

Living Longer Growing Stronger

from the Alaska Commission on Aging

The mission of the Alaska Commission on Aging is to ensure dignity and independence for Alaska's seniors and to assist them, through programs and services funded by the Commission, to lead useful and meaningful lives.



Alaskan Seniors: Living Longer, Growing Stronger is a monthly publication of the Alaska Commission on Aging (ACoA)

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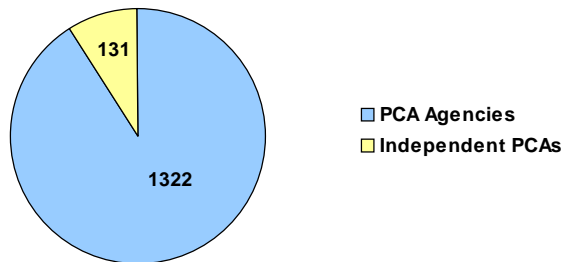
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Number Alaskans Served by PCAs (FY 2000)



In Fiscal Year 2000, the Personal Care Attendant (PCA) Program served 1,344 Alaskans between the ages of 3 and 99 in 125 communities around the state. Some clients were served by both agency-based and independent PCAs. The proposed changes to PCA regulations will affect only the small percentage of consumers who use state- or Medicaid-funded personal care attendants.

New Regulations for Alaska's Personal Care Attendant Program are Ready For Review

Public Input Sought by April 12, 2001

The Division of Senior Services (DSS) and the Division of Medical Assistance (DMA), working with the PCA Design Team have developed draft regulations for the Personal Care Attendant (PCA) program. The changes will be made to Title 7, Chapter 43 (7AAC 43) of the Alaska Administrative Code, pertaining to the personal care services program.

Draft regulations have been developed through an extensive 2 1/2-year process. The PCA Design Team, including representatives from agencies that advocate for seniors and the disabled, PCA agencies and clients, drew on consumer surveys, interviews, and a statewide summit to craft regulations that provide common sense solutions to the needs and desires of Alaska's disabled citizens of all ages. While most PCA clients are younger people with severe disabilities, those seniors who do benefit from the program may find the changes make the program more appealing to them.

The draft regulations are now available for public comment through April 12, 2001. The draft regulations create a new consumer-directed program that is intended to replace the current independent PCA program. The proposed implementation date for this new program is July 1, 2001. The draft regulations do not change anything in the agency-based PCA program.

This issue of *Alaskan Seniors: Living Longer, Growing Stronger* outlines the regulation changes, reviews the purpose and accomplishments of the PCA program, and provides information for you to become involved in the review process.

Key Features Of the New PCA Regulations

Personal Care Attendant services enable functionally disabled Alaskans of all ages and frail Alaskan seniors to live in their own home or community, instead of receiving care in a more costly and restrictive long-term care institution. Personal care attendant (PCA) services are provided statewide, managed by the Division of Senior Services. Services are typically provided in private homes by trained health care paraprofessionals under clinical supervision by a nurse, either through the agency employing PCAs or an independent PCA hired directly by the client. The program provides help with activities of daily living, including bathing, dressing and grooming. It also helps with instrumental activities of daily living, such as shopping and cleaning, and with other tasks that require semi-skilled care. Alaska's PCA program is primarily funded by Medicaid. The 5% of consumers not covered by Medicaid are supported through state grant funds. Individuals can also pay for PCA services themselves. The new regulations will affect only Medicaid- and state-funded services.

The Division of Senior Services held a PCA Summit in November 1998. Approximately 100 people attended to present their views, concerns, and ideas for improving the PCA program. A plan for redesigning the program came out of that forum, and a PCA Design Team was formed. The resulting regulations are outlined below. The following is a brief overview of the main aspects of the proposed consumer directed program. Please review the draft regulations for more in-depth and detailed information (see page 3 for regulation Web sites).

What is the Purpose of the Consumer-Directed Program?

The proposed consumer-directed program allows for a more user-friendly approach, while also offering more overall support for the personal care attendants and consumers. Public input through consumer and provider surveys, phone calls, letters and the PCA Summit has indicated that consumers want more control over hiring, firing, training, supervising and directing their own personal care services. At the same time, consumers want more support when they encounter problems, and independent PCAs have lobbied for more administrative support in their work. Also, consumers and providers have expressed the need to expand the allowable services to better meet the consumers' personal care needs. The new program was developed in response to all of these concerns.

How Will the Consumer-Directed Program Effect Consumers?

As proposed in the draft regulations, a consumer can hire a friend, neighbor, family member (except spouse or parent of a minor child), or anyone else they choose to become their PCA by having the person sign up with a consumer-directed agency. The consumer will be allowed to define the qualifications and/or training, if any, they want their PCA to have. The consumer-directed program also adds new tasks to the list of allowable services, including urinary system management, bowel treatments, medication administration, tube feeding, wound care, and standby assistance. Also, the time allowed for shopping assistance is expanded to better meet consumer's needs. The program will also offer support to the consumer if problems occur or they have questions about service delivery issues.

The new regulations make it possible for those of us who are already performing the functions of a personal care attendant for a friend or loved one to receive pay for these services. The regulations reflect the common sense assumption that if you have been helping someone with their daily activities, you know what needs to be done, and probably don't need additional training to carry out these duties. The changes allow the person being cared for to decide what the appropriate level of training and care will be.

Another significant change is to allow a person in need of PCA services to appoint a representative to direct their care. Currently, the majority of independent PCA clients are younger people who are willing to run all aspects of their own care. Many older Alaskans are unwilling to do this themselves. Under the new regulations, a person's could appoint someone they trust to take the responsibility for choosing an attendant and directing their work. This change could make using a PCA a more attractive choice for older Alaskans in need of these kinds of services. Such

(Continued on Page 4.)

What You Need to Know to Offer Input on the Draft Regulations

Public Input Timeline

March 28, 9:00-10:30 AM: Public hearing on draft regulations
Frontier Building, Suite 880, 3601 "C" Street, Anchorage

April 5, 11:00 AM-12:00 noon: Teleconference hearing. Participate by calling 1-800-386-5530

April 12: Public comment period closes. Written comments must be received by this date.

Where To Send Written Comments

Via Mail: Manager of the Beneficiary Eligibility Unit, Division of Medical Assistance
Department of Health & Social Services
P. O. Box 110660
Juneau, Alaska 99811-0660

Via E-Mail: jon_sherwood@health.state.ak.us

Where To View the Draft Regulations

PCA Design Team Project Website: pca.infoinsights.com

DMA Website: www.hss.state.ak.us/dma/regulat.htm

What To Do If You Have Special Needs

If you are a person with a disability who needs a special accommodation in order to participate, please contact Jon Sherwood at the address above (under "Via Mail") or by phone (907-465-3355) no later than March 19, 2001 to ensure that any necessary accommodation can be provided.

Public Information Forums on Draft PCA Regulations

The Alaska State Independent Living Council and Access Alaska, Inc. are offering information forums on the draft PCA regulations:

Anchorage-MatSu, March 23, 1:00-3:00 PM: 1016 West 6th Ave, Conference Room (2nd Floor), Anchorage. Teleconference by calling 1-800-315-6338 code 7452#

Fairbanks Region, March 27 3:00-5:00 PM: 3550 Airport Way, Suite 3, Fairbanks. Teleconference by calling 1-800-315-6338 code 7452#

Kenai Peninsula, March 30, 2:00-4:00 PM: Kenai Peninsula Bulding, Conference Rooms A and B, Binkley Street, Soldotna. Teleconference by calling 1-800-315-6338 code 7272#

Southeast Region, April 2, 1:00-3:00 PM: UAS Campus, Auke Bay (Juneau). Teleconference by calling 1-800-315-6338 code 7452#

Alaska Commission on Aging Holds Public Hearings on Interim State Plan

The Alaska Commission on Aging will hold public teleconferenced hearings on the final draft of the Interim State Plan to guide the Commission's work in FY02-03. This plan is required by the U.S. Administration on Aging and focuses on services to be delivered with funding from the Older Americans Act. The draft Interim Plan will be posted on the Commission's Web site: AlaskaAging.org, by **March 29, 2001**.

Teleconferences are on **April 2, 1:30 – 3:00 PM** and **April 3, 10 – 11:30 AM**. Call in sites for the April 2 conference may be assigned by contacting Lillian Bradley, Secretary at 465-3250 no later than **Wednesday, March 28th**. The April 3 conference immediately follows the Commission's legislative teleconference. Information for joining is available on the Internet at AlaskaAging.org. Click on the Legislative Teleconference button for a list of call-in sites.

Written comments may be mailed to Jane Demmert, Executive Director, P.O. Box 110209, Juneau, AK 99811. Fax to 465-4716 or E-mail Jane_Demmert@admin.state.ak.us. All written comments must be received by **April 5**.

Key Features of New PCA Regs (Continued from Page 2.)

help in one's own home may allow more of us to stay in our own homes as we age, even if our ability to tend to our own wants and needs decreases.

How Will the Consumer-Directed Program Affect PCAs?

As proposed in the draft regulations, PCAs will sign up with a consumer-directed agency that will act as a joint employer along with the consumer. The agency will do all the Medicaid billing, pay the PCA for hours worked, pay all required taxes, and obtain and pay for required insurance for PCAs. The consumer, PCA and the consumer-directed agency will jointly develop the service plan for the consumer, based on program requirements. The Medicaid reimbursement to the agency for this service will be the same as the current agency rate. The PCA will be paid by the consumer-directed agency at a rate set by the agency.

Under the current regulations, a PCA Must be Licensed Practical Nurse (LPN), Registered Nurse (RN), nursing home aide, Certified Nurse Assistant (CNA), or have taken PCA training or basic home health care skills training within the last 5 years. Additional requirements include MMR immunization, TB test, criminal background check, CPR and First Aid. Under the new regulations, a PCA may have all or none of these qualifications—it's up to the consumer who hires them to decide.

What Will Happen to the Current Independent PCA Program?

The current independent PCA program will be replaced by the consumer-directed program. Independent PCAs will no longer be independent contractors. PCAs will sign up with a consumer-directed agency, in order to continue to serve their current clients. The agency and the consumer will become their joint employers. The work they do and the training required will be determined by the consumer, and they will be paid and insured by the consumer-directed agency.

Will There Be a Transition Period?

Yes. The draft regulations allow for a transition period of 60 days, during which time consumers and providers in the old independent PCA program can transition over to the new consumer-directed program. That transition period should allow enough time for all consumers and providers to move to the new program without a break in service.

What is a Consumer-Directed Agency and How Do I Find One?

As proposed in the draft regulations, a consumer-directed agency is any agency that meets the following requirements:

- Has a current Alaska Business License
- Is enrolled in Medicaid as a consumer directed agency
- Is approved by the State Division of Senior Services

To be approved by the Division of Senior Services the agency must furnish proof of the following:

- Workers compensation insurance
- General liability insurance
- Automobile liability insurance
- Financial solvency
- Capacity to do Medicaid electronic billing
- Organizational capacity to provide services to clients
- Written plan for delivering services

ACCESS Alaska, Inc. is the first agency to commit to becoming a consumer-directed agency under the new regulations. The contact person at ACCESS AK, Inc. is Grace Wilson at (907) 248-4777.