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**CHAPTER 14: CHILDREN'S CHOICE**

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### **STAFFING REQUIREMENTS**

The Department of Health and Hospitals (DHH) has the responsibility to establish reasonable qualifications for providers to ensure that they are capable of providing services of acceptable quality to recipients. The provider qualifications delineated in this section are dictated by the needs of the population to be served, and by the duties and responsibilities inherent in the provision of services as defined by DHH. DHH has established these staffing requirements to maintain an adequate level of quality, efficiency, and professionalism in the provision of all services in the Louisiana Children's Choice Waiver program.

All personnel who are at a supervisory level must have a minimum of one year verifiable work experience in planning and providing direct services to people with intellectual disabilities or other developmental disabilities.

Providers must document that criminal record history checks have been obtained and that employees and the employees of subcontractors do not have a criminal record as defined in 42 CFR 441.404 (b) which states providers of community supported living arrangements services do not employ individuals who have been convicted of child abuse, neglect, or mistreatment, or of a felony involving physical harm to an individual and take all reasonable steps to determine whether applications for employment by the provider have histories indicating involvement in child or client abuse, neglect, or mistreatment, or a criminal record involving physical harm to an individual.

Failure to comply with these regulations may result in any or all of the following: recoupment, sanctions, loss of enrollment, or loss of licensure.

#### **Support Coordination Requirements**

The criteria for staffing and credentialing in addition to training and supervision are found in the Case Management Services manual chapter. Support coordination providers should refer to this document to assure compliance with waiver requirements.

#### **Direct Service Provider Requirements**

Direct service providers must ensure that all direct service staff possess the minimum requisite skills, qualifications, training, supervision, and coverage in accordance with the Personal Care Attendant Licensing Standards, the Home and Community Based Services Waiver Program Standards of Participation, and the Direct Service Worker Registry. Providers must maintain sufficient staff and office site(s) to adequately serve recipients in the DHH region(s) where they are enrolled. A supervisor must also be continuously available to direct care staff by telephone or beeper at all times when not on site.

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The following individuals shall ***not*** be employed or contracted by the service provider to provide family support services reimbursed through the Children's Choice Waiver:

- Legally responsible relatives (spouses, parents or stepparents, foster parents, or legal guardians); or
- Any other relative who lives in the same household with the recipient.

Family members who provide family support services must meet the same standards for employment as caregivers who are unrelated to the recipient.