
CHAPTER 30: PERSONAL CARE SERVICES

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EPSDT – PCS PROVIDER REQUIREMENTS**Standards of Participation**

Personal care services must be provided by a licensed personal care services agency which is duly enrolled as a Medicaid provider. Agencies providing EPSDT – PCS shall conform to all applicable Medicaid regulations as well as all applicable laws and regulations by federal, state and local governmental entities regarding wages, working conditions, benefits, Social Security deductions, Occupational Safety and Health Administration requirements, liability insurance, Worker's Compensation, occupational licenses, etc. Agencies shall comply with the provisions of the Health Insurance Portability and Accountability Act of 1996.

EPSDT – PCS may be provided only to EPSDT eligibles and only by a staff member of a licensed Personal Care Attendant (PCA) agency enrolled as a Medicaid personal care services provider.

A copy of the current PCA license must accompany the Medicaid application for enrollment as a PCS provider.

Additional copies of current licenses shall be submitted to Provider Enrollment thereafter as they are issued for inclusion in the enrollment record. The provider's enrollment record must include a current PCA license at all times.

Enrollment is limited to providers in Louisiana and out-of-state providers only in trade areas of states bordering Louisiana (Arkansas, Mississippi, and Texas).

Provider agencies shall comply with the policies and procedures contained in the Personal Care Services provider manual for the EPSDT – PCS program.

Staffing

The PCS agency is responsible for ensuring that all individuals providing personal care services meet all training requirements applicable under state law and regulations. Individuals who provide coverage in the PCS worker's absence must meet all staffing requirements for the PCS worker or supervisor.

Providers must conduct criminal background checks on the direct care and supervisory staff. A worker may be assigned to provide services to a recipient prior to the results of the criminal background check under the direct supervision of a permanent employee or in the presence of a member of the immediate family of the recipient or a caregiver designated by the immediate family of the recipient as outlined in R.S. 40:1300.52(C)(2). If the results of any criminal background check reveal that the employee was convicted of any offenses as described in R.S.

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40:1300.53, pursuant to the statutory revision authority of the Louisiana State law institute, the employer shall not hire or may terminate the employment of such person.

Staff assigned to provide personal care services shall not be a member of the recipient's immediate family. (Immediate family includes father, mother, sister, brother, spouse, child, grandparent, in-law, or any individual acting as parent or guardian of the recipient.) Personal care services may be provided by a person of a degree of relationship to the recipient other than immediate family, if the relative is not living in the recipient's home, or, if he/she is living in the recipient's home solely because his/her presence in the home is necessitated by the amount of care required by the recipient.