

# **The Arc of Colorado makes Proposal to Colorado Developmental Disabilities Services for a New Self-Determination Consumer Directed Services Waiver**

Self-Determination for persons with developmental disabilities is a concept that has been bantered about for many years in Colorado, but has seemingly fallen on deaf ears of those in a position to make the concept a reality. The concept of Self-Determination is a process that differs from person to person according to what each individual determines is necessary and desirable to create a satisfying and personally meaningful life. Persons with disabilities no longer have to receive services as determined by the traditional model, one that has a predetermined menu of available services and a set way of delivering them. They are free to order off the menu, including services they desire to be provided in ways that meet their needs.

For many years advocates for persons with developmental disabilities, including Arc units throughout Colorado, have made proposals to the State of Colorado for programs that would allow people with developmental disabilities to make their own choices with respect to the services they need, who will provide these services, and where they will live, often referred to as “Consumer Directed Services.” Many of these proposals have included the principle that people with developmental disabilities themselves, or with the counseling of their family members or surrogates, should directly control the funding they receive from the State so that they can make these choices unencumbered by the influences of the system and to best meet their own needs. Recently, The Arc of Colorado has made a proposal to Colorado Developmental Disabilities Services for a new or amended waiver in Colorado that would give persons with developmental disabilities who receive Comprehensive and Supported Living Services the option to directly control their designated resources from the State through a “Consumer Directed Services” model that would include payment to family members for direct services that they might provide to their son or daughter, or relative.

The Arc of Colorado is very interested in your thoughts about such a program and will be contacting many of you in the very near future. Giving The Arc of Colorado your input will be very important to the success of obtaining approval for this important option for persons with developmental disabilities from Colorado Developmental Disabilities Services and otherwise, the State of Colorado. Below is an abstract of the Proposal. However, to fully understand its merits, The Arc of Colorado has posted the full text of the proposal on its website at [thearcofco.org](http://thearcofco.org), under the links of “Current Arc News”-“State Arc News.” As a member of The Arc of Colorado, please take the time to read and become informed regarding the full proposal. Please give us your input and comments using the “Question and Answer of the Month” link at the website, although The Arc of Colorado will be contacting many of you in addition.

## **ABSTRACT**

### **DIRECT FUNDING WITH CONSUMER DIRECTED SERVICE**

#### **With Payment to Family Members PROPOSAL**

1. The Proposal provides an option to the current traditional Community Centered Board service delivery model for persons with developmental disabilities and their families, not a substitute for either Comprehensive and Supported Living Services.
2. A “Fiscal Intermediary” is the employer of record and provides all administrative work including, but not limited to, tax reporting, matching employer tax contribution, withholding, issuance of checks, payment of vendors, securing and paying for workers compensation insurance and liability insurance.
3. The consumer, and the consumer’s family or surrogate, directs what services and supports will be used and who will provide the services and supports (authority to hire and fire) to the individual with developmental disabilities, after the development of the consumer’s individualized plan utilizing person centered planning with the involvement of the person’s circle of friends and supports.

4. The person with the developmental disability does not receive the funds directly, but accesses and controls the funds indirectly by issuing invoices and/or employee time sheets with notations of services provided consistent with an individualized plan and individualized budget, and the Fiscal Intermediary accesses the funds directly from the State and issues payment checks.
  5. Any individual with developmental disabilities eligible and receiving, or to receive, comprehensive or supported living services has the option to use this model, but is also guaranteed the ability to revert back to the traditional community centered board model with the original comprehensive or supported living service funding, at any time.
  6. The funding (resource) that the person with developmental disabilities would have received under comprehensive services or supported living services waivers will transfer to this consumer directed services model, but actual funding will be determined at the individualized plan meeting in accordance with the individualized budget developed at that time.
  7. The person with developmental disabilities can live in their residential environment of choice with whom-ever they wish to live so long as appropriate health and safety supports are in place. There will not be a restriction on where to live or that the individual can not or must live with a family member.
  8. Currently, Community Centered Boards receive an administrative fee of as much as 15% of the comprehensive or supported living services funding (i.e., \$2,289.22) for the administration of their services. Currently, Community Centered Boards receive an hourly fee of approximately \$26 per hour, or more, for direct services they provide, and pay their employee who provides this service for them an average of \$9.50 per hour in Colorado. The difference in the rate charged and the rate paid to the actual direct care staff is to further offset the Community Centered Board's overhead.
  9. Under this Proposal, family members and friends are permitted to provide direct services to the person with developmental disabilities and receive payment for providing these services (only those services that have been permitted under the current traditional supported living services model) with appropriate training and licensure (i.e., supported employment services, medical services).
  10. Payment to family members and friends can create a whole new workforce and reduce the current issues around capacity, since family members and friends are not traditional direct care providers in the developmental disabilities system, and payment to parents would free them to forgo their current employment required to provide for their total family and provide necessary services to their son or daughter.
  11. Payment to family members and friends can create a better quality of supports for people with developmental disabilities because their previously established relationship and background with the person with developmental disabilities better qualifies them, and provides better motivation, than the current traditional direct staff provider being paid on the average \$9.50 per hour and who to often lacks experience both with the person they are to support, and in the developmental disabilities field itself.
  12. This Proposal can significantly reduce the cost of services to an individual. A "Fiscal Intermediary" can charge as little as 15.03% of gross payroll for administrative costs. Hypothetically, if a family member or friend were paid \$15.00 per hour (more than the \$9.50 per hour on average paid to direct care staff providers, but less than the approximate \$26.00 per hour charged by a Community Centered Board or an Approved Service Agency), and that per hour rate is increase by the 15.03% of gross payroll charged for administrative cost by the Fiscal Intermediary, the hourly rate for direct care services would be \$17.26 per hour. In addition, there would be no 15% management fee (approximately \$2,289.22) paid to Community Centered Boards.
  13. Community Centered Boards will play a limited roll under this Proposal. Community Centered Boards would be responsible for Case Management, eligibility determinations, training and tracking the person with the developmental disability and their resource on a fee for service basis.
- Under this Proposal, quality assurance would be monitored by a case manager and the traditional quality assurance process implemented by Colorado Division of Developmental Disabilities Services.

**SHOULD YOU AS A MEMBER OF THE ARC OF COLORADO BE CONTACTED BY PHONE OR BY MAIL, PLEASE TAKE THE TIME TO GIVE US YOUR INPUT.**

