

Relative Providers

Division of Healthcare Financing
Provider Support Unit

Relative Providers

**Chapter 45, Section
31**

This training will cover:

Definition of a Relative

Services that may be provided by Relative

Guidelines and Limitations for Providers

Provider Responsibilities

Case Manager Responsibilities

Relative Provider Form Process

Relative Providers

Definition of a Relative

Chapter 45, Section 3 defines a relative as a biological parent, step parent, or adoptive parent

A participant's legally authorized representative, Biological parent, Step-parent, Adoptive parent, or Guardian shall not directly or indirectly receive reimbursement for providing waiver services for their ward except as indicated in Chapter 45, Section 31.

A participant's spouse may receive **direct or indirect reimbursement** only if they provide evidence to the Division that they are not the Legally Authorized Representative (LAR) of their spouse participant.

A Spouse must present the Division with a certified copy of a court order establishing another party as the LAR

Relative Providers

Direct and Indirect Reimbursement

Direct Reimbursement:

Providing direct services to a spouse

Indirect Reimbursement:

Officer or Owner of Provider agency serving the spouse participant

Residing in a provider owned facility serving the spouse participant

Spouse of direct service provider

Relative Providers

Guidelines for service provision:

Relatives may not provide services through Self Direction

Relative Providers must:

- ✓ Form a Limited Liability Company (LLC) and enroll the EIN Tax ID with Conduent. This means providers will receive Medicaid reimbursements paid to the LLC company name
- ✓ Maintain provider certification with the Developmental Disabilities Section

Relative Providers

Allowable Services

*specific limitations apply

Participants under the age of 18:

Personal Care

Participants over the age of 18:

Personal Care

Adult Day Services

Community Living Services

Community Support Services

Specialized Equipment

Environmental Modifications

Relative Providers

Limitations of Relative Providers

Participants under the age of 18

Allowable Service: Personal Care

- ✓ Up to 4 hours per day
- ✓ For extraordinary care purposes only
- ✓ The participant's Adaptive Behavior Quotient (ICAP) must be 0.35 or lower and:
 - *The participant needs assistance with Activities of Daily Living (ADLs) or Instrumental Activities of Daily Living (IADLs)*
 - *Services are necessary to assure the health and welfare of the participant to avoid institutionalization, or*
 - *The participant requires care provided by a person with specialized medical skills*

Relative Providers

Limitations of Relative Providers

Participants over the age of 18

- ✓ Services will not be reimbursed to relative providers who do not bill through an established LLC.
- ✓ For Community Living Services, the provider may not live in the same residence as the participant
- ✓ Personal care services shall not exceed four (4) hours per day if the provider lives in the same residence as the participant
- ✓ Relative shall meet all certification requirements for the service they provide and must maintain current certification through the Division

Relative Providers

Provider Responsibility

- ✓ A relative who provides services as an owner, employee, or officer of a provider organization who intends to provide services to a related waiver participant shall disclose that relationship to the participant's team and
- ✓ Acknowledge and address safeguards set forth in the documentation required by the Division (Relative Disclosure Form)
- ✓ Providers permitting the hiring of LARs or relatives of participants they serve, shall have a written policy on how potential conflicts of interest will be mitigated.

Relative Providers

Provider Responsibility (continued...)

- ✓ Ensure that a Relative Disclosure Form has been signed and is on record with the Division.
Please check with the participant's Case Manager to ensure that the form has been signed and submitted to the Division

Relative Providers

Case Manager Responsibility

Case Managers Must:

- ✓ Ensure that there is no conflict of interest between the Case Manager and the Relative Provider
- ✓ Ensure that all Guardianship documentation is updated in the participant's profile in EMWS
- ✓ Ensure that if a relative wishes to become a certified provider, they have formed an LLC company prior to submission of the Relative Disclosure Form to the Division
- ✓ Fill out and submit Relative Disclosure Form to Division for review and signature

Relative Providers

Case Manager Responsibilities

- ✓ Upload completed/signed Relative Disclosure Form into participant's document library in EMWS
- ✓ Perform service observations quarterly - for Habilitative services
- ✓ Review service appropriateness during team meetings
- ✓ Follow up on concerns or choice of other providers.

Relative Providers

Case Manager Responsibilities

(continued...)

Ensure that:

- ✓ Services meet service definitions
- ✓ Services are appropriate and align with the participant's needs
- ✓ Services fit within the participant's Individualized Budget Amount
- ✓ Personal care services do not exceed 4 hours per day
- ✓ For Community Living Services, the relative provider does not live with the participant
- ✓ Services do not duplicate similar services, natural supports or services otherwise available (ie: school, Medicaid state plan, etc)

Relative Providers

Questions/Concerns?

Please contact Portia Peterson at:

portia.peterson@wyo.gov