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**CHAPTER 14: CHILDREN'S CHOICE**

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**PROVIDER REQUIREMENTS**

Provider participation in the Louisiana Medicaid program is voluntary. In order to participate in the Medicaid program, a provider must:

- Meet all of the requirements for licensure as established by state laws and rules promulgated by the Department of Health and Hospitals (DHH),
- Agree to abide by all rules and regulations established by the Centers for Medicare and Medicaid Services (CMS), DHH and other state agencies if applicable, and
- Comply with all the terms and conditions for Medicaid enrollment.

Providers must attend all mandated meetings and training sessions as directed by the Office for Citizens with Developmental Disabilities (OCDD) as a condition of enrollment and continued participation as a waiver provider. Attendance at a provider enrollment orientation is required prior to enrollment as a Medicaid provider. A Provider Enrollment Packet must be completed for each DHH administrative region in which the agency will provide services. Providers will not be added to the Freedom of Choice (FOC) list of available providers until they have been issued a Medicaid provider number.

Providers must participate in the initial training for prior authorization and data collection and any training provided on changes in the system. Initial training is provided at no cost to the agency. Any repeat training must be paid for by the requesting agency.

Providers must have the necessary computer equipment and software available to participate in prior authorization and data collection.

All providers must maintain a toll-free telephone line with 24-hour accessibility manned by an answering service. This toll-free number must be given to recipients/guardians at intake or at the first meeting.

Brochures providing information on the agency's experience must include the agency's toll-free number along with the OCDD's toll-free information number. OCDD must approve all brochures prior to use.

Providers must develop a Quality Improvement and Self-Assessment Plan. This is a document completed by the provider describing the procedures that are used, and the evidence that is presented, to demonstrate compliance with program requirements. The first Self-Assessment is due six months after approval of the Quality Improvement Plan and yearly thereafter. The

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Quality Improvement Plan must be submitted for approval within 60 days after the training is provided by DHH.

Providers must be certified for a period of one year. Re-certification must be completed no less than 60 days prior to the expiration of the certification period.

The agency must not have been terminated or actively sanctioned by Medicaid, Medicare or other health-related programs in Louisiana or any other state. The agency must not have an outstanding Medicaid Program audit exception or other unresolved financial liability owed to the state.

Changes in the following areas are to be reported to the Bureau of Health Services Financing Health Standards Section, OCDD and the fiscal intermediary's Provider Enrollment Section in writing at least 10 days prior to any change:

- Ownership,
- Physical location,
- Mailing address,
- Telephone number, and
- Account information affecting electronic funds transfer (EFT).

The provider must complete a new provider enrollment packet when a change in ownership of 5 percent to 50 percent of the controlling interest occurs, but may continue serving recipients. When 51 percent or more of the controlling interest is transferred, a complete re-certification process must occur and the agency shall not continue serving recipients until the re-certification process is complete.

Waiver services are to be provided only to persons who are waiver recipients, and strictly in accordance with the provisions of the approved comprehensive Plan of Care (POC).

Providers may not refuse to serve any waiver recipient that chooses their agency unless there is documentation to support an inability to meet the individual's health, safety and welfare needs, or all previous efforts to provide services and supports have failed and there is no option but to refuse services. Such refusal to serve an individual must be put in writing by the provider, and include a detailed explanation as to why the provider is unable to serve the individual. Written notification must be submitted to the regional OCDD Waiver Supports and Services Office or the Human Service Authority or District. Providers who contract with other entities to provide waiver services must maintain copies of such contracts signed by both agencies. Such contracts

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must state that the subcontractor may not refuse to serve any waiver recipient referred to them by the enrolled direct service provider agency.

The recipient's provider and support coordination agency must have a written working agreement that includes the following:

- Written notification of the time frames for POC planning meetings,
- Timely notification of meeting dates and times to allow for provider participation,
- Information on how the agency is notified when there is a POC or service delivery change, and
- Assurance that the appropriate provider representative is present at planning meetings as invited by the recipient.

**Support Coordination Provider Requirements**

Providers of support coordination for the Children's Choice Waiver program must have a signed performance agreement with OCDD to provide services to waiver recipients. Support coordination agencies must meet all of the performance agreement requirements in addition to any additional criteria outlined in the Case Management Services manual chapter.

**Direct Service Provider Requirements**

Direct service providers must maintain a Personal Care Attendant (PCA) license and provide at a minimum the Family Support and Crisis Support services. Other direct services outlined below may be provided directly or by an agreement or contract with other agents. The actual provider of the service, whether it is the direct service provider or a subcontracted agent, must meet the following licensure or other qualifications:

Waiver Service	License Required	Service Provided by
Family Support	Personal Care Attendant License	Enrolled agency
Crisis Support		
Center Based Respite	Respite License for a facility	Enrolled/licensed agency or through an agreement and reimbursed through the enrolled agency

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Waiver Service	License Required	Service Provided by
Family Training	No license required	Professionals at approved meetings and reimbursed through the enrolled agency
Ramp – Home	Registered through the Louisiana State Licensing Board for Contractors as a Home Improvement Contractor.	Family agrees with selected contracted provider and payment reimbursed through the enrolled provider
Bathroom Modifications		
General Adaptations		
Vehicle Lifts	Licensed by the Louisiana Motor Vehicle Commission as a specialty vehicle dealer and accredited by the National Mobility Equipment Dealers Association under the Structural Vehicle Modifier category.	

When required by state law, the person performing the service, such as building contractors, plumbers, electricians, or engineers, must meet applicable requirements for professional licensure and modifications to the home and must meet all applicable building code standards.

It is the responsibility of the enrolled family support provider to reimburse other providers for their services and maintain records of service delivery in the agency's office located in the appropriate DHH administrative region.

**Support Coordination Provider Responsibilities**

Support coordination providers are responsible for the following:

- Facilitating the development of the POC with the recipient/family, authorized representative and direct service provider.
- Reviewing the POC at least quarterly to:
  - Determine that the goals and objectives in the POC have been achieved,
  - Determine that the recipient's needs are being met,
  - Assess satisfaction with scheduled services, and
  - Make adjustments or changes to the POC, if necessary
- Revising the POC when requests are made from the recipient/family, and
- Scheduling and facilitating the annual POC meeting.

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**NOTE:** Refer to the Case Management Services manual chapter for additional information regarding support coordination responsibilities.

**Direct Service Provider Responsibilities**

The direct service provider is responsible for the following:

- Ensuring an appropriate representative from the agency attends the POC planning meeting and is an active participant in the team meeting,

**NOTE:** An appropriate representative is considered to be someone who has knowledge and authority to make decisions about the recipient's service delivery. This person may be a program manager, a direct service professional who works with or will work with the recipient, the executive director or designee.

- Communicating and working with support coordinators and other support team members to achieve the recipient's personal outcomes,
- Ensuring the recipient's emergency contact information and list of medications are kept current,
- Informing the support coordinator by telephone or e-mail as soon as the agency recognizes that any goals, objectives or time lines in the POC will not meet the recipient's needs, but not later than 10 days prior to the expiration of any time lines in the service plan that cannot be met,
- Ensuring all support team members sign and date any revisions to the service plan indicating agreement with the changes to the goals, objectives or time lines,
- Providing the support coordination agency or DHH representatives with requested written documentation including, but not limited to:
  - Completed, signed and dated service plan,
  - Service logs, progress notes, and progress summaries,
  - Direct service worker attendance and payroll records,
  - Written grievances or complaints filed by recipients/family,
  - Critical or other incident reports involving the recipient, and
  - Entrance and exit interview documentation.

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- Ensuring all staff receives training within established time lines as specified in licenses, certifications, etc.,
- Explaining to the recipient/family in his/her native language the recipient rights and responsibilities within the agency, and
- Assuring that recipients are free to make a choice of providers without undue influence.

Provider agencies must also have written policy and procedure manuals that include but are not limited to the following:

- Training policy that includes orientation and staff training requirements according to the Personal Care Attendant Licensing Standards and the Direct Service Worker Registry,
- Direct care abilities, skills and knowledge requirements that employees must possess to adequately perform care and assistance as required by waiver recipients,
- Employment and personnel job descriptions, hiring practices including a policy against discrimination, employee evaluation, promotion, disciplinary action, termination, and hearing of employee grievances, staffing and staff coverage plan,
- Record maintenance, security, supervision, confidentiality, organization, transfer, and disposal,
- Identification, notification and protection of recipient's rights both verbally and in writing in a language the recipient/family is able to understand,
- Written grievance procedures, and
- Information about abuse and neglect as defined by DHH regulations and state and federal laws.

**Back-up Planning**

Direct service providers are responsible for providing all necessary staff to fulfill the health and welfare needs of the recipient when paid supports are scheduled to be provided. This includes times when the scheduled direct service worker is absent or unavailable or unable to work for any reason.

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All direct service providers are required to develop a functional individualized back-up plan for each recipient that includes detailed strategies and person-specific information that addresses the specialized care and supports needed by the recipient. Direct service providers are required to have policies in place which outline the protocols the agency has established to assure that back-up direct service workers are readily available, lines of communication and chain of command procedures have been established, and procedures for dissemination of the back-up plan information to recipients, their authorized representatives and support coordinators. Protocols must also describe how and when the direct support staff will be trained in the care needed by the recipient. This training must occur prior to any direct support staff being solely responsible for a recipient.

Back-up plans must be updated at least annually to assure that the information is kept current and applicable to the recipient's needs. The back-up plan must be submitted to the recipient's support coordinator in a timely manner to be included as a component of the recipient's initial and annual POC.

**Emergency Evacuation Planning**

The emergency evacuation plan must be included in the recipient's POC and provide detailed information which specifies how the direct service provider will respond to potential emergency situations, such as fires, hurricanes, hazardous material release, tropical storms, flash flooding, ice storms, and terrorist attack.

The emergency evacuation plan must be person-specific and include the following components:

- Individualized risk assessment of potential health emergencies,
- A detailed plan that addresses the recipient's evacuation needs, including a review of the recipient's back-up plan during geographical and natural disaster emergencies and all other potential emergency conditions,
- Policies and procedures outlining the agency's implementation of emergency evacuation plans and the coordination of these plans with the local Office for Emergency Preparedness and Homeland Security,
- Establishment of effective lines of communication and chain-of-command procedures,
- Establishment of procedures for the dissemination of the emergency evacuation plan to recipients and support coordinators, and
- Protocols outlining how and when direct service workers and recipients will be trained in the implementation of the emergency evacuation plan and post-emergency procedures.

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The recipient must be provided with regular, planned opportunities to practice their emergency evacuation response plan.

Support coordination and direct service provider agencies are responsible for following the "Emergency Protocol for Tracking Location Before, During, and After Hurricanes." (See Appendix D for information on obtaining a copy of this document)