

Policy Transmittal Developmental Disabilities Services



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Number: APD-PT-17-053

Issue date: 3/23/2018

CORRECTION #2

Topic: Developmental Disabilities

Due date:

Transmitting (check the box that best applies):

- New policy Policy change Policy clarification Executive letter
 Administrative Rule Manual update Other:

Applies to (check all that apply):

- All DHS employees County Mental Health Directors
 Area Agencies on Aging: {Select type} Health Services
 Aging and People with Disabilities Office of Developmental Disabilities Services (ODDS)
 Self Sufficiency Programs ODDS Children's Intensive In Home Services
 County DD program managers Stabilization and Crisis Unit (SACU)
 ODDS Children's Residential Services Other (please specify):
 Child Welfare Programs

Policy/rule title:	PSW Collective Bargaining Agreement Updates
Effective date:	Date of release
References:	2015-2019 Homecare Worker Collective Bargaining Agreement
Web address:	http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/psw-resources.aspx

Corrected 3/22/2018

Discussion/interpretation:

Collective Bargaining with SEIU for Personal Support Workers (PSWs) was completed September 22, 2017. The following is a summary of the changes to the Collective Bargaining Agreement (CBA) impacting Case Management Entities (CMEs).

Implementation/transition instructions:

LAST CHECK PROCEDURE:

PSWs will no longer receive a “last check” when they are fired by or quit working for an individual employer. PSWs will notify the CME(s) in writing stating the last day they will provide services for all individuals and that they do not intend to work with additional individuals in the future. On the later of:

- The last day service was provided, or
 - The receipt of the notice intending no longer to be a PSW from the PSW
- the CME will process any properly completed timesheets for payment on the next scheduled payment date.

The CME must submit a copy of the written notice from the PSW to PSW.enrollment@state.or.us. DHS will end the PSWs credential and notify other CMEs as needed.

Example:

PSW notifies CME on 7/4/2018 that their last date of employment is 7/25/2018 and they do not intend to continue working as a PSW with other individuals. The CME will process completed timesheets received on or after 7/25/2018 to be processed on the next payment date.

PSWs who stop working but do not notify the CME in writing that they no longer intend to deliver services will have their provider number inactivated at the end of their credential period or after 1 year of not providing services, whichever is sooner.

TIMESHEET CORRECTIONS AND LATE PAYMENT PROCEDURES

CMEs will be responsible for costs incurred by ODDS when a PSW is paid late and the PSW has properly submitted their timesheet in time for the payment cycle. CMEs must notify ODDS by emailing the SCR spreadsheet to ODDS.paymentrequest@state.or.us immediately when it is identified and verified that a PSW had properly submitted their timesheet and the CME error results in the PSW not receiving timely payment.

When the CME identifies that the PSW’s timesheet contains errors or does not qualify as a “properly completed timesheet” the CME will notify the PSW, per the contact information on file, within 24 hours of processing the timesheet. PSWs can correct and resubmit a timesheet for processing if the correction is completed by the PSW/Employer and received prior to the PSW timesheet submission deadline for that pay period.

CMEs will make efforts to process corrected timesheets by the processing deadline. If the PSW’s timesheet was not able to be processed due to their late response the CME will notify the PSW via email that the timesheet was not submitted in time to be processed for the current payroll and payment will be delayed until the following pay date.

UNEXPECTED CME CLOSURES DURING PSW SUBMISSION TIMELINES

If the CME is closed due to an unexpected event, such as weather, and not able to accept timesheets during any of the three business days available for PSW timesheet submission the CME will extend the submission dates proportionately. CME processing dates may be extended on a case-by-case basis. CMEs must notify ODDS of any unexpected CME closures.

EXCEPTIONS TO USING EXPRS

New: CMEs must grant PSWs with a primary language other than English an exception to submit paper timesheets if their English language proficiency presents a barrier to accessing eXPRS.

CMEs must continue to grant exceptions in accordance with [APD-AR-16-044](#) PSW exceptions to time entry which has been updated to reflect this new requirement.

CREDENTIAL EXPIRATION PROCEDURES

PSWs may not start work with any Employer until both the PSW and Employer have completed all necessary Fiscal Intermediary paperwork.

PSWs who submit their required credential paperwork at least 70 days prior to their credential expiration and complete any additional required follow-up may be able to continue working if their credential paperwork is not processed by the expiration date.

Example:

PSW CHC expires 3/30/2018. PSW submits their CHC renewal on 1/17/2018. The PSW would be eligible to continue working from 3/30/2018 until the CHC renewal is processed since 1/19/2018 is 70 days prior to the credential expiration date.

PSWs who do not submit their required credential paperwork at least 70 days prior to their credential expiration may be inactivated or terminated if their paperwork is not processed prior to the expiration date. PSWs who work with an inactivated or terminated provider number may not be paid and may face disciplinary action up to and including termination of their provider number. [APD-AR-16-055](#) Date Stamping for Provider Credential Documents is being replaced by a new Policy Transmittal clarifying and updating this procedure.

PAY INCREASE

Effective **April 1, 2018** PSW rates for each service category will increase by \$0.15.

	Base	Enhanced	Exceptional
ADL/IADL	14.65	15.65	17.65
CIIS	16.99		
Job Coaches	16.15	17.15	19.15

*Please pay close attention to rates that have been increased from base to include Enhanced, Exceptional or Professional Development Certification (PDC) increases.

All non-standard rates will receive a \$0.15 increase.

Effective **April 1, 2018** Daily Relief Care will be paid at **\$204/day** for 16 hours of awake care (OR507) additional hours of overnight awake care (OR508) will be paid at \$12.75/hr. See [APD-AR-16-063](#) Relief Care Authorizations in eXPRS Plan of Care for details on authorizing Relief Care.

INSURANCE REQUIREMENT

PSWs authorized to provide transportation must provide proof of auto insurance and driver's license to the CME. PSWs must provide a copy of their proof of insurance to CMEs that authorize transportation at least every 6 months or as frequently as their auto insurance policy renews.

ENHANCED/EXCEPTIONAL

PSWs identified as working for the individual must be notified when an individual supported qualifies for Enhanced or Exceptional services within 28 days following the completion of the individual's functional needs assessment. Use the Service Agreement (SE4606) page 4 "Enhanced/exceptional personal support worker notification" to notify the PSW. This may mean page 4 is sent to identified PSWs separately from the rest of the Service Agreement to meet this timeline. The [Enhanced/Exceptional Worker Guide](#) has been updated to reflect this requirement.

CIIS TRANSITION

PSWs who work with a child in CIIS prior to that child turning 18 will retain the higher CIIS rate for one year following their 18th birthday when the child ages out of CIIS. During this year PSWs are encouraged to complete any training needed to transition to Enhanced or Exceptional rates the individual may be eligible for.

PSWs who have not completed the training or the individual is not qualified for Enhanced or Exceptional services will revert to the base rate on the individual's 19th birthday.

The following situations are not eligible to retain the CIIS rate:

- PSWs who begin providing services to an individual after the individual's 18th birthday.
- PSWs serving children who exit CIIS prior to age 18 returning to CDDP case management.

PSWs working with multiple individuals including a CIIS young adult in their 18th year

will only receive this transition rate for the individual who transitioned from CIIS. If the PSW begins working with a non-CIIS individual the PSW receives the base rate or appropriate rate associated with the individual's need and PSW's certifications. ODDS has posted a CIIS PSW Transition Rates Worker Guide to assist CMEs in assigning the correct rate for a PSW serving a young adult transitioning.

Field/stakeholder review: Yes No

If yes, reviewed by: CIIS, Brokerage Directors, DD Program Managers

If you have any questions about this policy, contact:

Contact(s): Chrissy Fuchs, In Home Policy Specialist	
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OBSOLETE