

Understanding and Using Self-Determination to Build the Life You Want



**Macomb County
Community Mental Health
22550 Hall Road
Clinton Township, MI 48036**



A CARF Accredited Organization

*A Guide for Individuals, their Families,
and their Support Teams*

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MCCMH Crisis Center

The Crisis Center is available by phone 24 hours a day to help with any problem. The Crisis Center can also help identify other community resources that may help.

Toll Free:
1-855-927-
4747

MCCMH Office of Recipient Rights

The Office of Recipient Rights will help with any question you have about your rights when you receive MCCMH services, and will investigate any violations of your rights.

586-469-6528

MCCMH Ombudsman

The Ombudsman will help you if you have problems with any of the staff and you want to resolve your concerns informally. She will work with you and your staff to find a satisfactory solution. The Ombudsman will also explain your grievance and appeal rights, if you want to use these processes.

586-469-7795

MCCMH Office of Community Relations

If you aren't sure where to call for the information you want, call the Office of Community Relations. We'll help you sort it out.

586-469-6958

What is Self-Determination ?

Self Determination is a model of service delivery that allows a person receiving mental health or developmental disability services to direct the purchase of approved services him/herself, using a fixed amount of Medicaid dollars. Your individual budget, the amount of funds available to you, is determined by your Person-Centered Plan. Self-determination is an available choice for any adult who receives public mental health services. Self determination is also available to parents of children enrolled in the Children's Waiver or Habilitative Supports (HAB) Waiver program.

Individuals have the right to direct their own lives, including the right to:

- Make their own choices
- Be a part of their community
- Have meaningful relationships
- Be involved in meaningful activities

Five Principles define Self-Determination

Self Determination is based on five important principles that all people live by. These principles are:

Freedom - The ability to plan a life of your own choosing, including:

- Who you live with and where you live
- Who you have relationships with
- Which community organizations and groups you want to belong to

Authority - Your ability to control a certain sum of dollars on your own behalf, and to arrange your services according to your needs and desires, including working in partnership with your providers to decide how resources are used to purchase the supports and services you need and want.

Support - The ability to arrange the help you need, whether it is formal or informal, paid or unpaid, in the ways that work best for you in order to live the life you want in the community. Your supports should help you develop and reach your dreams.

Responsibility - Your accountability and commitment to use public dollars efficiently and appropriately, and to contribute to the community through responsible citizenship.

Confirmation: Your acceptance of a leadership role in the community, including participation in improvements to the public service system and through active citizenship participation, according to your own values and desires.

Other Important Phone Numbers

Some of the people and offices below might be helpful to you as you make your Person-Centered Plan, determine your Individual Budget, or use your services. Any time you have questions or concerns, call us!

Your Supports Coordinator/ Case Manager: (fill in the name and phone number here.)

Your Fiscal Intermediary: (fill in the name and phone number here.)

The Staff who Provide Your Services: (fill in their names and phone numbers here.)

Fiscal Intermediaries

These agencies provide Fiscal Intermediary services under contract with MCCMH. If you are directly hiring a provider using self-determination, you must have a fiscal intermediary. When you are choosing a fiscal intermediary, you might want to talk with more than one, to find someone compatible with you. All FIs have agents that work in Macomb County. The addresses listed are for the main office.

Community Living Network 1851 Washtenaw Ypsilanti, MI 48197 (PH) 734-482-3300 Ex 212 (FAX)734-482-3894	GT Independence 215 Broadus Street Sturgis, MI 49091 Toll Free 877-659-4500 (FAX)269-651-4501
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LifeLong Advocacy, Inc. 43970 North Gratiot Ave. Clinton Twp., MI 48036 (PH)586-846-2457 (FAX)586-846-2460	Stuart T. Wilson, CPA., P.C. 6300 Shade Dr. Midland, MI 48640 (PH)989-832-5400 Ex 8 (FAX)989-832-5404
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Note that MCCMH provider agencies change periodically. For the most up to date list of service providers, visit our website at www.mccmh.net. Click on Services and then "Click here for Provider Agency list" for the complete, current list of providers.

Person-Centered Planning

Self-determination starts with Person-Centered Planning. Person-Centered Planning is a process for determining your individual plan of mental health services, supports, and treatment. Your services should help you to live the life of your choosing, and to take part in activities that improve community life. Your services should honor your likes, desires, choices, and abilities. Your planning involves only those people you choose to participate in the process.

Pre-Planning for your Person-Centered Planning meeting

Your Pre-planning meeting helps you prepare for your Person-Centered Planning Meeting. You will be able to decide **who** to invite to your meeting (and who will invite them), **what** you want to talk about at your meeting (and what you do NOT want to talk about), **when/where** you want to have your meeting, and who you want to run your meeting. Whoever you choose to run your meeting will help you plan for your meeting. You may choose an Independent Facilitator, a person you may or may not know, and who is not involved with the delivery of any of your other services, to run your meetings. You may also use your Case Manager or Supports Coordinator, or you can run your meetings yourself. Your Case Manager or Supports Coordinator can help you decide how to facilitate your meetings, and can help you find a trained independent facilitator. Remember to schedule meeting

times that are good for you and your Support Team members.

The Person-Centered Planning meeting

Your Person-Centered Planning Meeting helps you to set your goals and identify the supports and services that will help you to reach those goals. At the meeting, you and your Support Team will:

- Identify your strengths, dreams, and desires
- Identify your supporters and help develop other relationships that promote your dreams
- Determine what services and supports, whether provided by Community Mental Health or by other sources, are needed to help you reach your dreams.
- Help create a plan to minimize any health or safety concerns
- Create a Back-Up plan if you are using Self-Determination.

Your Person-Centered Plan (PCP) must always be reasonable, and thought should be given to the outcomes and cost of each service, treatment, or support option. Your Case Manager or Supports Coordinator can answer questions about which services can be paid for by Macomb County Community Mental Health (MCCMH).

Supports Coordination Agencies

MCCMH works with several direct and contract agencies to provide Supports Coordination/ Case Management Services. If you are choosing a supports coordinator / case manager, you might want to talk with more than one, to find one compatible with you.

If you are authorized to receive supports coordination or case management services, you can choose or change your Supports Coordination / Case Management agency at any time. You can also change your individual Supports Coordinator / Case Manager.

Note: MCCMH provider agencies change periodically. For the most up to date list of Supports Coordination / Case Management agencies, visit our website at www.mccmh.net. Click on Services and then “Click here for Provider Agency list” for the complete, current list of providers.

Support Team - A group of people who meet to assist an individual with planning their future. The team is chosen by the individual and may include family, friends and professionals.

Self-Determination Budgets

As part of the planning process, a Self-Determination Budget will be developed. This budget will include the costs of all the supports and services that have been authorized by MCCMH to meet the goals agreed to in your Person Centered Plan. The dollars in your individual budget can only be used for the services and supports in the plan approved by MCCMH.

If you choose to hire staff or an agency directly as the employer of record, the funds will be sent to a fiscal intermediary to pay the professional providers or the staff you choose to provide the services and supports in your plan. Or, if you have decided to use an agency to act as the managing employer, the CMH will use the budget funds to pay the professional providers or staff directly on your behalf. You will receive monthly statements so you and your support team can see how you are doing with your budget.

Support Teams must look at all community resources that can help you achieve your dreams. Hiring your own staff, controlling your own budget and directing the services provided by MCCMH allows you to structure your own life.

An example might be helpful. Suppose your PCP has authorized you to receive up to 350 hours of Community Living Supports (CLS) service in a four month period, and your agreed upon budget allows you to spend up to \$3500 for that service. You can choose the person, people, or agency that provides the CLS service for you. You can change the provider later if you want to. Depending on your individual agreements with CMH, you may be able to decide how much to pay the provider, as long as you don't go over your agreed dollar amount for the period.

You can also choose to use your authorized hours in any combination of time you want — more in one week or month than another, even all in one month. Your PCP should include the amount of flexibility you want for your services and your budget. Remember, you can't use more hours or spend more money than your PCP and your budget allow. Your Case Manager or Supports Coordinator will help you to make adjustments along the way.

Some things in your plan can be paid for by Medicaid funds, and other things have to be paid for by other sources. Medicaid is required by law to be the last resource used, or the "payer of last resort". You and your support team should be creative about what services you buy and where you buy them. Your Case Manager or Supports Coordinator can help you identify possible providers.

include family, friends, neighbors, church members, co-staff, or others in the community.

Paid Supports - Individuals or agencies who are paid to provide supports and services to help you reach your goals.

Person-Centered Plan - A document created out of the PCP meeting that lists an individual's goals, and outlines the services and supports that will be provided by MCCMH to help each individual reach his or her goals.

Qualified Provider - A qualified provider is an individual staff, a specialty practitioner, a professional, an agency or a vendor who is a provider of specialty mental health services or supports and who can demonstrate compliance with the requirements contained in the contract between the Department of Community Health and MCCMH, including any requirements attached to specific funding sources, such as Medicaid.

Self-Determination Budget - A self-determination budget is a fixed amount of public mental health funds, used to pay for your mental health services and supports in accordance with your person-centered plan. Your budget may also identify other public funds and benefits that your supports coordinator or case manager helps you access. You and MCCMH will work together to agree on the terms and amounts of your budget. You agree to use your budget responsibly, and only for the supports, services, and other items identified in your plan.

Definitions

Case Manager or Supports Coordinator - A staff member of MCCMH or one of its contract agencies who helps to identify community resources and supports to help individuals reach their goals. You can call your Case Manager or Supports Coordinator for help to make changes to your person-centered plan, or to people or agencies that provide your services, or to the ways your services are delivered, whenever you think changes would help you.

Fiscal Intermediary - A fiscal intermediary is a person or agency who helps you manage your budget and pay your bills if you are using a self-determination approach. A fiscal intermediary may also provide a variety of supportive services that help you to select, hire and manage individual and agency providers.

Independent Facilitator - An objective person, who is not employed by MCCMH or any of the agencies who provide your services, who is trained to guide the discussion at a Person-Centered Planning Meeting. The facilitator makes sure that your needs and concerns are heard and addressed. He or she will also help with any pre-planning or post-planning meetings, but isn't involved in your services in any other way.

Natural Supports - People who are part of a individual's life and who are supportive. Usually they are people who are not paid to be part of the person's life. This could

Traditional Service Delivery — Contract Agencies

One method of finding staff is by using a Contract Agency. Contract agencies meet special criteria to be part of the MCCMH provider panel. MCCMH requires contract agencies to be accredited, which means that they must meet certain standards. Contract agencies must make sure that their staff have training and are properly supervised. A benefit of using a contract agency is knowing that staff will always be available. When you hire an agency to provide your staff, the agency is the employer. It has the responsibility of hiring and managing staff, and the agency handles all of the legal requirements of being the employer. This arrangement means that you do not have to worry about those details. When you choose to work with an agency, you still have the right to interview the staff and choose the people who work with you.

If you find that you and your staff are not a good match, you have the right to contact the agency and ask to interview other staff who could work with you. Your Case Manager or Supports Coordinator and support team can help you with this. If you hire an agency, the agency will bill MCCMH directly for services they provide to you.

Agency With Choice Model

"Agency With Choice" (AWC) is one way to use self determination, if you don't want to directly hire your staff. This way, the AWC provider is the co-employer (with you) of your staff. The AWC provider handles many of the legal and tax employer duties, but you are the managing employer. You choose the staff, subject to Medicaid and Agency With Choice provider rules. You supervise and, if necessary, fire your staff. The Agency With Choice provider can intervene in certain circumstances.

The Agency With Choice provider sets the wage rate according to allowable amounts set by CMH. The AWC provider is responsible to secure insurance on all staff. Cost is included in the hourly agency rate.

The AWC provider also assists you by finding new staff, doing background checks for you, and making sure your staff are trained. The AWC provider can also provide back-up staff, according to your person-centered plan.

An agency on contract with MCCMH may be a AWC provider. Or, a provider that is not on contract with CMH may be a AWC provider. If the AWC provider is not on contract with MCCMH, MCCMH will have to make sure that the agency meets the same criteria that is required of the other providers that are part of the

Change your plan or Rearrange your supports:

One of the good things about person-centered planning and self determination is that you can change your plan if you decide you need to. You can also rearrange your supports and services, such as the hours your staff works, to best meet your needs. Your Case Manager or Supports Coordinator will help you make changes.

If you have a problem:

If you have a problem with any of the staff who are working with you, try to talk with them to find a way to work it out. You may also find that you need to change staff from time to time. You will want to do that in a way that is fair to them, too.

Remember that the people you work with at MCCMH, or any of its contractors, and all the staff who work with you in your home, must always respect your rights and treat you with dignity. If you feel that your rights have been violated, or you have questions about your rights when you use self-determination, contact the MCCMH Office of Recipient Rights (586-469-6528) at any time.

Implementation of Your Plan

Go for it!

Follow the plans made at your Person-Centered Planning meeting to set up supports to help you achieve your dreams. Follow the identified steps in your PCP in order to work toward your goals. Call your Case Manager or Supports Coordinator if you need extra help. If you have completed the identified steps in your Person-Centered Plan, and haven't yet reached your goal, you should think about calling another Person-Centered Planning meeting to identify new ways to help you reach your goals.

Review your budget monthly

Be sure to review your Self-Determination Budget monthly when you receive it. Look for errors or things you don't understand. Make sure to note any questions you might have about it, and ask your Case Manager or Supports Coordinator, or your FI, to explain. Your Case Manager or Supports Coordinator will also review your Self-Determination Budget with you when he/she comes to visit.

Authorize payment

Review and sign the timesheets for your staff, or invoices from your professional providers, to authorize payment to the people who provide your supports and services.

MCCMH provider panel, first, before you are allowed to contract with them as an AWC provider. You may hire a fiscal intermediary to help with this task as well.

You as the Employer — Direct Employment Model (Fiscal Intermediary Model)

You also have the choice to find and hire your own qualified staff.

Hiring your own staff means that you, with the help of your support team, have control over who provides your services. You can hire people you may already know or you can advertise for and interview new people for the position you want filled.

When you hire your own staff, you must consider these issues:

As an employer, you will need to develop a job description (based on the needs identified within your Person-Centered Plan) that includes the following:

- a detailed description of the type of support you need
- hours to be worked
- qualifications of staff
- required trainings
- rate of pay (You may choose how much you are going to pay someone, within rates set by CMH. Information about pay rates will be provided by the Fiscal Intermediary working with you.)

You will need to identify potential staff and complete interviews. There are many ways to locate potential staff. A popular and easy way is word of mouth, in which you tell your family, friends, and other people that you might know from community organizations such as churches that you are looking for staff. Another way to find staff is by placing an ad in your local newspaper, at your employment center, at local colleges, and in other places in the community.

You will need to create a list of questions that you want to ask each applicant that you plan on interviewing. These questions should be aimed at ensuring the applicant is a good match for you and can meet the requirements of the job.

Once you have completed the interviews, and **before** you hire a staff person, your fiscal intermediary (FI) will help you to complete the following:

- Reference checks from persons, agencies or organizations that know the applicant either personally or professionally
- Criminal background check
- Driving Record Check (If your staff will be driving you as part of his or her duties).

- Other trainings may be required for staff working for individuals enrolled in certain waiver programs

Your staff will need periodic refresher training. They will need to keep all certifications current. As employer, you will be responsible to track when your staff need to repeat trainings as required by Medicaid.

You may wish to have your staff take additional trainings. Your Supports Coordinator or Case Manager will help you identify any additional training you may want your staff to take before working for you.

How to get the Trainings

To get the trainings, staff should:

- Call the Office of Recipient Rights for Rights training: (586) 469-6528 or visit: <http://training.mccmh.net/>
- Contact the MCCMH Training Center for all other trainings: (586) 465-8326 or visit <http://training.mccmh.net/>
- Work with you and your Case Manager/ Supports Coordinator on learning the contents of your PCP.
- Look into American Red Cross or Heart Association sponsored CPR and First Aid courses (requires a face-to-face competency component)
- Satisfy Bloodborne pathogens through a free on-line class. The website that sponsors this class is: <http://www.saferesponse.com>.

Staff Training

To protect your health, safety, and rights, all staff who work with you must meet Medicaid requirements and receive training in specific topics **before** staff start working with you.

All together, your staff will need an average of about 10 hours of specialized training before beginning to work with you. You may choose to negotiate paying for your staff's training as part of the wage negotiation process. Proof that your staff has recently received the required training from another CMH or certified CPR or First Aid trainer may be sufficient.

Required trainings include:

- Recipient Rights Training. Staff have 30 days to complete recipient rights training, unless you are enrolled in a special waiver program. If you are in a waiver, rights training must be completed before staff can work with you at all.
- First Aid
- CPR
- Bloodborne pathogens
- Training on your Individual Plan of Service, or PCP. Your staff need to understand the contents and requirements of your person centered plan, including any health and safety concerns specific to you.
- Documentation requirements

Some People Are Not Allowed to Work for You

Some people who are involved in making decisions for or with you cannot work for you as your paid staff. This is because their role in making the decision would create a conflict of interest, especially if they are getting paid to provide your care.

If you have a guardian, you may not hire your guardian, co-guardian or standby guardian to be your paid staff. You may not hire the spouse of your guardian, co-guardian or standby guardian to be your paid staff. If you have designated someone to have the power of attorney for you, you may not hire that person or their spouse to be your paid staff. You may not hire anyone who will be helping you with your employer duties to be your paid staff, such as a personal representative.

Talk with your Supports Coordinator or Case Manager or the fiscal intermediary about who can and cannot work for you.

Staff Qualifications

Before you offer someone a job with you, you need to make sure that the applicant:

- Is at least 18 years old
- Is able to communicate expressively and receptively
- Can complete all the duties described in the job description
- Can work the hours required
- Is dependable

- Has a positive attitude that is compatible with yours
- Is someone that you feel comfortable providing supports for you
- Does not pose a conflict of interest (for example, is not your legal guardian or someone who will be helping you with your employer duties, etc.)

Employer Responsibilities

Once you have hired your staff, you are their employer. As the employer, you must:

- Make sure that your staff completes the required trainings prior to beginning work, and completes refresher trainings as required.
- Make sure that you keep detailed log sheets that show the hours worked by each staff member
- Make sure that your staff complete the time sheet which includes a service note for each time they provide service for you. You must sign each form confirming the information is true. Payroll information is submitted to your FI based on the timelines that have been established by your individual FI. The **original** notes must be submitted to your support coordinator within five days of the end of the pay period.
- Address any issues or problems that arise, such as poor attendance, not keeping accurate records of work time, poor attitude while at work, etc.

You will also need to develop a **back-up plan** for those times when your staff will need to miss work. Your back up plan must consider times when your staff may want to

take a vacation, and times when your staff may be absent due to an emergency, illness or bad weather. You should also think about what to do if your staff quits. You may want to include in your back-up plan other options for support while you work toward finding more staff.

Using A Fiscal Intermediary

Hiring your own staff **requires** the use of a Fiscal Intermediary (FI). A FI is a person or agency who helps you manage your budget and pay your bills if you are using a self-determination approach. The FI will use the funds from your self-determination budget to pay your staff, and will report the services they provide to Community Mental Health.

A FI will pay your service/support bills with money from Medicaid, MCCMH, or other sources. Your fiscal intermediary will pay for things that are authorized in your Person-Centered Plan and your self-determination budget. You will receive monthly statements so you and your support team can see how you are doing with your budget.

When you hire your own staff, you must follow state and federal laws as an "employer of record." Hiring a Fiscal Intermediary will help you with these things.