PERSONAL CARE SERVICES PROGRAM

MEMBER USER GUIDE



JANUARY 1, 2018

WEST VIRGINIA BUREAU FOR MEDICAL SERVICES

This Member User Guide is for people who receive Personal Care Services. It should help solve problems and answer questions. The questions are about keeping your services, keeping you safe, dealing with problems and more.

KEEPING MY SERVICES

1. What do I need to do to keep my services?

- Keep all your papers (or letters) together from DHHR.
- Keep all meetings with DHHR.
- Call your PC RN when you get a letter you do not understand.
- Keep all meetings with the nurse from your provider agency and from KEPRO.
- You may ask others to be with you at your meeting with the nurse from your provider agency and/or at your meeting with the nurse from KEPRO. It could be a family member or your Medical Power of Attorney (guardian or other legal representative). Sometimes, it is good to have another person at your meeting to help you.
- Report any changes in your income or finances to DHHR.

2. What should I do if I receive notice that I am no longer able to get Medicaid?

- Call your local DHHR office to ask why you are no longer able to get Medicaid.

KEEPING YOU SAFE

1. What do I do if I think someone has taken something from me? It could be money, credit card, food stamp card (EBT), jewelry, clothes or other things.

- Call my agency Nurse.
- Call the police to make a report.
- Call your bank (for checks, debit cards, credit cards, or other money funds).
- Call Adult Protective Services or Child Protective Services @ 1-800-352-6513.
- Make a list of everyone who comes into your home. Give that list to your agency Nurse.
- Find safe places for your valuables (such as a box or closet or cabinet that locks).
- Call your pharmacy or your doctor to report missing medicines. You may need to get medicines to take the place of the ones that are missing. Letting them know may keep it from happening again.

2. What do I do when I need help and no one is helping me?

- First, you may want to ask for help when you need it. Let the agency know that your needs are not being met and you need help.

- If you feel like you are not getting help when you need it, call your agency nurse. Make sure that the agency knows that you need help. If you think this is neglect, call the Adult Protective Services Hotline.

3. What happens if my Direct Care Worker leaves during her/his work shift without permission?

- Call the agency right away when this happens.
- Call the nurse to let them know what happened.
- Do not sign any paperwork (time sheet or worksheet) until you talk to your nurse.

4. What do I do when I feel threatened or am afraid of someone?

- If you are in immediate danger, call 911 or the police to assist you.
- Call a trusted friend or family member to assist you.
- Call the nurse to make her/him aware of what is happening and to help you. Even if your worker is making you feel afraid or threatened, call anyway. It is important to keep yourself safe.
- If you think you are being abused, neglected or exploited, call the Adult Protective Services or Child Protective Services @ 1-800-352-6513.

MAKING MY WISHES KNOWN

1. Do you have written directions to help someone make medical decisions for you, if you were unable to make them for yourself?

- If no, you can speak with your nurse about written directions. A medical power of attorney or healthcare surrogate can make decisions for you if you are not able to make them for yourself. A living will lets your medical power of attorney or healthcare surrogate know what you want or don't want. Five Wishes is another kind of living will.
- If yes, please give copies of your written directions to your nurse. Also, give a copy to your doctor and any hospital where you are admitted. They should know what your wishes are and who would be making decisions if you couldn't.

If you would like more information about medical power of attorney or living will, please visit the following website, http://www.wvendoflife.org/Home, or call 1-877-209-8086. For Five **Wishes,** visit http://www.agingwithdignity.org/five-wishes.php. You can also call the Bureau of Senior Services, 304-558-3317, for a free copy of the medical power of attorney, living will and Five Wishes living will forms.

2. Can I still make my own decisions, even if I have written directions for someone to make decisions for me?

- Yes, you can make your own decisions as long as you are able to do so. These written directions do not take effect unless a doctor says you are not able to make decisions for yourself.

FAMILY AND FRIENDS SERVING AS MY DIRECT CARE WORKER

1. My family member or friend works for an agency as my Direct Care Worker. When is she/he my family member/friend, and when is she/he an employee?

- During work hours (on the clock), she/he is a professional employee of the agency. She/he must follow the rules of the agency and the Personal Care Program.
- The Direct Care Worker must follow the PC Plan of Care (POC). Your family member or friend serving as your Direct Care Worker must do the same things that any other agency Direct Care Worker would do for you.
- If you are not sure what your family member or friend can or cannot do, call your nurse.
- During working hours, she/he must provide the care for YOUR needs and not his or her own needs. Your Plan of Care might include help with bathing, transportation, meal preparation, grocery shopping, going to the pharmacy, doing laundry, etc.
- The family member or friend must work the hours listed on the PC Plan of Care (POC). The Direct Care Worker must be there at the times outlined on your PC Plan of Care (POC).
- If the Direct Care Worker "does not show" at the home, call the agency not your family member or friend. Let the agency know if you would like to have a substitute worker.
- Let your nurse know immediately if your needs change or you need different hours.

CROSSING THE LINE

1. Is the Direct Care Worker my friend?

   No. The Direct Care Worker should be friendly. However, the Direct Care Worker is not a "friend." The Direct Care Worker is there to care for you. These are examples of when a Direct Care Worker could be crossing the line:

   - Keeping secrets.
   - Off duty phone calls or visits.
   - Swapping or sharing phone numbers.
   - Facebook friends, emails or Twitter.
   - Trying to protect the Direct Care Worker and not get her/him into trouble
   - You or the Direct Care Worker thinking that no one else can take care of you.

The Direct Care Worker should be polite, protect your privacy and provide service that is on your PC Plan of Care.

DIRECTING MY SERVICES

1. Should I tell my nurse when I want my services and what types of help I need?

- Yes, you should let your nurse know when you meet with her/him what hours you need the service, what services you need and activities with which you need help.
- Let your nurse know at the Plan of Care meeting what activities that you will need help with during the day. Examples are bathing and dressing. The nurse will use this information to develop the PC Plan of Care (POC).
- This also includes when you need to go to the grocery store, pharmacy or community activities if the agency is able to provide these types of service to you. Be specific about the community activities you would like or need to do.

DEALING WITH PROBLEMS

1. What do I do when my Direct Care Worker is not following my PC Plan of Care (POC) or the rules of the Program?

    - Call the nurse to let her/him know about the problem. If your nurse isn't there, leave a message and ask the nurse to return your call as soon as possible. If it is really important, tell the person who answers the phone that you need something right away.

2. What if my worker says something I do not like or makes me feel uncomfortable (calls me "honey" or by my first name, etc.)

    - First, talk about it with the Direct Care Worker in a positive way (if you feel that you can discuss it with the Direct Care Worker).
    - If not, call your nurse to tell her/him about the problem, so they can help you. They cannot make it better if they do not know about it

3. What do I do when my Direct Care Worker brings personal problems to work and it gets in the way of my care?

    - You may politely ask the Direct Care Worker if he or she could concentrate on your care.
    - If you prefer, you may ask your nurse to help you with the problem.

4. What do I do when my Direct Care Worker is talking, playing games or texting on her phone? What if she is using my phone or computer?

    - Refer to the answer to question number three.

5. What do I do when my Direct Care Worker brings her/his children, other family members, or friends to my home?

    - The Direct Care Worker is not allowed to bring anyone to your home. This is out of respect for your privacy and confidentiality.
    - The Direct Care Worker is to provide care for you and not for anyone else. This includes his/her grandchildren, children, spouse, etc.
    - If you need assistance with these problems, call your nurse.

6. What do I do when the Direct Care Worker is eating my food, asking for gas money, or asking to borrow money?

    - Do not give the Direct Care Worker money, food, medications or any personal belongings. This can be considered financial abuse. It is not permitted for the Direct Care Worker to eat your food, ask for gas money, etc.
    - The Direct Care Worker must not take anything that belongs to you. If this happens, report this to the nurse or, you may want to call Adult Protective Services or Child Protective Services to file a report at 1-800-352-6513.

7. Can my DCW take me to my medical appointments (if applicable)?

    - First you should check with family or friends to take you to your appointments.
    - If your family or friends cannot take you to your appointments ask your PCRN about other transportation services such as MTM for medical appointments.

8. What do I do when my Direct Care Worker wants to sell me something?

    - This is a professional relationship. Your Direct Care Worker cannot sell you anything. If a Worker tries to sell you something, you should never feel forced to buy anything from her/him. If you are asked to buy anything from your Direct Care Worker, you should report it to your nurse immediately.

9. What do I do when my Direct Care Worker wants to use my cash, debit card, or food stamp (EBT) card to go to the store for me or pay bills?

    - Your Direct Care Worker should not have the right to use your cards or cash if you are not there.
    - You should either have a trusted person take care of your errands instead of the Direct Care Worker (to the grocery store, bank, to pay bills, to the pharmacy, etc.).
    - Or go with your Direct Care Worker on essential errands (if applicable).

- Ask for receipts.
- Another idea is to use a gift card with a limited amount of money on the card. Examples are Kroger, Visa, and MasterCard. These cards can be bought at local stores.
- Do not give anyone blank checks or passwords to your cards.
- If you do not have a trusted person to make your payments, contact your nurse. Talk with her/him about how to make sure your money is handled correctly.

10. What do I do when my Direct Care Worker does not respect my personal beliefs or culture or the way I live?
    - Call the nurse to talk about it.
    - Everyone involved in your care should be professional. They should respect your culture and beliefs and be sensitive to your needs.
    - You must keep your home environment safe for the Direct Care Worker to work. You cannot expose the Direct Care Worker to any kind of illegal activity or other actions that would keep him or her from providing safe, quality services to you.

11. What do I do when I am unhappy with my agency? What if they are unable to send a Direct Care Worker, aren't returning phone calls, or aren't taking care of my needs?
    - You can call the nurse. Ask for help in solving your problem.
    - You can ask for a transfer to another agency. Your nurse or the Bureau of Senior Services can help you.
    - You can file a grievance or a complaint. Your nurse can help you. If it is not worked out, you can file a grievance through the Bureau of Senior Services. The Bureau of Senior Services toll free information line is 1-866-767-1575.

BACK-UP AND EMERGENCY PLANNING

1. What do I do when my Direct Care Worker does not show or he/she is sick?

- Call the Personal Care agency. See if there is a substitute Direct Care Worker.
- Refer back to your Plan of Care. If your plan is not correct, contact your nurse.
- Call your informal support. Make sure your informal support is available.
- There may be times when your Direct Care Worker is not available due to emergencies. Plan ahead; make sure your informal support person is available. Let your nurse know about your urgent needs.
- For any serious emergencies, call 911.

2. How do I plan ahead for a natural disaster? (Examples of natural disasters are flooding, high winds, snowstorms, and power outages)

- For anyone using oxygen, make sure that you have extra oxygen tanks.

- Plan ahead by making a list of important phone numbers.
- Call your local fire department to let them know you may need help in an emergency. Let the fire department know if you are on oxygen. Let them know if you are unable to get out of your home or out of bed.
- If you use oxygen, be sure you have a sign on the door saying that oxygen is used in the home. The sign should include the name of your oxygen provider and the phone number.
- Try to find a safe place before the storm strikes. Is there an emergency shelter in your area? Have you called ahead to make sure that the emergency shelter in your area will take you? Can you stay with family or a friend?
- Make sure that your informal supports and nurse know your needs in the event of a disaster. Make sure your trusted neighbors know your needs.
- Have enough water, food and medicines for at least three days.
- Keep a working flashlight handy at all times. Have a portable radio that runs on batteries or a crank. Have extra batteries handy. Have a charged cell phone for emergencies. If you need resources for this, contact your nurse.
- You may call your local county health department and ask to be placed on the West Virginia Special Needs Registry System. That way, emergency personnel will have your information to help you during a natural disaster.

PAPERWORK

1. Do I need to read my Plan of Care (POC) worksheet (time sheet) before I sign it?

- Yes, read your worksheet closely to make sure that the Direct Care Worker has done it correctly. The Direct Care Worker should not put anything on the form that he or she did not do.
- Someone can be found guilty of healthcare fraud for false claims to Medicaid. Charging for services not provided, such as lying on Plan of Care (POC) worksheets, is healthcare fraud.
- Your signature on the worksheet says that services were provided and that the worksheet is correct.
- If you think your Direct Care Worker is lying on your worksheet, immediately call your nurse. Sign the worksheet on the last date of service provided by the worker. That includes substitute Direct Care Workers.
- Make sure you read and initial the worksheet **EVERY DAY** to make sure that everything is correct. Sign on the back of the form on the last day of service.
- If you feel pressured or bullied to sign a worksheet that is not correct, contact your nurse to let them know.
- If you need someone to go over your paperwork with you, let your nurse know.

2. Should I expect to get copies of my paperwork?

- Your nurse will make sure that you get copies of all of your Personal Care paperwork. You will get your assessments and your PC Plan of Care (POC) within 14 days.

As a recipient of Medicaid Personal Care Services, you have the following rights and responsibilities:

The right to:

A. Transfer to a different provider agency.

B. Address dissatisfaction with services through the provider agency's grievance procedure.

C. Access the WV DHHR Fair Hearing Process.

D. Freedom from retribution when expressing dissatisfaction with services or appealing service decisions.

E. Considerate and respectful care from your provider(s).

F. Freedom from abuse, neglect, and exploitation.

G. Take part in decisions about your services.

H. Confidentiality regarding Personal Care services.

I. Access to all your files maintained by agency providers.

And your responsibility to:

J. Notify the PC provider within 24 hours prior to the day services are to be provided if services are not needed.

K. Notify providers promptly of changes in Medicaid coverage.

L. Comply with the Plan of Care (POC).

M. Cooperate with all scheduled in-home visits.

N. Notify the PC provider of change in residence or an admission to a hospital, nursing home or other facility.

O. Notify the PC provider of any change in medical status or direct care need.

P. Maintain a safe home environment for the PC provider to provide services.

Q. Verify services were provided by initialing and signing the POC.

R. Communicate any problems with services to the PC provider.

S. Report any suspected fraud to the provider agency or the Medicaid Fraud Control unit at 304-558-1858.

T. Report any incidents of abuse, neglect, and/or exploitation to the PC provider and the West Virginia Centralized Intake for Abuse and Neglect at 1-800-352-6513.

U. Report any suspected illegal activity to the local police department or appropriate authority.

V. Notify the provider of any changes in your legal representation and/or guardianship and provide copies of appropriate documentation.

W. Not ask the Direct Care Worker (DCW) to provide services that are excluded by policy or not on your POC.

PERSONAL CARE

MEMBER USER GUIDE RECEIPT

I, _____, acknowledge that I have received a copy of the Personal Care Member User Guide on this date _____.

Personal Care Member Signature:

_____

Nurse Signature:

_____

Name of Provider Agency:

_____

Note: *The Member User Guide must be provided to the Member by the PC Agency Nurse. This guide is intended for distribution to recipients of the Personal Care Services Program as an educational tool.*