

	Addictive and Mental Disorders Division Severe and Disabling Mental Illness, Home and Community Based Services Waiver Manual
	Date effective: July 1, 2020 Date revised:
Policy Number: <i>SDMI HCBS 360</i>	Subject: Personal Assistant Service (PAS)

Definition

- (1) Personal Assistance Service are range of assistance services to enable members to accomplish activities of daily living and instrumental activities of daily living tasks that they would normally do for themselves if they did not have a functional disability. This assistance may take the form of:
- (a) direct hands-on assistance, actually performing the task for the member;
 - (b) minimal cueing and prompting; and
 - (c) functional assistance with navigation of public services and supports to enhance independence.

Determination of Need

Personal Assistant Services are services provided when Community First Choice/Personal Assistant Service (CFC/PAS) provided in state plan are insufficient in meeting the functional needs of the member.

- (1) Member must have a documented need from the Quality Improvement Organization that the member requires:
- (a) hours in addition to the 42 weekly hours available under CFC/PAS; or
 - (b) a provision of service not available under CFC/PAS, such as assistance outside of the members residence or supervision in the member’s community.
- (2) If the member has behavioral health needs that require specialized behavioral interventions, see the Behavioral Intervention Assistant, SDMI HCBS 305.

Provider Requirements

- (1) Personal care providers must be:
- (a) businesses incorporated under the laws of the state of Montana;
 - (b) properly insured to provide personal care services

- (c) enrolled as a Montana Medicaid provider; and
 - (d) Medicare certified, if applicable.
- (2) Members may self-direct PAS services.
- (3) All agency-based personal care attendants must be supervised by a registered nurse or a licensed practical nurse.
- (4) Relatives or legal guardians that provide PAS services must be employed by a provider agency. For self-directed services, the agency is the co-employer with the member.
- (5) A personal care attendant must:
- (a) be at least 18 years of age;
 - (b) receive training, within 30 days of hire in:
 - (i) abuse reporting;
 - (ii) incident reporting;
 - (iii) client confidentiality; and
 - (iv) any specialty training required or needed to sufficiently address the entire needs of the member to provide whole person care;
 - (c) possess the ability to complete documentation requirements of the program; and
 - (d) possess a valid driver's license and proof of auto liability insurance if transporting the member.
- (6) The self-directed member must document the completion of all required training in the personnel file of the staff or in the provider's staff training file, which includes the following:
- (a) title of training;
 - (b) date of training;
 - (c) name and title of trainer;
 - (d) type or topic of the training;
 - (e) agenda of training;
 - (f) hours of training; and
 - (g) signature and date of the staff who received the training.
- (7) The PAS agency must retain training documentation in the staff's records and submit the documentation to the department annually which includes all staff that have been employed within the past year, regardless of the current employment status.

Service Requirements

- (1) PAS may include the following as established by the member's determination of need and documented in the person-centered recovery plan:

- (a) assistance with activities of daily living;
 - (b) assistance with instrumental activities of daily living;
 - (c) supervision for health and safety reasons;
 - (d) socialization that does not require extensive behavioral supports; and
 - (e) community integration, including socialization and non-medical escort, within the provision of the PAS service.
- (2) PAS may not be billed just for the provision of transportation itself; it must address community integration and require hands-on assistance of the personal care attendant.
 - (3) Mileage may be billed separately if the personal care attendant is providing community integration utilizing their own vehicle.
 - (4) The provider must complete a progress note each member receiving PAS services as required in ARM 37.85.414.
 - (5) PAS may not be provided in a residential habilitation setting.
 - (6) Retainer days are limited to 30 days per year when a member is hospitalized or on vacation. Case management teams must manage the number of retainer payments utilized.

Utilization

- (1) Personal Assistance Service is based on the member's assessed need and are limited to additional services not otherwise covered under Medicaid state plan.
- (2) Medical Escort may be a provision included in PAS in certain circumstances. See SDMI HCBS 155, Medical Escort and Medical Transportation Mileage.