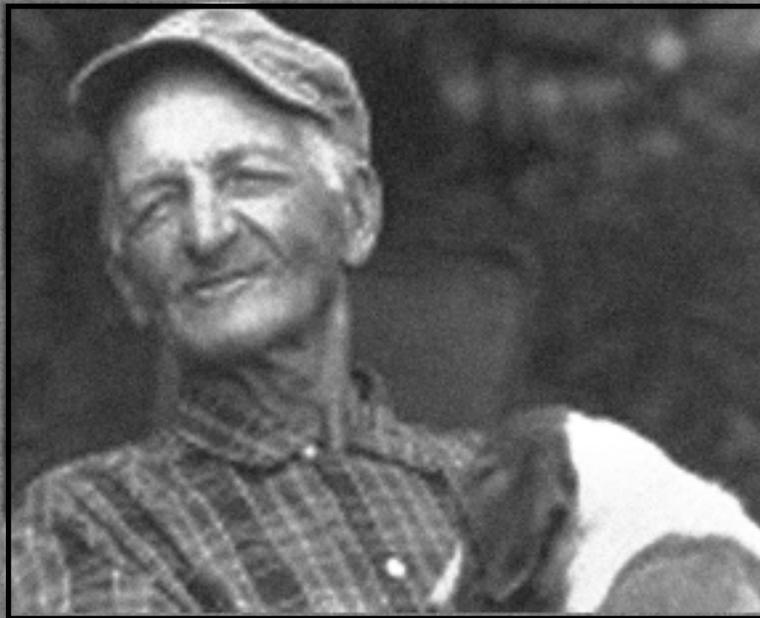
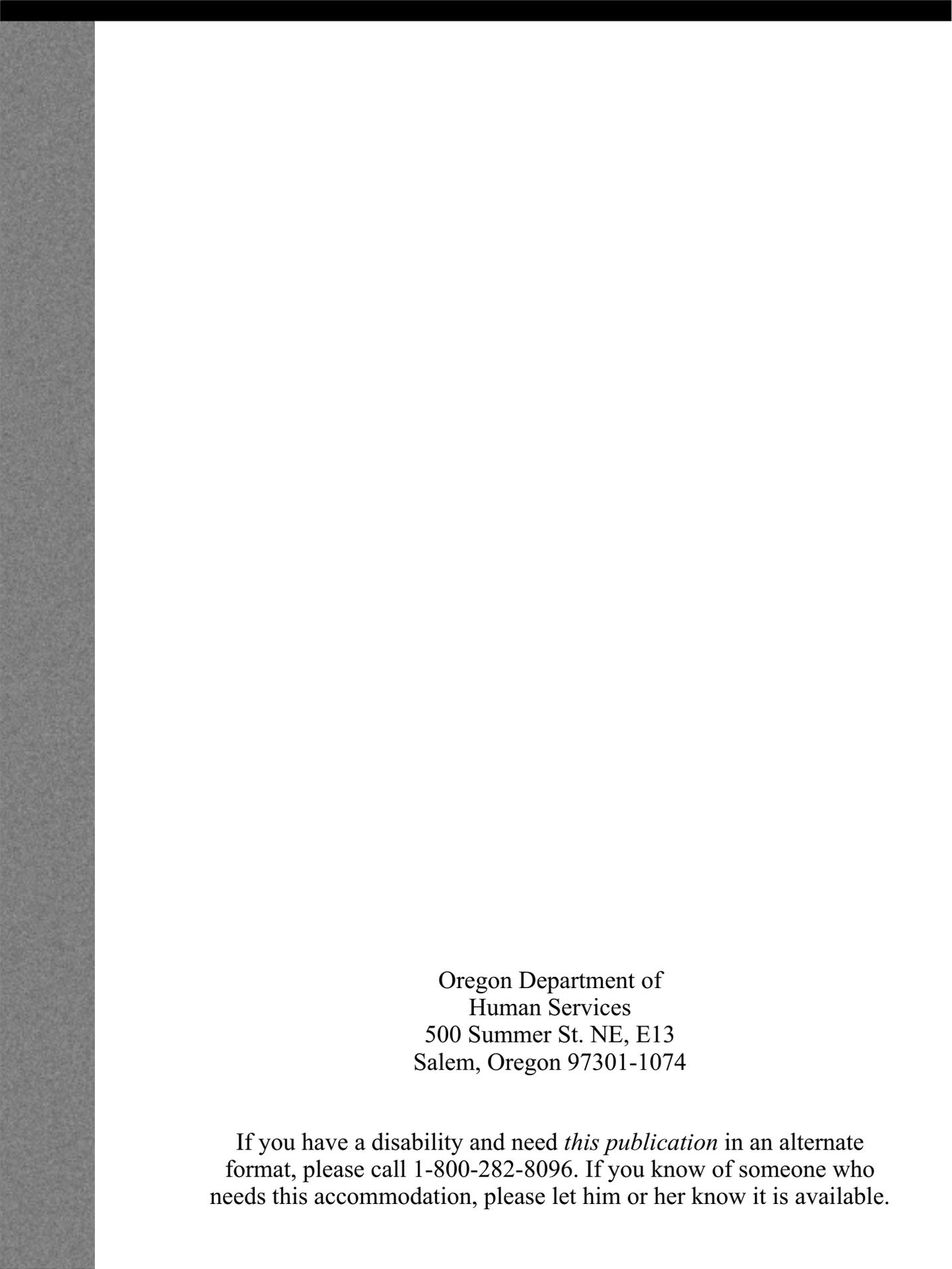


The Client-Employed
Provider Program

The Employers' Guide



November 2002



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Human Services
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Salem, Oregon 97301-1074

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A. Overview

The Client-Employed Provider (CEP) Program enables the client (you) to receive help so you can remain in your own home. You and your case manager will develop a plan that includes the services you need. It will also include the number of hours approved by DHS to complete those services.

This handbook is a guide to help you better use the services available to you through the Oregon Department of Human Services (DHS) and to have a good working relationship with your employee/provider.

You are the employer under the CEP program. Your responsibilities will include: developing a job application, writing a job description, finding and hiring an employee and training the employee for your specific service needs. This handbook includes examples of a job description and job application. If you use these examples, you should modify them to fit your needs. Your case manager can help you with this.

A list of terms and definitions is included at the end of this handbook. Contact your case manager if you have any questions, comments or concerns.

B. Roles and responsibilities

The Employer (You)	The Employee (Provider)	DHS/AAA office
<ul style="list-style-type: none"> ● Develop job description ● Screen, interview and hire a provider (employee) ● Train and supervise the employee ● Maintain employee records ● End the employment of unsatisfactory provider ● Confirm hours and sign voucher 	<ul style="list-style-type: none"> ● Be qualified to provide services ● Complete an application ● Complete a provider packet ● Pass the criminal record check ● Provide quality services ● Pay their own income taxes ● Sign and turn in voucher to the local office 	<ul style="list-style-type: none"> ● Assess client’s service needs ● Process the necessary forms for the provider ● Complete the provider’s criminal record check ● Approve and make provider payments ● Provide ongoing assistance with the service plan ● Provide protective services for you

C. Hiring check-off list:

- Complete a service plan with your case manager
- Make a list of your service needs
- Develop a job description
- Look for applicants (ask family members, advertise or use a local agency)
- Screen applicants over the phone
- Set up interview times
- Interview applicants
- Check references
- Hire a provider
- Cancel or remove ads
- Notify your case manager

1. Setting up the service plan

You will set up your service plan with your case manager. Together, you will decide what types of services you will need. A registered nurse may be involved in this process to help determine your medical service needs. Your case manager will explain available service options. The service plan will set a limited amount of time to meet your needs. The goal is to create the most cost effective, yet least restrictive plan for you.

The service plan will include:

1. The daily living and self-management tasks with which you need help
2. The amount of time DHS/AAA has approved for those tasks

Your case manager will periodically review your needs. This review will help determine if your service plan needs to be changed.

2. Finding a provider

Finding a provider that meets your specific needs can be challenging. Ask for help from your family, friends and case manager. Your local DHS/AAA office may have a list of available providers or the local State Employment Office may have a referral service. Eldercare Locator (1-800-677-1116) may also have a list of providers you can call.

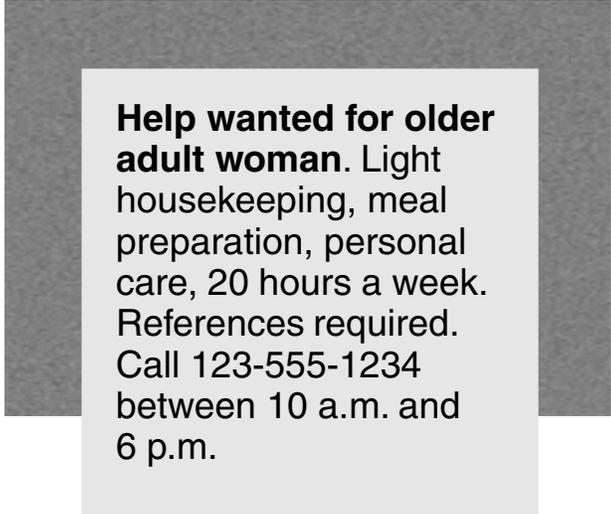
If you are still unable to find an appropriate provider you may want to advertise.

Your ad should include the hours needed, a brief description of duties, a telephone number and a time to call. In the ad you could mention some of your preferences such as male/female or non-smoker. **Do not list your address.**

Possible locations to place your ad:

- The local senior center
- Community college
- Local paper or shopping circular such as *Nickel Ads*
- Community bulletin board
- School of nursing
- Churches
- Grocery store

A sample ad might read:



Help wanted for older adult woman. Light housekeeping, meal preparation, personal care, 20 hours a week. References required. Call 123-555-1234 between 10 a.m. and 6 p.m.

3. Developing a job application

A job application should include some basic information:

- Name
- Address
- Phone number
- Social security number (or proof that the applicant can legally work in the U.S.)
- Date of birth
- Previous work history
- Personal and employer references
- List of special training or skills
- Completion of provider packet from the local DHS/AAA office

A sample application is on page 11 or you may develop one of your own.

4. Developing a job description

A job description will help you and your employee understand what is expected of the employee. Use the service plan that has been approved by your case manager as the framework for the job description.

The job description should include:

- Employee's job title
- Work schedule
- Wages
- Detailed list of duties and responsibilities

A sample job description is provided on page 13, but be sure to write one that fits your specific needs. Make copies of your job description for telephone screenings and one for your case manager to preview. Once the interview process is over and you have selected your provider, have the job description signed by you, your case manager and the new employee. Give the employee a copy and keep one for your files.

5. Screening by phone

Screening your applicants by phone will save time by eliminating those that do not qualify for the job. When the applicants call to set up an interview or inquire about the job, ask them about their qualifications and give a brief description of your service needs. If the screening goes well, set up an interview time.

Here are some suggestions for screening questions:

- Go over the job description briefly.
- Ask the applicant if there are any tasks they cannot or will not do.
- Give the applicant the specific hours of work.
- Be up-front about your conditions of employment. Tell the applicant if you want a non-smoker or non-drinker; if you smoke or have pets, make sure you tell the applicant that.
- If the caller is someone that you may be interested in hiring, set up an interview time.

6. Checking references

Checking references is a very important part of the interview process. You can check references before or after the initial interview. *Never* hire someone before checking their references. References can give you a much clearer picture of the applicant's work history and background. Remember, past employers may legally answer only certain questions about past employees.

Some possible reference questions for previous employers would be:

- Would you hire this person again?
- Was this person reliable, did he/she show up on time?
- Are these accurate dates of employment?

Personal reference questions:

- How long have you known this person?
- What is your relationship with this person?
- Would you recommend this person as a service provider?

D. Live-in provider

If you have a service need that is greater than what can be provided by an hourly employee, you may require a live-in provider. A live-in provider would be considered under the following conditions:

- You need assistance with health or safety emergencies
- You need assistance with activities of daily living and/or self-management tasks at unpredictable times during most 24-hour periods

Hiring a live-in provider is similar to hiring someone to come into your home on an hourly basis, except that you must feel comfortable living with this person on a full-time basis. Discuss living arrangements prior to hiring the person and make certain that you feel this person is going to be compatible with you living in your home. The job description that you develop should clearly outline your expectations. The job application that you develop should include questions about the provider's 24-hour availability.

A live-in provider can earn a 24-hour respite period (paid time off) if they are the only employee seven days a week. In-home providers need to take time off in 24-hour blocks. The provider may accumulate up to six days off at a time. You will need to arrange for a relief person before your provider takes time off. Your case manager may be able to help you with this. The relief person must meet the same qualifications as your regular in-home provider, including completion of a provider packet and a criminal history check.

E. Interview questions

Your goal is to hire someone who meets your service needs. Your hiring process should include an interview. The questions that you ask should be specific to your needs.

Some possible interview questions are:

1. Work history:

- How has your past work experience provided you with skills that could be applied to this position?
- What kind of training do you have that relates to this position?
- Have you had any experience in caring for a person with disabilities, specifically (state your disability)?

2. Work capacity:

This job has some physical requirements such as heavy lifting and bending. Do you need any accommodations in order to meet these requirements? Is there anything on my list of service needs that you cannot provide?

3. Work knowledge:

- Describe your understanding of how to prevent the spread of germs?
- Have you had formal training on Universal Precautions?
- I have a condition that requires me to eat a special diet. Are you familiar with or are you willing to learn how to prepare special meals for me?

4. Employee/employer relations:

- Do you understand that DHS can only pay the approved amount for services? The amount is ____, is this agreeable to you?
- Would you agree upon a trial period for training and getting acquainted?
- Do you smoke or are you opposed to working with someone who does smoke?
- Do you have allergies to pets?

5. Employment:

- If you are selected for this position, when could you start work?
- Are you willing to work a flexible schedule? If I had an emergency, would you be able or willing to come over to my house?

F. The hiring process

Your new employee must complete a provider packet before coming to work for you. DHS/AAA will not approve payment for work until this packet is completed and approved by the local office. The packet has a Criminal History Clearance form. Once the provider has cleared the criminal history check, your case manager can approve payment.

Some local offices provide an orientation class to providers. If your local office provides this orientation, have your provider attend the class.

Be sure to call the applicants that you did not select and let them know you have made a selection. If there are qualified applicants in this group you may want to ask if you can call them for emergency back up or respite care. Keep all applications on file for future reference.

1. Employee training

You are the best trainer for your new employee. You know the best way to meet your service needs. If communicating those needs is difficult, get help from someone who is familiar with your needs such as a family member or your case manager.

For some medical tasks, your case manager may request a contracted registered nurse to help with the training. Keep in mind that you are the employer and it is important that you communicate exactly what you expect and clearly explain what you want.

2. Evaluating work performance

The job being done by the provider should match the job description and the service plan. Evaluate your provider's work regularly to ensure that your needs are being met. Set up a time to meet with your provider to discuss his/her job performance.

Here are some steps for a performance review:

- Review your provider's performance at the time designated for his/her evaluation; include the positive as well as areas of improvement.
- Go over the job description again and reiterate your expectations for the provider.
- Allow the provider an opportunity to explain his/her performance.
- Evaluate the performance in writing and give a copy to your provider.

3. Keeping records

Maintaining employee records is a very important part of this process and is your responsibility.

You should have a file for each employee containing:

- The providers job application
- A job description
- Performance evaluations and notes taken during evaluations

G. The payment system

Always keep an accurate record of the time the provider works. Keep a monthly calendar of the scheduled time and days your employee is to work. It may be helpful to initial each day as the shift is completed. Your case manager must prior-authorize any additional hours worked or your provider will not be paid for those hours.

DHS/AAA will send the employee two copies of an invoice (also called a payment voucher). One is for the employee's records and the other is for the local office. The invoice should indicate the hours and the wages authorized by the case manager. The invoice will cover one pay period and the employee should list only the hours worked during that period. Review the invoice before signing it and check for accuracy and completeness.

Your employee is responsible for returning the invoice to the local DHS/AAA office. The invoice should not be turned in before the end of the payment period. Not completing the invoice correctly and not returning it on time are the most common reasons for delayed payment. If 10 days has passed after submitting an invoice and a check has not been received, tell your provider to contact the local office.

DHS/AAA does not take state or federal taxes out of the provider's check, but it does withhold the employee's share of Social Security (FICA) from the wages and pay the employer's (your) portion of FICA and Unemployment Tax.

1. Payment system responsibilities

The Employer (You)	The Provider (Employee)	DHS/AAA office
<ul style="list-style-type: none"> ● Develop a job description ● Develop an application form ● Finds applicants ● Screen, interview and hire a provider ● Train and supervise the employee ● Maintain employee records ● End the employment of an unsatisfactory provider 	<ul style="list-style-type: none"> ● Be qualified to provide services ● Complete an application ● Complete a provider packet ● Pass the criminal history check ● Provide quality services 	<ul style="list-style-type: none"> ● Assess client's service needs ● Help with the service plan ● Process the necessary forms for the provider ● Complete the provider's criminal record check ● Approve and make provider payments ● Pay employer's share of FICA ● Withhold the employee's share of FICA

H. Protective services

The Seniors and People With Disabilities is responsible for providing protection and intervention for any adult who may be subjected to abuse and/or neglect.

Abuse includes, but is not limited to, the following:

- **Abandonment** — the desertion or willful forsaking of an elderly person or the withdrawal or neglect of duties and obligations owed a dependent adult by a caretaker or other person
- **Financial exploitation** — the illegal or improper use of another person's resources for personal profit or gain
- **Neglect** — the failure (whether intentional, careless or due to inadequate experience, training or skill) to provide basic care or services when agreed to by legal, contractual or otherwise assumed responsibility

- **Physical abuse** — the use of excessive force, physical assault, or physical contact with an individual including, but not limited to, hitting, slapping, biting, pinching or shoving
- **Psychological abuse** — the use of derogatory names, phrases, or profanity; ridicule; harassment; coercion; threats; or intimidation toward an individual, or denial of civil rights, which results in emotional injury
- **Self-neglect** — one's inability to understand the consequences of his/her actions or inaction which leads or may lead to harm or endangerment to him/her self-or other persons
- **Sexual abuse** — sexual contact that is forced, tricked, threatened, or otherwise coerced upon another person

You have the right to be protected from abuse. If any of the above has happened to you or if you feel you are in danger, call your local DHS/AAA office. If it is after working hours or if it is an emergency, call the police at 911.

Employment application

Name _____

Address _____

City, State, Zip Code _____

Telephone number: Home () _____

Message telephone number: () _____

Social Security # _____

Date of Birth _____

Country of Citizenship (proof of legal right to work if not U.S. Citizen) _____

Education

Certifications, Licenses, CPR, etc. _____

Special training/skills _____

Work history (Please list most recent job first.)

Employer _____ Dates _____ to _____

Address _____ Telephone _____

Job Duties _____

Reason for Leaving _____

Employer _____ Dates _____ to _____

Address _____ Telephone _____

Job Duties _____

Reason for Leaving _____

Employer _____ Dates _____ to _____

Address _____ Telephone _____

Job Duties _____

Reason for Leaving _____

Employer _____ Dates _____ to _____

Address _____ Telephone _____

Job Duties _____

Reason for Leaving _____

References: List three references that are not related to you.

Name _____

Telephone _____ Relationship _____

Dates _____ to _____

Address _____

Name _____

Telephone _____ Relationship _____

Dates _____ to _____

Address _____

Name _____

Telephone _____ Relationship _____

Dates _____ to _____

Address _____

Emergency contact: In case of an emergency please notify

Name _____ Relationship _____

Address _____ Telephone _____

Personal history

Have you cared for Medicaid clients in the past? _____

If yes, when? _____

Where? _____

I understand that all listed past employers and personal references will be contacted.
I declare under penalty of perjury that the information in this application is true,
correct and complete to the best of my knowledge.

Applicant signature _____ Date _____

Job description

Working title: Client-Employed Provider or In-Home Provider.

Purpose of position: The purpose of this position is to assist an older adult or a person with disability to perform activities of daily living and self-management tasks.

Work schedule: Hours of services per month are _____.

The service provider must only work the hours that are listed above. Any additional hours will not be paid. Changes in scheduled hours may be negotiable between the provider and employer. For a live-in care provider the provider must be present in the house at other hours, but is only expected to be on duty and available for work during the hours specified.

Wages: Wages for this position are estimated to be \$_____ per hour.

Wages are set through the assessment process of the Seniors and People With Disabilities. The wage set above cannot be added to by the employer or by any other source. All state and federal taxes are the responsibility of the employee.

Benefits: DHS/AAA pays the employee's Unemployment Insurance premiums. DHS/AAA also pays the employer's contribution to Social Security (FICA) and withholds the employees FICA from the wages. The employee is to understand that there is no Workers Compensation with this employment agreement.

Duties and responsibilities: The provider agrees to do the following tasks:

Activities of Daily Living:

Eating _____
Dressing/grooming _____
Bowel/bladder care _____
Mobility _____
Cognition _____
Personal hygiene _____
Bathing _____

Self-management tasks:

Meal Preparation _____
Transportation _____
Shopping _____
Housekeeping _____
Medication management _____

Total hours _____

Working conditions: The employee will work in the employer's home, but may need to do other tasks in different settings, (i.e. social settings, stores or appointments). The employee must know how to use Universal Precautions to help prevent the spread of communicable diseases. Exposure to dust, chemicals (home cleaning products) and other allergens may occur. Some lifting and bending may be required.

Statutory boundaries: The employee must agree to comply with Drug-Free Work Place laws from the Department of Health and Human Services, US Government.

Reliability: The employee is expected to use time wisely so the approved services are done in the allotted time consistently every week. If the employee cannot make the agreed upon time, a call with notice is expected.

Professional ethics: The employee understands that it is unethical to accept personal loans or gifts from the employer, falsify records or claim payment on services not provided. These actions can lead to termination or legal action.

End of services: The employee agrees to give at least a two-week notice prior to resigning from this position.

Employer _____ Signature _____
Date _____

Employee _____ Signature _____
Date _____

Case manager _____ Signature _____
Date _____

VIII. Commonly used terms

The Client-Employed Provider Program may use words that are unfamiliar to you. Here are the more commonly used terms and their definitions:

Activities of Daily Living (ADL). Activities performed in the course of a normal day in a persons's life — such as eating, dressing and grooming, bathing and personal hygiene, mobility, bowel and bladder care, and cognition (thinking and reasoning).

Case management. The observation, assessment and assistance in developing a service plan. This service is provided by an employee at the local DHS or Area Agency on Aging (AAA) office.

Case manager. A person that observes, assesses, and assists the client in the development of a service plan.

Client. The individual eligible for In-Home Services.

Client-Employed Provider (CEP) Program. The DHS/AAA program that provides essential supportive services which enable the client to stay in his or her home. The client is the employer and the person hired to provide services is the employee.

FICA. Federal Insurance Contributions Act — imposes a tax on employers and employees to fund the Social Security system.

Full assistance. Client needs help with all ADLs and tasks.

Hourly services. ADL and self-management services provided on an hourly basis. All hours and wages are subject to minimum wage standards and overtime laws.

Independent. A client is able to perform an ADL or task with no assistance from another person.

In-home services. Supportive services to help clients remain in their own homes.

Live-in services. When a provider lives in the home with the client and provides services on a 24-hour basis.

Medication management. Help with obtaining, giving and using any medication or remedy.

Minimal assistance. A client is able to perform the majority of a task with some assistance from another person.

Provider. The individual (employee) hired by a client (employer) to render services authorized by DHS/AAA, also know as CEPs.

Respite. A period of relief for live-in providers who earn 24 hours of respite per month of employment.

Self-management. Those activities, other than activities of daily living, by an individual to continue independent living. Such activities would include meal preparation, transportation, medication management, shopping, and housekeeping.

Service need. Any assistance needed with ADLs, self-management tasks or 24-hour availability.

Service plan. A plan developed by the client with the assistance of a case manager. The plan includes service needs, hours, and wages approved by DHS/AAA.

Substantial assistance. A client requires assistance with most of a task.

