”. You are required to give this pamphlet to each PCA who stops working for you either permanently or temporarily (for example while you are hospitalized). Ethos may also provide you with a copy of this pamphlet. PCAs may also access this information by phone at (877) 626-6800 or (617) 626-6560 and online at www.mass.gov/dua. CP of MA will send you your DUA#. It will be included in your initial payroll packet on the Tax Liability page.

Jury Duty for a PCA

MassHealth provides reimbursement to you for PCAs who are required to perform juror service during regularly scheduled work hours for a maximum of three days. If your PCA is called for jury duty, you must let Ethos know about this within 14 calendar days. Your PCA should have documentation sent to you, as the employer, from the court where he or she served on a jury. You need to provide Ethos with:

- The number of hours your PCA was regularly scheduled to work that overlapped with the time your PCA had jury duty. This cannot be for more than the time your PCA was scheduled to work. For example, if your PCA normally works four hours on those days, he or she cannot be paid for a full day of jury duty. If your PCA is scheduled to work in the evening and he or she served during the day, then the PCA cannot be paid for jury duty.

- Documentation from the state or federal court that your PCA performed jury service. The state court will send you a copy of the certificate of juror service issued by the Massachusetts Office of the Jury Commissioner verifying the date(s) of service. The federal court will send a copy of the attendance sheet issued by the Federal District Court verifying the date(s).
- Within three calendar days of receiving your documentation Ethos must forward to MassHealth a written request for an increase in the number of hours of PCA services based on the number of hours of juror service performed by the PCA during regularly scheduled work hours.
- MassHealth will provide reimbursement to you for PCAs who perform juror service up to the first three days of jury duty as long as the hours requested occurred at the same time and the same number of hours that he or she was regularly scheduled to work for you. If your PCA serves more than three working days, the court pays for the additional time.

Holiday Pay

MassHealth recognizes four Holidays for which they will pay 1.5 times the regular pay rate between the hours of 6 a.m. and midnight: New Year's, July Fourth, Thanksgiving, and Christmas. The amount of Holiday time that you will receive is based on the number of PCA hours that you are approved for and will be marked on your Prior Authorization letter from MassHealth. Holiday hours are not additional PCA hours but rather the number of hours that MassHealth will pay 1.5 times the regular pay rate. The number of Holiday hours listed on your Prior Authorization letter is the total number of hours that you have been allotted for all four Holidays. It is up to you as Consumer to determine how you would like to distribute these hours. PCAs who work on a Holiday for more than the number of Holiday units authorized by MassHealth will be paid at the regular day/evening rate and you, as Consumer, will be liable for the difference.

Earned Sick Leave

PCAs will be eligible for Earned Sick Leave effective July 1st, 2015. PCAs will earn 1 hour of earned sick leave for every 30 hours worked and will begin accruing this time from their first day of actual work. PCAs can accrue up to 40 hours of earned sick time in a calendar year (a consecutive 12-month period of time defined by MassHealth). The PCA must be informed about what calendar year MassHealth uses when the PCA is hired. A PCA can begin using Earned Sick Leave 90 days after they begin working for a Consumer. When taken, Sick Leave is recorded on a separate Sick Leave Timesheet and is not deducted from a Consumer's authorized hours for PCA services. Earned Sick Leave can be used by a PCA for the following reasons:

- To care for the PCAs child, spouse, parent, or parent of a spouse who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care.
- To care for the PCA's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care.
- To attend the PCAs routine medical appointment or a routine medical appointment for the PCAs child, spouse, parent, or parent of spouse.
- To address the physical, psychological, or legal effects of domestic violence.

PCAs are entitled to use Earned Sick Leave in 15 minute increments however if a PCAs absence requires a Consumer to hire a replacement, the consumer may require the PCA to use up to a full shift of Earned Sick Leave. PCAs must make a good faith effort to provide reasonable notice of their need to use Earned Sick Leave. This notice should comply with a consumer's reasonable notification system. If the Consumer does not have an existing policy or procedure for providing such notice, one should be established, preferably in writing. If a consumer suspects that a PCA is committing fraud or abuse by engaging in an activity that is not consistent with the allowable purposes for sick leave the consumer must report this fraud to the Bureau of Special Investigations at 617-727-8638. A Consumer cannot retaliate against a PCA for using Earned Sick Leave. Retaliation is illegal. CP of MA will provide the Consumer with the PCA Sick Leave Timesheet and more information about the Earned Sick Leave benefit.

Overtime

Ethos must request authorization from MassHealth prior to payment for all requests for overtime. It is the Consumer's responsibility to immediately notify Ethos of the request for premium pay for overtime and to provide Ethos with any information needed to submit this request to MassHealth (such as the work-week within which the PCA worked overtime, the name of this PCA, and number of hours requested, and whether or not the conditions listed below are met). If this request occurs during non-business hours, the Consumer must leave a voicemail message for their Ethos Skills Trainer. Within 2 business days of this notification, Ethos must request this authorization from MassHealth. MassHealth will authorize premium pay for overtime when all of the following conditions are met:

- An unforeseen event occurred that prevented the Consumer's regularly scheduled PCA from providing PCA services to the Consumer, resulting in an immediate need for another PCA to provide PCA services for the member in excess of 40 hours for that week.
- The Consumer has demonstrated to MassHealth's satisfaction that they have attempted to contact, at a minimum, all persons who are either employed by the consumer or listed on the Consumer's Backup Plan on page 4 of the Consumer's Service Agreement.

MassHealth may request additional information before authorizing premium pay for overtime including but not limited to:

- The Consumer's PCA schedule for a specific work-week that includes the names of all PCAs employed by the Consumer and the name of the regularly scheduled PCA that was unable to provide PCA services.
- Documentation that shows that the Consumer has attempted to hire PCAs to replace a PCA that has suddenly quit or is otherwise unable to work.
- The list of PCAs contacted.

Regular time will be paid for any overtime where no authorization was obtained before payment. If MassHealth approves, modifies, or denies the request for premium pay for overtime, written notice will be sent to both the Consumer and CP of MA. CP of MA must forward this notice to Ethos within 2 business days. If the request is denied or modified, the Consumer will be informed of their right to appeal this decision by requesting a fair hearing.

Training Courses / Workshops

The 1199SEIU Homecare Training Benefit periodically offers courses/workshops to PCAs regardless of whether or not they are union members. These classes cover topics such as Adult First Aid, Nutrition and Diabetes, and Medication Safety. For more information, contact the Homecare Training and Upgrading Fund at (877) 409-8283.

EMPLOYMENT LAWS

Discrimination

Both state and federal law prohibits an employer from discriminating against an applicant or employee because of his or her race, age, disability, religion, national origin, sex, or sexual orientation. This means that you cannot decide not to hire someone or fire someone because of these characteristics. Hiring or firing decisions should be made only on the qualifications of the applicant.

State law also makes it illegal for any person to interfere with the rights of the employee or to help someone else interfere with the employee's rights. This covers harassment, unfounded accusations of theft, threats, or any other action that makes it difficult for employees to do their jobs.

Discrimination on the basis of disability is illegal. However, an employee must be able to perform the basic functions of a job with or without reasonable accommodation. Any accommodation must be the result of an agreement between you and your PCA.

Sexual Harassment

Massachusetts Law prohibits sex discrimination in the workplace. Sexual harassment is a form of sex discrimination.

The standards governing the prohibition of sex discrimination and sexual harassment in the workplace are set forth in Massachusetts General Laws chapter 151B. The Massachusetts Commission Against Discrimination issues guidelines to assist employers, employees, attorneys and the general public in understanding what constitutes sexual harassment, as well as to explain what employees and employers should do to prevent, stop and appropriately respond to sexual harassment. In addition, these guidelines discuss the circumstances under which employers and individuals may be held liable for sexual harassment in the workplace.

Harassment means that an employee is the victim of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Harassment might be a situation where an employee is offered a certain employment benefit in exchange for sexual favors. It can also be a work place that the employee considers sexually hostile. For example, if you choose to display explicit erotic material in your home, you may leave yourself open to accusations of sexual harassment if a PCA finds it offensive and you don't remove or cover it when the employee asks. This even applies to telling dirty jokes to your PCA.

If you receive a complaint of sexual harassment from your PCA, you must take prompt action as soon as possible. You should get the facts of the complaint from the PCA and any witnesses. If you do not respond to the complaint, the PCA should take her or his complaint to the attorney general's office.

On the other hand, if the PCA sexually harasses *you*, this is reason for immediate dismissal. You should also report what happened to the attorney general's office.

Employment Records

You should keep all employment records for one year after a PCA leaves. You need to keep applications, references, immigration forms, and W-4 forms for all PCAs. You should also keep copies all timesheets submitted for each of your PCAs. This will give you information on the earnings of your PCAs, which they need for tax purposes. Your PCA files should have the start date of each PCA, their last date of employment, and the reason for termination. You will need this information if you are asked to give references for employees. It is also a good idea to keep this information in a filing cabinet in alphabetical order.

If you have a live-in PCA you are responsible for complying with the recordkeeping requirements of the Fair Labor Standards Act (FLSA). This means that you must keep records regarding your PCA, the number of hours that your PCA works and their compensation. The FLSA requires that these records be kept for at least three years. The consumer is also required to keep a copy of the reasonable agreement between the consumer and live-in PCA which indicates the number of hours your PCA will work and the hours he or she may use for personal activities. The reasonable agreement must be an employee-employer agreement and not a unilateral decision by you. Such an agreement should normally be in writing in order to avoid any possible misunderstanding of the terms and conditions of your employee's employment. It must account for the time spent working and the time when your employee may engage in normal private activities, with sufficient time for eating, sleeping, entertaining and other periods of complete freedom.

For more information, see Fact Sheet #79C: Recordkeeping Requirements for Individuals, Families, or Households Who Employ Domestic Service Workers Under the FLSA

(<http://www.dol.gov/whd/regs/compliance/whdfs79c.htm>).

MANAGING YOUR PCA PROGRAM

PCA Training

The person you hire may or may not have previous experience as a personal care attendant. You should explain how you would like to be assisted since they are employed to meet your needs. The most efficient way to train a new PCA is to have her or him watch as you direct your routine with someone who has done it many times before. Keep in mind that you are directing the training and not the person who is assisting you.

When your new PCA begins working, try to be patient and consistent when you explain how and why procedures are done in certain ways. It's often helpful to outline the PCA's responsibilities on a list. If you have a regular schedule, make sure your PCA knows what time you must be ready. Post your schedule on the refrigerator if necessary. You may want your PCA to start a little early until he or she knows the job.

You will find it much easier to stop any behavior by your PCAs that doesn't meet your needs if you keep this behavior from happening in the first place. Don't let it become a pattern. It's important that good work habits be established in the first few weeks of the job. You should supervise or check your PCA's work closely at this time to let her or him know when something is forgotten or done incorrectly. It may feel awkward to correct somebody but, if you do it in a respectful way, no one's feelings should be hurt.

Respect Between You and Your PCA

Employing a PCA puts both of you in a relationship that is different from most employer-employee relationships. You will be working closely, even intimately, with your personal care attendant. This makes it especially important that you have a good relationship with your PCA. When you do, both of you will benefit.

Maintaining respect between you and your personal care attendant is an essential part of your PCA program. Respect is the keystone for managing not only a successful program, but also a mutually satisfying relationship. An attitude of respect between you will allow you to communicate clearly with each other as well as deal with conflict, anger, and potential problems. Developing a respectful relationship may actually keep many problems from ever coming up.

Here are some ways to develop a respectful relationship:

- Be knowledgeable about your disability and have a caring attitude toward yourself. Don't expect your PCA to care if you don't.
- Develop and demonstrate good management skills.
- Be involved in some constructive activity in your life.
- Do as much as you can for yourself.
- Keep in mind that your PCA is your employee, not your servant.
- Expect your PCA to treat you in a respectful manner and show the same respect toward her or him.
- Be assertive about your needs and wants.
- Communicate well with your PCA.
- Deal creatively and constructively about any conflicts that arise.

Learning to Be Assertive

Assertiveness is a necessary skill for managing your PCA program successfully. Being assertive means sticking up for your own feelings and needs in direct, honest ways while still respecting the other person's rights. It is a positive attitude that will help you train your personal care attendants to meet your needs better. It will also allow you to do a better job in communicating well with your PCA and dealing constructively with conflicts. When you aren't assertive, your PCA may ignore your needs and feelings. Here are some qualities of being assertive:

- You express yourself without violating the rights of others.
- You recognize that each person has rights.
- You are direct, open, and honest when communicating.
- You allow yourself to be self-confident.
- You express your thoughts and feelings in a way that clearly states your needs and keeps communication open with the other person.

Communication

Assertiveness is really about communication. You will be working very closely with your PCA, so good communication is essential for building a successful relationship.

Keep in mind that everyone likes to hear “thank you” and “please.” When your PCA does a good job, say so. When your PCA speaks to you or asks you a question, answer as clearly as you can. Tell your PCA when you have a problem with his or her work so it can be corrected. Discuss every day what you expect you and your PCA to accomplish.

A relaxed atmosphere helps to promote good communication, especially when you are discussing important issues or problems. Try to arrange your space in a comfortable way and sit at a normal conversational distance. Have handy a cup of coffee, pen and paper, or whatever else you need to feel comfortable. Establish eye contact with your PCA. Talk in a calm voice that tells your PA this is a serious matter. Above all, *relax*. Don't forget, you're the one in charge.

Conflict

Conflict happens in every relationship. Many people try to cover up or avoid conflict, but dealing with it constructively can make the relationship better for both of you. A lot of conflict comes up because of misunderstanding. This can occur when you don't explain what you want clearly or your PCA isn't clear to you. You and your PCA should agree to talk about things that bother you before they become big problems. Sometimes, even when you have rules and agreements, they are broken. A practical suggestion is simply to treat each other with respect and consideration, which is the basis for any good relationship.

Possible Problem Areas

Loss of Privacy

Because of the nature of the job, your relationship with a PCA can be quite intimate. It's important to let your PCAs know right at the beginning what is and is not acceptable behavior on the job. Write it into your employment agreement. If you don't mind chatting about each other's lives, that's fine, but if you want your relationship to be strictly professional, let them know.

Another ground rule that you may want to establish is confidentiality. This means that neither of you should share private information about each other without permission. This may not be a big deal for you, but if it is, you may want to include a statement about confidentiality in the employment agreement. When PCAs sign it, they'll be agreeing not to talk about you, your life, or your belongings to anyone else.

Anger

Even if you try very hard to establish ground rules, communicate openly, and be clear about your PCA's role and responsibilities, some misunderstandings will still come up.

You'll be spending a lot of time with your PCAs, so it's normal to have occasional problems. Dealing with problems calmly is more effective than shouting at each other. On the other hand, if your PCA is breaking your confidence, mistreating you, stealing from you, or otherwise behaving unacceptably, you shouldn't feel that you have to be nice or lenient. You have the right to fire PCAs, particularly if they break the law or the employment agreement you both signed.

Scheduling PCAs

You should be able to develop a work schedule for your PCAs that allows your personal care needs to be met, while also making the job most appealing to potential employees. It is helpful to develop a schedule of when tasks need to be done based on your PCA evaluation and the hours MassHealth has approved. You can use this as the basis for a work schedule for the PCAs. If you do not have a copy of your most recent PCA evaluation, contact your Skills Trainer to request one.

Some flexibility may be needed when tasks are scheduled. For example, if your normal morning routine only requires 45 minutes of PCA help, it may be difficult to hire a PCA for this short time. You may want to add household duties to the morning routine so you can offer a PCA more hours. At the same time, you should put your own needs first. It is not good management to let PCAs dictate what time they will come and go, and what tasks they will or will not do.

You should not schedule PCAs for more hours than you are approved, and pay attention to the hours your PCAs work to make sure they do not exceed them. You should also make sure that the hours worked are correctly entered onto your Timesheets. If you are approved for PCA time for tasks that do not occur each week, such as visits to the doctor, you should not use up this time in your regular weekly schedule so that this transportation time is available when needed. MassHealth generally gives approval for one year. **PCAs will not be paid for any time worked if you do not have a Prior Authorization approval from MassHealth on the dates hours were worked or if you have used up all your approved PCA Hours.**

In order to train and supervise your PCAs you should have a list of tasks and expectations. A chore list is helpful, perhaps in the form of a job description or training checklist. You might want to evaluate new PCAs a week or two after they start work. How do they perform each of the tasks on the job description? If they are not performing a task correctly, show them how to do it the way you want.

Be aware of personality differences. Some PCAs may come in and get right to work with little guidance. Some of you may like this self-direction; others may see it as the PCA “taking control.” Some PCAs may wait to be told what to do. While one person may see this as respect, someone else may take it as laziness. You can deal with these kinds of issues through good communication.

Evaluating Your PCA

As you evaluate how new PCAs are doing, consider whether they are open to your feedback. Do you see some improvement in their performance after talking with them? Have they tried to correct problems? Do they accept your comments without getting resentful? If you are having doubts about a PCA, consider whether their performance is adequate in most areas or only some.

The Washington Coalition of Citizens with Disabilities developed a standard for acceptable and unacceptable behavior by your PCA.

A PCA who behaves appropriately will:

- Do the duties agreed to in your employment agreement.
- Treat you as an adult.
- Be dependable and on time (or call you when they can't be).
- Respect and properly care for personal property.
- Use the social conduct and behavior as agreed in your agreement.
- Be honest in all aspects of the work.
- Share kindness, consideration, and patience.
- Be flexible in times of unexpected events.
- See you as the employer.
- Have a good attitude about disability.
- Allow both of you to discuss problems without feeling threatened or being judged.

It is unacceptable when your PCA is:

- Undependable and makes unreasonable excuses for being late or not calling.
- Physically or verbally abusive.
- Dishonest, lying, stealing time or money, and damaging property.
- Not keeping your confidence.
- Unwilling to do duties (putting them off for more than one day).
- Using unacceptable social behavior by doing things that were not agreed on, especially if it could lead to eviction.
- Not allowing you to be the employer or deciding he or she is going to run the show.
- Leaving the job or terminating without advance notice.

Reviewing Your PCA's Performance

As an employer, it is wise to have periodic PCA performance reviews, perhaps on a quarterly basis. This gives you an opportunity to formally offer feedback to your PCA about her or his performance. A review will also give the PCA an opportunity to give you feedback about how clear you have been in communicating your needs. When PCAs are not aware that issues exist, they have no basis for improving their performance or skills. Reviews will help your PCA become aware of her or his strengths and weaknesses as well as give you the opportunity to make specific comments on how they can improve.

The following guidelines are ways you can measure and grade performance:

- Does your PCA communicate clearly with you?
- Does your PCA get along well with you and other PCAs to create a constructive working relationship?
- Does your PCA keep a level head during a crisis?
- Does the PCA possess a good knowledge of procedures and techniques to do her or his job?
- Is the PCA focused on producing results?
- Does the PCA work continuously and go farther than the job requires?
- Does your PCA show enough concern for your needs to suggest better ways to do things?
- Does your PCA readily fill in when additional time is needed and other PCAs are not available?
- Is your PCA interested in enabling you to achieve your goals of further independence?

Try grading your PCA on a scale of 1 – 5:

- 5 = excellent performance
- 4 = exceeds expectations
- 3 = meets expectations
- 2 = below expectations
- 1 = does not meet standards

When you have an evaluation, make an effort to note the PCA's accomplishments. Remember that PCAs have bad days when they may not work as well as usual, but they most often do things right, too. It is better to present the weaknesses as areas that need improvement, rather than seeing the PCA as a bad

person. Nevertheless, do be specific; don't generalize. For example, rather than say that the PCA doesn't tend to your needs well, make it clear you would like her or him to handle your catheter more expertly or cut your food more finely. Set a timeline for when you would like these skills to be improved. Provide your PCA with the opportunity to add any additional comments before you set a new goal for performance.

Terminating Employee Status

When PCAs are terminated they no longer work for you, whether they have been fired, laid off permanently or temporarily, or quit. When this happens, you need to:

1. Notify CP of MA immediately so they will know to stop sending checks after the final pay period.
2. Give the PCA a copy of the Massachusetts Department of Unemployment Assistance (DUA) pamphlet, "How to File for Unemployment Insurance Benefits". Complete the front of each form with your name. Leave the DUA number and Federal Employer ID Number lines blank. When CP of MA receives notification of your DUA number, they will send it to you.
3. Fill out the CP of MA "Change Form and Supply Request", attach it to the PCA's final timesheet, and mail it to:

Cerebral Palsy of Massachusetts,
600 Technology Center Drive,
Stoughton, MA 02072

Keep in mind that you must send the PCA's final paycheck(s), even if you didn't part on the best of terms. If the PCA asks that you send the last check to a home address, you are legally required to do so.

PERSONAL HEALTH CARE MAINTENANCE

One of your responsibilities as a Consumer is to direct your own personal care. To do this, you need to have the understanding and skills necessary to manage your own health and personal care needs. You must know how to protect your health and be able to recognize when you have a health problem that needs treatment.

You may not thoroughly understand your health care needs at the time you apply for the PCA program. For example, your health may have changed drastically as the result of a stroke or spinal cord injury. You may live in a protected setting where others monitor your health for you. If you need to learn more about your health care, Ethos can help you get information and refer you to the training you need to take more responsibility for your care.

Here are some of the specific skills that you must know before you can begin your PCA program. It is essential that you are able to specifically instruct your PCA on how you wish to be cared for. If you are not able to learn these skills, you will need a surrogate to help you manage your health care and PCA program.

- You must be able to identify your medical conditions and be able to describe them to someone else.
- You must be able to identify your personal susceptibilities or areas of special health risk, such as skin breakdowns or difficulty with breathing. You should be able to explain your routine for preventing potential medical problems and what treatment you require if they arise.
- You must be able to describe how to do your bowel and bladder care. If you use a catheter or condom, or have a urethrostomy or colostomy, you must be able to explain how these personal care routines are done.

- If you need help transferring from bed to wheelchair or in and out of the bath, you must be able to explain how you transfer and what exactly the PCA needs to do to help you transfer.
- If you need range-of-motion or other exercises, you must be able to explain how to do these.
- You must be able to list correctly all your medications, their schedule, reasons for taking them, and their possible side effects.
- You must be able to describe a good nutritional plan that meets your health needs.

If you need more specific information about any of these areas, you can talk with your doctor, a visiting nurse, or your Skills Trainer at Ethos. You can also contact an organization related to your disability, such as the Epilepsy Foundation or United Cerebral Palsy. You can search for these organizations online or we can help you find these groups.

If you have access to a computer linked to the Internet, you can put in your disability as a search term to find numerous web pages. We recommend one particularly useful web site, INDEX at www.disabilityinfo.org. This sophisticated search tool can direct you to a number of disability organizations and services in Massachusetts.

Self-Care and Medical Needs

The PCA program is designed to assist you with tasks you cannot perform independently. It is not meant to provide assistance with the tasks that you are capable of doing yourself. As a participant, you are expected to be able to perform at your highest possible level of self-care at home or work. It may be helpful to be evaluated by an occupational therapist experienced in working with people who have severe disabilities to see what you can do to increase your independence. If extensive occupational therapy is needed you can ask your doctor to refer you for outpatient therapy. This might include transfer techniques, use of adaptive equipment, dressing techniques, etc.

Self-care also means making sure that personal care attendants are aware of your medical needs and to watch for any signs of danger. Your PCA can be trained to help you in these situations, but we strongly recommend that you don't rely on your PCA for medical care. If a serious medical condition arises, your PCA should immediately dial 911 for help. Your PCA should at least be aware of what to do until the ambulance arrives.

Universal Precautions

Universal precautions are practices that help protect against many infectious diseases, such as AIDS or Hepatitis B by helping people avoid contact with blood and certain other bodily fluids (such as saliva, urine, feces, sweat etc.). Using universal precaution is a very important part of your PCA program as your PCA will be in contact with your body, your personal things, and your food repeatedly throughout the day.

The single most important universal precaution is hand washing. It is the best way to prevent the spread of germs which cause infections. Hand washing helps to prevent infection from your PCA to you and also from you to your PCA. You should make sure your PCAs learn to wash their hands:

- when they come to work
- before handling any food
- after using the bathroom
- immediately if contaminated with blood or other bodily fluids
- after handling soiled items such as linens, clothing, or garbage
- after sneezing or coughing
- any other time their hands may pick up germs

Provide your PCA with liquid bacterial soap and paper towels. Besides explaining to your PCAs the importance of washing their hands, we suggest you put up signs in the bathroom and over the kitchen sink to remind them. Washing your own hands is equally important to your health and it sets a good example. Once your PCAs develop the habit, washing their hands becomes automatic.

Other universal precautions that your PCA should take include:

- wearing gloves when coming into contact with body fluids and when handling contaminated articles such as dirty linens
- treating all linens and clothing soiled with blood or body fluids as infectious and washing them on a hot setting in a washing machine
- placing used disposable syringes, needles, and sharp items into a puncture resistant container
- cleaning all blood and body fluid spills promptly

EMERGENCY MANAGEMENT

You must be able to recognize and deal with potential health problems and emergency situations that may arise. Ethos will review this area with you and provide any skills training and referrals you may need. You are expected to be able to:

- Identify the signs of an emergency situation related to your own disabilities.
- Describe your emergency medical procedure for situations that require transport to a hospital and situations that can be handled at home as well as general emergencies (fire, escape routes, snowstorms, etc.).
- Identify the medications you take and their potential side effects to emergency medical personnel.
- Identify and describe the use of available emergency equipment.
- Post in plain sight a written list of emergency numbers. These numbers should include:
 - Police
 - Fire department
 - Ambulance
 - Preferred hospital
 - Primary care physician
 - Family member or reliable neighbor/support person
 - PCAs and back-up PCAs

General Emergency

It is a good idea for residents of apartment complexes to be familiar with the emergency procedures in their building in case of fire. In some buildings the fire department may recommend staying in your apartment or gathering in a stairwell (don't ever assume you can use the elevator). Check with your building manager or local fire department to see what they recommend. You may also wish to contact your local fire department to see if you can be added to a list of local residents who need help evacuating in an emergency. You should also make sure you're able to access emergency assistance, whether by cellphone or an alert button etc., when necessary.

Back-Up PCAs

One of your responsibilities as a consumer is to make sure you have an adequate back-up plan to deal with PCA absences. Like other workers, PCAs get sick, their cars break down, and they take vacations. You should make sure you have other PCAs to cover these situations.

In general, it is best to have more than one PCA so that no single PCA is working seven days a week. Try to hire people that have some flexibility so that they can cover for each other in an emergency. A neighbor or family member who knows your care might also make a good emergency PCA. You should have a plan in place before a PCA calls in, so that you will know whom to call. If you have people on your emergency list who are not your regular workers, you should check with them once in a while to make sure they are still available. The best back-up PCAs are usually people who are already working for you.

Other potential back-ups might be personal care attendants working for other participants in your area. If you live in an apartment complex or neighborhood with other PCA employers around, you may be able to help each other out when a PCA isn't available.

Your Skills Trainer will discuss your list of back-up PCAs when they meet with you and update your Service Agreement.

Abuse and Neglect

Abuse and neglect can take many forms including:

- Physical Abuse – the non-accidental infliction of serious physical injury or the threat of serious physical injury (i.e. hitting, slapping, shoving, spitting)
- Emotional Abuse – the non-accidental infliction of serious emotional injury (i.e. yelling, screaming, threatening a person)
- Sexual Abuse – forced sexual activity or touching that is not wanted by the other person (i.e. assault or rape by someone the person knows, unwanted touching of “private parts”, demands for sexual contact)
- Financial Exploitation -a non-accidental act that causes substantial monetary or property loss to a person (i.e. withdrawing large sums of money from a person’s bank account, forging of a person’s signature on checks, the provision of services that are not necessary)
- Neglect – the failure or refusal of a caretaker to provide one or more of the necessities essential for physical well-being which was resulted in (or will result in) serious physical harm (i.e. untreated bedsores, unattended health problems, hazardous living conditions)

If you feel that you are the victim of abuse or neglect you should contact the appropriate authority:

The Disabled Persons Protection Commission (DPPC)

<http://www.mass.gov/dppc>

DPPC investigates cases of suspected abuse/neglect of people with disabilities aged 18 through 59. The DPPC will also refer complaints made on behalf of people younger than 18 or older than 59 to the proper agencies for investigation. The DPPC can be contacted 24 hours a day at:

DPPC Emergency Hotline: (617) 426-9009

Elder Protective Services

<http://www.mass.gov/elders/service-orgs-advocates/protective-services-program.html>

The Executive Office of Elder Affairs has established 22 designated Protective agencies throughout the Commonwealth to respond to reports of the abuse of persons aged 60 and over. Elder Protective services can be contacted 24 hours a day at:

Elder Abuse Hotline: (800) 922-2275

Child-at-Risk Hotline

<http://www.mass.gov/eohhs/gov/departments/dcf/child-abuse-neglect>

The Department of Children and Families (DCF) is the Massachusetts state agency responsible for protecting under the age of 18 children from child abuse and neglect.

Child-at-Risk Hotline: (800) 792-5200

PCA PROGRAM REGULATIONS AND POLICIES

Chapter

9

Reevaluations / Continuation of PCA Services

Authorizations for PCA services are normally for one year, although when your medical condition is relatively stable it may be for a two-year period. Once a year, a registered nurse from Ethos will come to your home to reevaluate your need for PCA services. As at the Initial Evaluation, you must sign the evaluation. Ethos will send your documentation to your primary care physician or nurse practitioner to sign and then to MassHealth for approval. To ensure the uninterrupted continuation of PCA services, Ethos must request prior authorization from MassHealth at least 21 days before the expiration date of the current prior authorization. If the submission is not received in time, MassHealth may stop payment for PCA services after the expiration date. As such, it is critical that your PCP sign off on our re-evaluation and return it to us in a timely fashion.

Making Adjustments in Approved PCA Hours

If your needs change during the year (for example if your disability progresses or your living situation changes), it may be possible to request an increase in the number of PCA hours you were approved for. In order to begin this process you must ask your doctor or nurse practitioner to fax a letter to Ethos detailing why, specifically, you are in need of more hands-on, physical assistance than the last time you were evaluated by the Ethos nurse. The Ethos nurse will then prepare increase paperwork for your doctor or nurse practitioner to sign and this paperwork will be submitted to MassHealth for their review. As with routine evaluations, MassHealth may approve, modify, or deny the request for a change. Contact your Skills Trainer if your needs have changed and you may need more or less PCA hours.

Terminating PCA Services

MassHealth has the right to terminate PCA services if you do not comply with the requirements of the PCA program. Per MassHealth regulations, services may also be terminated if:

- Your Surrogate becomes unavailable and you are unable to find a new Surrogate within 30 days.
- Ethos and MassHealth requires your current Surrogate to be replaced (because they are not performing tasks on your behalf in accordance with program requirements) and you are unable to find a new Surrogate within 30 days.
- Ethos and MassHealth determine that you cannot manage your PCA program independently and you are unable to find a Surrogate within 30 days.

Medicaid Fraud

As a Consumer you should be alert to signs of fraud by others and avoid doing anything fraudulent yourself. Medicaid Fraud is a serious crime and punishable by law. Both Ethos and CP of MA are obligated to report potential fraud to MassHealth. Medicaid fraud involves knowingly misrepresenting the truth to obtain unauthorized benefit. In the PCA Program fraudulent activity often takes the form of submitting a false timesheet to CP of MA, for example a timesheet that portrays a PCA as having worked hours that they actually didn't work. Other examples of fraudulent activity include:

- Submitting timesheets for dates on which a Consumer was hospitalized (a PCA may be paid on the date that you are hospitalized and the date on which you are discharged, but not for full days that you are hospitalized).
- Submitting timesheets for periods of time during which a Consumer was attending an Adult Day Health program.
- Enrolling in the PCA Program and receiving PCA Services while also enrolled in a Group Adult Foster Care (GAFC) or Adult Foster Care (AFC) program.
- Enrolling in the PCA Program and receiving services while also receiving duplicative services from a Home Care Agency.

Transferring PCMs

You have the right to transfer your PCA program from Ethos to the Personal Care Management (PCM) agency of your choosing if you wish. Ethos must notify MassHealth of this request and MassHealth must give approval for the change. If the request is approved, Ethos will cooperate in a smooth transition to the new agency. If you wish to transfer to a PCM agency that works with an FI other than CP of MA, MassHealth will only authorize this transfer during a specific period at the end of the calendar year.

Overbilling / Overutilization

Repeated overuse of your authorized weekly number of hours will be reported to MassHealth. CP of MA will notify you by letter of this Overbilling. This letter will state the number of hours that were overused and the number of hours you have left per week for the remainder of your PCA Prior Authorization. The number of hours remaining is an estimate. It is your responsibility to track how many PCA hours you have used. Once Ethos receives a copy of this Overbilling letter, we will contact you or your Surrogate to provide skills training regarding your responsibility to use PCA services properly and correctly submit activity forms. It is very important that you monitor the number of hours you are using. If there are extra tasks to be done, schedule a few extra hours one week and use less hours the next week. Don't allow your PCAs to work more hours than authorized. If you have a change in your medical condition that requires you to use more hours per week or night than authorized by MassHealth, you must contact Ethos to request an adjustment to your PCA hours.

If you overuse hours on a regular basis, you may be asked to have a Surrogate to assist you in managing your PCA program more effectively. In addition, MassHealth reserves the right to direct CP of MA to stop payment of hours that exceed the number of authorized hours.

MassHealth, Ethos, and CP of MA are not responsible for reimbursing PCA services that exceed the number of authorized hours.

Hospitalizations

If you are admitted to a hospital or skilled nursing facility, you cannot bill for PCA services during your admission. PCA time can be billed on the day you are admitted and on the day you return home if your PCA worked for you on either of these days. Otherwise, the hospital or facility staff are responsible for providing your care.

Complaint Policy

If you have a complaint, contact Ethos at 617-522-6700 and ask to speak with the PCA Program Manager.

Grievance Procedure

If, after making a complaint, you do not believe that the issue has been resolved to your satisfaction, or if you are unhappy with the decision of Ethos regarding your Surrogate Assessment, Service Agreement, Initial assessment or Re-evaluation, or other decision, you can dispute the decision by requesting a Review from Ethos. If you would like to appeal a denial or a modification to the number of hours that MassHealth has approved, you should follow the Appeal process detailed at the end of Chapter 1.

Your Rights

- You have the right to be heard at a Review meeting
- You have the right to inspect and copy (at your expense) the contents of your file at any time
- You have the right to choose a person to represent you at the Review meeting

- You have the right to request that the Review take place over the telephone

Review Process

A Review is an informal meeting held to resolve a disagreement between you and Ethos. It is conducted by the Care Management Director and you may choose the location. Reviews may be held in your home, at Ethos, or over the telephone. If it is held in person, either you or your Surrogate, must attend the Review. If you request a telephone Review, you will be discussing the situation with a representative from the Ethos Review Committee.

At the Review meeting, you or your Surrogate will have the opportunity to state why you disagree with the decision and to present evidence on your behalf. You or your Surrogate may ask questions regarding your appeal to any person speaking on behalf of Ethos.

To initiate the Review Process, please request the form, REQUEST FOR REVIEW OF PERSONAL CARE ATTENDANT PROGRAM DECISION from your Skills Trainer and send it to Ethos **within fourteen (14) calendar days** from the date of completion of either your Surrogate Assessment or Service Agreement. We will respond to you, in writing, within 3 business days, to schedule your hearing. Hearings are scheduled within 14 calendar days or receipt of your request.

If you need an expedited review please call the PCA Program Manager and tell him/her why you need a review in a short period of time. Ethos will make every attempt to schedule your hearing within 7 calendar days of receiving your appeal and the decision is communicated to you by telephone within 2 days of the hearing.

If you are not satisfied with the decision of the Care Management Director, you may appeal that decision to Ethos' Executive Director. This must be done within 14 calendar days of the initial decision. The Executive Director convenes the hearing within 14 calendar days. The decision of the Executive Director is communicated in writing to the consumer within 7 business days.

DEFINITIONS

Activities of Daily Living (ADL) – Activities performed by personal care attendants (PCAs) to physically assist you in transferring, taking medications, bathing or grooming, dressing and undressing, engaging in passive range-of-motion exercises, eating, and toileting.

Activity Forms – The timesheet distributed by Cerebral Palsy of Massachusetts for you to record all PCA activity time for each pay period.

Activity Time – The actual amount of time spent by a PCA physically assisting you with activities of daily living or instrumental activities of daily living.

Appeal – A request from you to MassHealth to change their determination of the hours they approve or to Ethos or CP of MA about a decision or complaint.

Assessment – The initial determination by Ethos on whether you have the ability to manage the PCA program independently or require a surrogate.

Complaint and Grievance Policy – Explains the procedures you follow or steps you need to take to file a complaint and/or request a hearing.

Consumer – a MassHealth member who is receiving PCA services. The Consumer is the employer of the PCA.

Day/Evening Hours – 6:00 am to midnight.

Discrimination – Hiring or firing someone on the basis of her or his race, age, disability, religion, national origin, gender, or sexual orientation.

Emergency Management – Procedures you need to follow to protect yourself in an emergency. This includes how you will handle yourself in the event of fire, manage a medical emergency, and deal with the loss of services when a PCA is unavailable for work.

Employment Agreement – A written agreement that describes the duties of your PCA as well as your expectations or conditions.

Evaluation – An initial determination made by the Ethos RN and OT about the type and hours of PCA services that Ethos believes you are eligible for. The completed evaluation is submitted to the MassHealth Prior Authorization Unit for review.

Family Member – As defined by MassHealth, your spouse, parent (if you are a minor), including an adoptive or foster parent, or any legally responsible relative. These family members are prohibited from being paid by MassHealth as your PCA.

Fiscal Intermediary – An organization such as Cerebral Palsy of Massachusetts (CP of MA) that has a MassHealth contract to perform employer-required tasks and related administrative tasks. Takes care of fiscal matters such as preparing paychecks, withdrawing and paying taxes, and accounting.

Hearing – This procedure gives you the opportunity to appeal a decision by MassHealth or Ethos, and to have your complaint reviewed while you are present.

Holidays – New Year’s Day, July 4th, Thanksgiving Day, and Christmas.

Instrumental Activities of Daily Living (IADL) – Activities that are instrumental to the care of your health and are performed by a PCA, including meal preparation and cleanup, housekeeping, laundry, shopping, maintenance of medical equipment, transportation to medical providers, and completion of paperwork required for the PCA program.

Intake and Orientation Services – Services provided to a participant who has been referred to Ethos for PCA services, but who does not yet have approval from MassHealth. These services include determination of eligibility for PCA services as well as instruction and orientation in the rules, policies and procedures of the PCA program; your rights and responsibilities in using PCA services; and the roles of management services and fiscal services.

Modification – MassHealth may decide to change or modify the hours you are approved for the PCA program. You can appeal this decision.

Night Hours – midnight to 6:00 am

Overtime – Activity time performed by your PCA in excess of 40 hours per week.

Overuse of Hours – MassHealth approves a certain number of hours for your PCA program for each approval period (usually one year). If you use more hours than MassHealth has approved, you may have to pay for them yourself. You can request more hours whenever your living situation or medical condition changes.

Pay Period – A biweekly period starting from 12 a.m. Sunday (midnight) and ending by midnight on the Saturday two weeks later.

Personal Care Management (PCM) Agency– An agency, such as Ethos, that is under contract with MassHealth to manage your PCA program.

Personal Care Attendant (PCA) – A person who is hired by the participant or surrogate to provide PCA services.

Personal Care Attendant Program – A MassHealth program providing PCA services, management services, and fiscal services to participants.

Personal Care Attendant Services – Physical assistance by a PCA with ADLs or IADLs.

Personal Care Services – Services provided to an eligible MassHealth member for the purpose of assisting the member to achieve independent living, including PCM services, PCA services, and fiscal intermediary services.

Premium Pay – Payment at time-and-a-half for a PCA who has performed activity time in excess of 40 hours per week for one participant. **Requires prior authorization from MassHealth.**

Prior Authorization Period – A specific period of time for which MassHealth approves PCA services after reviewing the (re)evaluation submitted by Ethos.

Reevaluation – A determination by the Ethos RN of the type and hours of PCA services that the RN believes should be provided to a participant who requests a continuance of PCA services. The completed reevaluation is submitted to the MassHealth Prior Authorization Unit for review.

Registered Nurse – Only a registered nurse is authorized to do PCA evaluations.

Service Agreement – A written plan of services developed by Ethos and the Consumer or Surrogate that describes the responsibilities of the Consumer, the Surrogate (if any), the PCA, CP of MA and Ethos. The Service Agreement must also describe the type and frequency of skills training that you require to manage your PCA program.

Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature by either the employee or the employer.

Skills Trainer – Staff from Ethos who train/advise you in the skills of independent living, particularly in starting and managing PCA services.

Skills Training – Instructional services provided by Ethos to assist Consumers (or Surrogates) in developing skills and resources to successfully manage personal health care, personal care services, activities of daily living, and activities related to the fiscal intermediary (CP of MA).

Surrogate – The participant’s legal guardian, family member, or any other person identified in the service agreement. The surrogate is responsible for performing PCA management tasks that the participant is unable to perform. The surrogate cannot be a PCA. **This is a volunteer position.**

Unemployment Insurance – Insurance that covers employees who are terminated or laid off.

Workers’ Compensation Insurance – Insurance that protects workers who are injured on the job.