

Lilia Teninty

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Number: APD-AR-17-079

Issue date: 12/15/2017

Topic: Developmental Disabilities

Due date:

Subject: PSWs violating weekly limits

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children's Residential Services | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Brokerages, Service Coordinators and Personal Agents |
| <input type="checkbox"/> Child Welfare Programs | |

Reason for action:

ODDS is taking steps to reduce the amount of unauthorized overtime being worked by PSWs. ODDS is establishing a regular review cycle to monitor PSW overtime.

ODDS has compiled the list of active approved exceptions that were approved at the state level and have been working with CMEs to identify PSWs who were granted an exception at the local level.

ODDS will begin sending warning letters to PSWs who worked more than 10 hours of unauthorized overtime over a four-week period. ODDS will send each CME a list of PSWs associated with their CME who will be receiving a warning letter. In the future ODDS may send warning letters to PSWS who work any level of unauthorized overtime including up to 10 hours as determined by identified trends of overtime utilization.

PSWs who receive a warning letter are at risk for termination of their PSW number if they continue to work excessive hours. ODDS will continue to inform CMEs of additional warning letters or actions being taken against PSWs including inactivation or

termination of their provider number.

ODDS will also send notices to employers associated with the PSWs working overtime alerting them that their employee has committed a violation and is at risk for termination if the PSW continue to work excessive hours.

ODDS is continuing to monitor utilization and trends related to overtime to identify groups of PSWs and employers who will receive warning letters related to working unauthorized overtime.

Action required:

CMEs must review the [PSWs Violating Hours Worker Guide](#) and the [PSW Hours Limits Exceptions Worker Guide](#) for guidance on how to address the overtime being worked by PSWs who serve individuals within your case management entity.

If an employer is responsible for scheduling the PSW to work more than their weekly limit ODDS has drafted a letter that can be used to warn the employer that they are at risk of being removed if they continue to schedule their PSW(s) for excessive hours.

Field/stakeholder review: Yes No

If yes, reviewed by: CDDPs and Brokerages

If you have any questions about this action request, contact:

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| Contact(s): | Chrissy Fuchs, PSW Policy Specialist |
| Phone: | 971-240-0241 |
| Email: | Chrissy.fuchs@state.or.us |