Personal Care Services

Initial Certification Application Content Guidance

SDS requires all providers seeking certification to submit a complete application for evaluation.

This document serves as the provider's guide and checklist to submit a complete application.

Provider Responsibilities

Senior and Disabilities Services (SDS) expects providers to know and follow the Personal Care Services (PCS) and Community First Choice (CFC) services regulations related to certification, as well as the Conditions of Participation for the service(s) requested. The application and supporting documents submitted to SDS must demonstrate understanding of these regulations and that you are ready to provide the service(s) requested. SDS developed the following guidance to help you prepare your application for certification.

Application Submission Format and Tips

Submit your application using **one** of the following three submission methods:

- ☐ Electronic (email) submission (*preferred method)* must be:
  - In a PDF format (not MS Word, JPEG, etc.)
  - Emailed to: doh.dsds.certification@alaska.gov
- ☐ Fax submission must be:
  - Letter-size documents (8.5 x 11-inch paper)
  - Must contain cover page that identifies the total number of pages being submitted
  - Faxed to: 907-754-3475
- ☐ Hard copy submission must be:
  - Letter-size documents (8.5 x 11-inch paper)
  - Unbound (no staples, plastic page protectors, notebook binders, or plastic spiral binding)
  - Mailed or hand-delivered to *SDS* at *1835 Bragaw Street, Suite 350, Anchorage, AK 99508*

Complete Applications

Your application will be considered a "complete" packet if it consists of:

- ☐ Personal Care Services Provider Certification Application (Cert-36)
- ☐ Required core requirements as identified on the Cert-36 (see below)
- ☐ Operations Manual containing all required policies and procedures.

If your application is returned to you as incomplete, you **must** resubmit your ENTIRE application packet.

Provider Core Requirements

1. **Certification Application Forms**
   - ☐ Submit Personal Care Services Provider Certification Application (Cert-36)
   - ☐ Submit Provider Certification Application Policy Assurances form (Cert-37)
2. **Business License**
   - ☐ Review requirements for business licensing at https://www.commerce.alaska.gov/web/cbpl/BusinessLicensing
   - ☐ Submit a copy of the agency's current State of Alaska business license. The owner identified on your

business license must correspond with the form of organization reported on your certification application.

3. **Certificate of Insurance**

- ☐ Review the Personal Care Services Conditions of Participation section on financial accountability for insurance standards. Submit a certificate of insurance that verifies current coverage(s) listed below:
- ☐ *Commercial General Liability*: All providers must maintain insurance that includes coverage for commercial general liability.
- ☐ *Workers' Compensation*: All providers must maintain insurance that includes coverage for workers' compensation. (Review workers' compensation requirements at https://labor.alaska.gov/wc/).
- ☐ The certificate of insurance must identify:
  - o The policy number(s)
  - o Current coverage dates
  - o The agency's name
  - o The agency's physical address
  - o The physical address for each service delivery location covered by the policy
  - o SDS as the certificate holder with the following address:
    Senior and Disabilities Services
    Provider Certification & Compliance
    1835 Bragaw Street, Suite 350
    Anchorage, AK 99508

4. **Critical Incident Reporting (CIR) Training**

- ☐ Review the Personal Care Services Conditions of Participation section on training regarding CIR training. CIR training through SDS Training Unit must be completed at least *every two years* by Program Administrators.
- ☐ Complete the on-demand SDS CIR training course located at the SDS Training Academy.
- ☐ Submit a copy of the SDS CIR training certificate of completion for the appointed Program Administrator.

5. **Organization Chart/Personnel List/New Alaska Background Check System (NABCS) Account**

- ☐ Review information regarding background checks at https://health.alaska.gov/en/services/background-check-program/
- ☐ Once a complete certification application is submitted and accepted, SDS will submit a form to the Background Check Program (BCP) to create a NABCS account for the agency. The BCP will be in contact with the agency to establish access to the NABCS account.
- ☐ Once a NABCS account is created, the agency will be responsible for ensuring the individuals listed on the agency's organization chart (see below) are listed on the NABCS employee roster. Prior to certification approval, the agency's organization chart and NABCS roster must match.
- ☐ Submit an organizational chart that identifies the following:
  - o Names of the individuals filling each position (if a position is not filled, indicate "vacant")
  - o Names of all board members, if applicable
  - o Name of individual responsible for Medicaid billing
  - o Names of individuals with an ownership interest in the provider agency
  - o Any and all individuals associated with the entity or provider in a manner described in 7 AAC 10.900(b)
- ☐ Submit a personnel list if the agency is too large to include all staff on the organization chart. Submit the list in alphabetical order by last name including job title next to personnel member name;

preferred method is within Excel.

- ☐ Organizational chart must clearly demonstrate that there are enough staff/employees to deliver all services for which you are seeking certification.

6. **Program Administrator Qualifications**

- ☐ Review the Personal Care Services Conditions of Participation to determine the minimum work experience and educational requirements for a Program Administrator.

Submit the following:

- ☐ A completed Notice of Appointment or Change of Program Administrator (Cert-04).
- ☐ Education: Acceptable documentation includes copies of diplomas, certificates, degrees, transcripts, or other evidence from the educational institution. Unofficial copies are acceptable.
- ☐ Work Experience: Current resume that includes the following (review the Resume Example under Provider Certification Forms):
  - names of employers
  - positions held/job titles
  - whether each position was full-time or part-time
  - exact dates of employment (month/day/year)
  - describe the duties of each position to highlight how those duties added to the knowledge base and skills necessary to manage the service
  - list education and training

7. **Program Administrator Trainings**

- ☐ In addition to the required attachments listed on the Cert-04, the PCS Program Administrator must complete the following trainings within 3 months of hire or approval as the Program Administrator. Please submit proof of completion or proof of registration for the following trainings:
  - PCS Agency Administrator Training: Contact SDSTraining@alaska.gov to schedule.
  - 40-Hour PCA Training: Must be taken by an SDS-approved PCA trainer. Please contact SDSTraining@alaska.gov for a current list.

  Exception: An individual who has a qualifying credential as identified in 7 AAC 125.160 (a)(1)(2)(3) is exempt from the 40-Hour PCA training requirement but **must submit** proof of their qualifying credential.

Operations Manual

In this section, SDS lists minimum content requirements for each policy and procedure. Do not submit entire Employee Handbooks or Personnel Policies unless sections of those documents are required attachments and they are clearly labeled using the same titles listed on the application forms.

Your agency must address all items listed for each policy, incorporating any requirements specified in regulations.

- ➢ A policy is a statement of your agency's position regarding a subject, summarizing what is to be done and why.
- ➢ A procedure describes each step in the process of implementing the policy, identifying who does what, when it is done, and *how* it is done.

1. **Admissions to Provider Services Policy and Procedures**

- ☐ Submit policies and procedures that indicate:
  - how the agency will evaluate whether the services offered can meet the needs of the recipients

- how the agency will ensure that Personal Care Assistants (PCAs) have the capacity to provide services and will follow the service plan
- how a service plan for each recipient will be developed and implemented
- how and when the agency will reevaluate the recipient to determine whether services delivered are meeting identified needs

2. <u>Assistance with Self-Administration with Medication (ASAM) Policy and Procedures</u>

- ☐ Submit policies and procedures that indicate:
  - the methods the provider will use to teach PCAs that ASAM includes only the activities described in [7 AAC 125.030(g)]
  - training goals including the agency's policy on the frequency of training of PCAs
  - plans and activities to enable trainees to achieve those goals
  - methods of assessing trainee achievement of the training goals
  - processes for evaluating the effectiveness of the training methods
  - how agency will manage medications errors including:
    - documenting and tracking medication errors
    - reporting any medication error that results in medical intervention as a critical incident
    - monitor medication errors and document appropriately for inclusion in the Quality Improvement Report
  - To meet ASAM requirements, agencies can choose one of the following:
    - develop an ASAM training curriculum which includes all of the elements listed in 7 AAC 125.030(g), or
    - utilize the Alaska Training Cooperative (ATC) training to meet this requirement

3. <u>Background Checks Policy and Procedures</u>

- ☐ Review the Alaska Background Check Program information, including statutes and regulations at https://health.alaska.gov/en/services/background-check-program/
- ☐ Submit policies and procedures that indicate:
  - which positions and roles at the agency are required to go through the background check process
  - the requirement for individuals to be associated to the agency in the background check program account and have, at minimum, a provisional clearance prior to working with clients and/or their PHI
  - the procedures if an individual has a barring condition prior to employment or while employed with the agency
  - how the agency will ensure that individuals who are not required to have background checks are supervised when they are present in the agency location
  - how the agency will monitor employees to ensure they continue to meet all requirements regarding background checks
  - how the agency will ensure individuals requiring background checks are separated or terminated from the agency background check account when the individual is no longer employed or associated with the agency in accordance with 7 AAC 10.925
  - that the agency will, in addition to ensuring valid criminal history checks, check the State of Alaska Medicaid Exclusion list and the Federal exclusion list

4. **Backup Plans for PCAs Policy and Procedures** *(Consumer-Direct Agencies Only)*

- ☐ Review 7 AAC 125.130(d)(2) and Personal Care Services Conditions of Participation sections on backup plans for PCAs.
- ☐ Submit policies and procedures that indicate:
  - how the agency will assist the consumer in identifying resources and allowing for choice of PCAs and backup PCAs
  - where the agency documents each consumer's backup PCA to include the backup's personal contact information and agency they work for, if applicable
  - what the communication plan is between the agency and the consumer when the consumer is needing to use their documented backup PCA
  - how the agency monitors the health, safety and welfare of a consumer that is using a backup that is an unpaid caregiver

5. **Critical Incident Reporting (CIR) Policy and Procedures**

- ☐ Review Personal Care Services Conditions of Participation sections on critical incident reporting training and on quality management self-assessment and 7 AAC 125.102 Critical incident reporting.
- ☐ Submit policies and procedures that indicate:
  - which agency employees are required to complete CIR training (must include, at minimum, all PCAs, supervisors, and Program Administrator)
  - how will the agency ensure that CIR's are correctly routed through Centralized Reporting within the required timeframe
  - agency plan to ensure the Program Administrator and all agency supervisors of PCAs complete the required SDS CIR training every two years
  - description of your agency's system that ensures all elements identified in 7 AAC 125.102 are addressed including:
    - identify which incidents are considered critical incidents according to SDS regulations
    - procedures for investigating, analyzing and tracking CIRs as a required element in your agency's Quality Improvement Report
    - plan to ensure each PCA completes CIR training every two years either via the SDS course or an in-house agency training

6. **Financial Accountability Policy and Procedures**

- ☐ Review the Personal Care Services Conditions of Participation section on financial accountability for financial system standards and 7 AAC 105.230 Requirements for provider records.
- ☐ Submit policies and procedures that indicate:
  - how the agency will demonstrate an easily accessible and legal source of funds to meet the requirements to:
    - maintain at least three months of operating expenses
    - meet employee salaries and tax obligations timely
    - maintain current general liability and workers' compensation insurance
    - maintain physical office space and ensure service delivery to all recipients
  - how the agency's financial system will maintain records that support claims for services in accordance with 7 AAC 105.230 and 7 AAC 125.120
  - how the agency's financial system, based on generally accepted accounting principles, ensures claims for payment are accurate

- how the agency will report to the Medicaid fiscal agent, and void or adjust, when identified, Medicaid monies that represent overpayments
- describe the agency monitoring process to ensure claims for reimbursement are for services rendered by a PCA that has a valid criminal history check or variance in place
- how the agency will cooperate with all required audits, investigation, and remediation activities
- identify how the agency will report suspected Medicaid fraud, abuse, or waste, or suspected financial exploitation of a recipient

7. <u>Quality Improvement Policy and Procedures</u>

- ☐ Review the [Personal Care Services Conditions of Participation] section on quality management.
- ☐ Submit policies and procedures that indicate:
  - what position(s) at the agency will be responsible for:
    - developing the Quality Improvement Report
    - maintaining records to support the data in the report
  - how the agency will perform a self-assessment to include data collection and analysis of the minimum required elements to be included in Quality Improvement Report
  - the agency's procedure to support the service monitoring requirements as described in 7 AAC 125.130 and/or 7 AAC 125.170 required, at minimum, at least once every six months:
    - interviewing the recipient at their residence to evaluate whether services are sufficient to meet the recipient's needs
    - interviewing the recipient's PCA to evaluate services records and timesheets prepared by the PCA
    - documentation in the recipient's record if the review concludes that the services provided are consistent with the recipient's service level authorization under 7 AAC 125.024
    - submit an amendment to SDS when the recipient's needs change sufficiently to warrant an amendment.
  - how the agency will:
    - analyze all collected data and information to identify problems and opportunities for improvement
    - remedy problems and act to improve services

8. <u>Restrictive Interventions Policy and Procedures</u>

- ☐ Review 7 AAC 125.104 Use of restrictive interventions for intervention standards and definitions.
- ☐ Submit policies and procedures that indicate:
  - the circumstances under which the agency will allow use of restrictive intervention
  - the agency clearly prohibits the use of chemical restraints, seclusion, and prone restraints
  - how the agency determines appropriate types of restrictive intervention for the population served
  - how the agency will evaluate the use of a restrictive intervention while recipients are in the care of or receiving services from the provider
  - training in the use of restrictive intervention to include:
    - type of training
    - how and when training is conducted
  - the requirements for documenting each intervention
  - how the agency will manage and report the use of restrictive interventions including:

    - documenting and tracking the use of restrictive interventions by the agency in accordance with 7 AAC 125.104
    - reporting any misuse of restrictive intervention and any use that results in medical intervention as a critical incident
    - monitoring and evaluating the use of restrictive interventions for inclusion in the Quality Improvement Report

9. Termination of Provider Services Policy and Procedures

☐ Review 7 AAC 125.110 and the Personal Care Services Conditions of Participation section on termination of recipient services.

☐ Submit policies and procedures that indicate:

- how the agency will retain records that document recipient behavior and the steps taken to address the behavior to support a decision to terminate services
- what the agency's procedure is to support terminating a consumer-directed recipient because of lack of cognitive capacity to self-direct personal care services or a documented history of self-neglect as described in 7 AAC 125.110(c)
- how the agency will ensure supervisory review before termination
- how the agency will provide written notice of termination that:
    - is within the required timeframes
    - designates the reasons for the decision
    - specifies the process for recipients to appeal the decision
    - suggests other sources for the services being terminated
- how the agency will provide written notice to:
    - the recipient and Senior and Disabilities Services
    - to the care coordinator, if applicable
    - the appropriate adult or child protection agency if termination will create a risk of harm to the recipient
- if termination of services is due to agency closure, sale, or change or ownership, how the agency will manage termination of services with proper notification to recipients and SDS within the required timeframes

10. Training Policy and Procedures

☐ Review 7 AAC 125.090 and the Personal Care Services Conditions of Participation section II.B. for training standards.

☐ Review the following regulations and statutes regarding training requirements:

- 7 AAC 125.102 Critical Incident Reporting
- 7 AAC 125.090 CPR and First Aid Training
- 7 AAC 125.030 Assistance with Self-Administration of Medication
- 7 AAC 125.104 Use of Restrictive Intervention
- AS 47.17.020 Child Protection
- AS 47.24.010 Protection of Vulnerable Adults

☐ Submit policies and procedures that indicate:

- at what point in time and how frequently the agency will train employees in compliance with the training standards established in regulations and the Personal Care Services Conditions of Participation

- how the agency will ensure that employees have documented training in their employee file in the following required areas to be in compliance:
  - Critical Incident Reporting
  - First Aid/CPR
  - Mandatory Reporting
  - Orientation and Training
  - Restrictive Interventions
  - ASAM for all individuals who provide services to recipients
- how the agency will monitor training to ensure that
  - staff are informed of the agency's emergency response plan
  - staff first aid and CPR training certification complies with the required timeframes for renewal
  - staff skills necessary to work with recipients are upgraded as needed

Service Specific Information and Requirements

Electronic Visit Verification (EVV) Requirements

- Review the EVV regulations under 7 AAC 125.070.
- Report the name of the EVV system vendor that will be used by emailing dhssevv@alaska.gov on the same day the certification application is submitted to SDS.

Agency-Based Services

- Review PCS regulations at 7 AAC 125 and the Personal Care Services Conditions of Participation
- Agency-Based PCS provides services to a qualified recipient who is unable to manage those services because of cognitive capacity or a documented history of self-neglect or who chooses not to take responsibility for managing those services.
- The agency must employ a supervising nurse under 7 AAC 125.170 who is responsible for monitoring the delivery of services.

Consumer-Directed Services

- Review PCS regulations at 7 AAC 125 and the Personal Care Services Conditions of Participation
- Consumer-Directed PCS provides services to a recipient who demonstrates cognitive capacity for decision-making and understands the impact of, and assumes responsibility for, managing the service.
- The recipient or either the recipient's representative or the representative's designee is responsible for designating a PCA, training and scheduling the PCA, supervising and signing timesheets for the PCA, and terminating employment of the PCA if services are unsatisfactory or no longer needed.