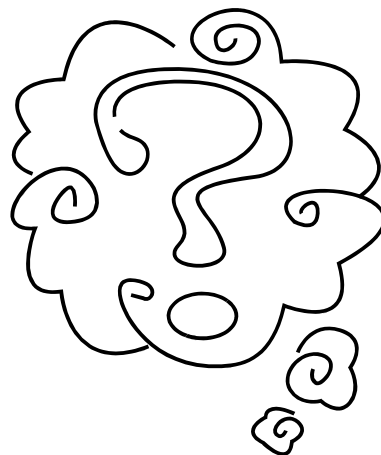


COMMONLY ASKED QUESTIONS ABOUT SELF-DETERMINATION

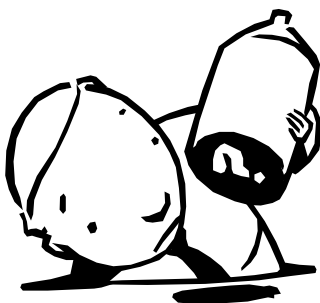
What is Self-Determination?

Self-determination is a way for people to make choices about their mental health care. Within Medicaid rules and available funds, the consumer/guardian decides:

- 1) Who will deliver the services they need;
- 2) What kind of help their chosen provider will deliver;
- 3) How often they need help;
- 4) When they need help;
- 5) The cost of services (agreed to by the consumer/guardian with their provider of choice within the available budget).



This sounds too good to be true. What's the catch?



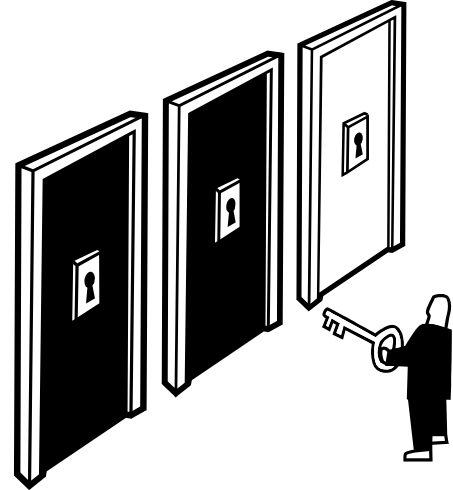
Medicaid rules still apply to self-determination. That means “*medical necessity*” must be proven. Medical necessity is the scope (what kind), amount (how much and how often) and duration (for how long) of services a person needs based on their current mental health condition. When a request for services is submitted to LifeWays, the medical necessity of those services is reviewed. There must be written proof that without the requested service(s), the consumer’s condition would worsen.

Medicaid is the “*payer of last resort*”. This means that all other natural and community supports must be used before Medicaid will pay for a service. Examples of other supports may include: Department of Human Services' chore provider services, Community Action Agency literacy services, and Michigan Rehabilitation Services supported employment.

Am I limited in who I can choose to deliver my services?

Consumers participating in Self-Determination may hire any willing and qualified provider. Providers hired under self-determination, must:

- 1) Be free of communicable (contagious) diseases;
- 2) Not have any felony convictions (if provider will be delivering services for a child);
Not be a convicted felon who is either still under jurisdiction or one whose felony does not relate to the kind of duty he/she would be performing IF the consumer/guardian a Criminal Background Check Waiver (if provider will be delivering services for an adult);
- 3) Provide proof of correct licensure/degree (and/or supervision);
- 4) Complete required training and provide written proof of training to the consumer-employer. The cost for provider training will come from the consumer's self-determination budget.



What help is available to learn how to hire staff and become an employer?



"Hiring and Managing Personal Assistants" is available for free from The Arc Michigan. This booklet offers helpful information about how to find, interview and hire employees. It explains the consumer's role as an employer. It also explains the role of the Fiscal Intermediary in assisting with employment responsibilities. Copies of *"Hiring and Managing Personal Assistants"* are available at The Arc Michigan:

- 1) Call The Arc Michigan toll-free at: (800) 292-7851
- 2) Write to The Arc Michigan at:
1325 S. Washington Avenue
Lansing, MI 48910 or
- 3) Visit the Arc Michigan website at:
<http://www.arcmi.org>

What kind of paperwork is needed to start Self-Determination?

Note: These documents must be completed before services begin under a self-determined arrangement.

Person-Centered Plan: The Person-Centered Plan is the basis on which the self-determination budget is built. In planning services, the consumer says what their goals for treatment are. A clinician (typically a therapist or case manager), translates the consumer's hopes, dreams and desires into a formal Person-Centered Plan. It is vital that the consumer direct this process. The consumer decides what goals they want to work on, who they would like to attend their planning meeting, and where the meeting will take place. Free Independent Facilitators can help with this process at no cost to the consumer. To find out more about Independent Facilitation, contact LifeWays Customer Services at (517) 780-3332 or toll free at (866) 630-3690.

Self-Determination Agreement:
(also known as a Choice Voucher agreement)
This agreement is between LifeWays and the consumer. It details the responsibilities of the consumer and LifeWays in self-determination.



Medicaid Provider Agreement: This agreement is signed by each provider chosen by the consumer to deliver their services. It is an agreement to abide by Medicaid rules. This agreement should be signed before services begin under self-determination.

Employment Agreement or Staffing Agency Agreement: This agreement is between the consumer and the provider they have chosen to deliver their services. This agreement details consumer and provider responsibilities. It tells the rate of pay agreed to by the consumer with their chosen provider. The agreement also tells how the employment relationship may be ended.

Additional information may be included if the consumer chooses to do so. The consumer may describe specific rules, including the dates and times during which services will be provided. This agreement can be changed at any time as agreed to by both parties. This agreement can be ended by either party with the amount of notice written in the agreement.

EIN (Federal Employer Identification Number): The consumer must obtain a Federal Employer Identification Number (EIN), if they choose to hire a person who is not employed by a company (an individual). The EIN is needed for the consumer to legally "hire" an individual and for the Fiscal Intermediary to pay that person, handle taxes, Worker's Compensation and other payroll functions. The consumer's Fiscal Intermediary will assist the consumer in getting an EIN if it is needed. Consumers who hire a person who will provide their services through a company will probably not need to obtain an EIN. People who work for a company already have an employer who is handling payroll functions.

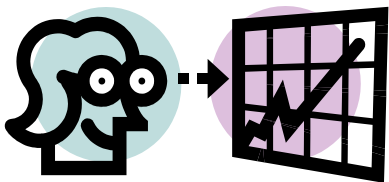
What is a Fiscal Intermediary?

All consumers choosing self-determination must have a Fiscal Intermediary (FI). An FI is an accountant. For a fee, the FI handles payroll responsibilities for the consumer-employer (pays providers, handles Worker's Compensation and payroll taxes, supplies employee payroll forms, etc.) The FI is responsible for paying consumer providers based on the Employment Agreement signed by the consumer and provider and time sheets submitted by the provider. The Fiscal Intermediary also provides each self-determined consumer with a monthly budget status report.

The self-determined consumer (and guardian if there is one) meet with their Fiscal Intermediary at the start. At this meeting, the consumer/guardian will review and sign needed paperwork. The Fiscal Intermediary will explain the services they provide and how much those services cost. The Fiscal Intermediary can help the consumer negotiate service rates with their providers. Lower rates allow the consumer to make the most of their service benefit using available budget dollars.



What are some of the consumer/guardian's responsibilities under Self-Determination?



- 1) Keep an eye on your budget to make sure it is not overspent. (The Fiscal Intermediary provides monthly spending reports to assist with this.)
- 2) Make sure workers' time sheets are correct before sending them to the FI. If you submit time sheets that you know are not true, you could be charged with Medicaid fraud.
- 3) Get an Employer Identification Number (EIN), with the help of the Fiscal Intermediary, when the person who will be delivering services does not work for a company.
- 4) Actively take part in person-centered planning, sharing desired goals of treatment with the people who are helping write the person-centered plan.

How does the self-determination “budget” get decided?



The primary clinician sends consumer goals to LifeWays. LifeWays Utilization Management staff review this information to determine “*medical necessity*”. Once medical necessity is determined, the costs for all clinical services are added up. The total equals the consumer’s self-determination budget.

The fees for Fiscal Intermediary services must come from this budget.

A budget is developed when a new Person-Centered Plan is created. It is updated when an existing Person-Centered Plan is changed. Money from a budget that was not fully spent may NOT be carried forward into a new treatment plan year.

Are consumer rights protected under Self-Determination?

Yes! Recipient Rights, as defined in the Michigan Mental Health Code, are protected under self-determination. If a Recipient Rights violation is suspected, it should be reported, right away, to LifeWays Office of Recipient Rights at (866) 630-3690 or (517) 789-1200. All consumers of mental health services have the right to be treated with dignity and respect, to receive treatment suited to their condition, to be free from abuse and neglect, and many other rights.

Consumers have the right to grievance and appeal as described in the LifeWays “Grievances & Appeals” brochure available from LifeWays Customer Services.

Consumer rights are protected under Civil Law.

Providers are required to follow ethical standards required by their licensing/certification.



If you have questions about self-determination, please feel free to contact LifeWays Customer Services at (517) 780-3332 or toll-free at (866) 630-3690.