

## **Veterans Independence Plus (VIP) Program Consumer-Directed Care (CDC) Handbook For Veterans, Families and Staff**

This handbook explains:

- The basic rules of the VIP program
- How VIP works for you

This handbook can be used by veterans, their families and staff as the guidelines for how consumer directed care works in the VIP program. After reading this handbook, you may determine that the VIP is not the best option for you and that you would prefer to receive your services through agency workers. The choice is yours.

Your Area Agency on Aging (AAA) care advisor can provide you with more information and training on how to use the VIP program successfully. For more copies of this handbook, please call your care advisor.

### **What is Consumer-Directed Care under VIP?**

You have already been determined eligible for the VIP program from your Veteran's Administration Medical Center (VAMC). The VIP program is managed by the Executive Office of Elder Affairs and the Veterans Administration through the Area Agencies on Aging. Now that you are eligible, you have the right to work with your care advisor to develop your service plan. Once your service plan is finalized, you can begin selection of your support workers. You are the employer. It is your responsibility to recruit, hire, schedule, train, and if necessary, fire your workers.

### **What is a VIP Support Worker?**

A VIP support worker is a person that you recruit and hire to help you stay at home in the community by helping you with tasks such as bathing, dressing, grooming, housekeeping, shopping, laundry and the other tasks that you and your care advisor have discussed. You may hire one or more support workers, as necessary, to meet your needs. Support workers may be family members.

## **How Are the Number of Hours Decided?**

You and your care advisor have met and you have completed your intake visit. After completing the initial assessment, you have agreed upon the tasks with which you need assistance. This, in addition to the Service Allocation Tool, is the basis of the hours of care that will be in your service plan.

## **What Type of Work Can My Support Worker Do? Can I Have Other Home Care Services?**

This is part of the agreement between you and your support worker. For example, a support worker can help you bathe, dress and hand you your medication planner. It may help stretch your service plan if instead of having your support worker make your lunch, you choose to receive home-delivered meals. It may make sense for you to have transportation to your medical care providers as part of your plan, or you may choose to use local para-transit services and have your support worker accompany you. These are choices that you need to discuss with your care advisor. Remember that if you are hospitalized or attend an adult day health program, your support worker cannot be paid for the time that you are in these programs. Home Care is simply that—care provided when you are in the community.

## **What is the job of my care advisor?**

The care advisor has many jobs in this process. These include:

- Explaining the rules of the VIP Program, including your responsibilities as an employer;
- Assessing your ability to manage consumer-directed care (CDC) independently;
- Checking in with you to see how you are doing and providing ongoing training and support so that CDC works well for you;
- Working with you to develop a Service Agreement that describes your role, responsibilities, and those of others;
- Developing with you a back-up plan if your scheduled support workers are unavailable;
- Your care advisor's name, AAA address, and telephone number are written in this handbook so that you can easily locate her/him.

## **What is a Fiscal Intermediary (FI)?**

The fiscal intermediary is an agency that your AAA contracts with to do the payroll, tax withholding, and other tasks that must be completed for you to be a legal employer.

The funding for your service plan is from public dollars and those funds must be spent legally.

The jobs of the FI are to:

- Once you enroll in the VIP program, the FI works with the IRS to help you become an employer and sends you your "employer identification number";
- Receive and process your "activity forms" (timesheets) and prepare your support worker's paychecks and direct deposits;
- File and pay the employer's (your) share of state and federal taxes, including unemployment;
- Buy worker's compensation insurance for your workers;
- Issue W-2 forms at the end of the year.

## **Who Chooses the FI?**

Your AAA has selected a single FI, which is Stavros Center for Independent Living, for all veterans who have chosen to participate in the VIP Program.

## **Who Pays My Support Worker?**

As the employer, you mail or fax the timesheets to Stavros. Stavros receives and processes the timesheets and issues the checks. The checks are sent to you and you will pay your support worker. The worker also has the option of using direct deposit. Stavros then bills the AAA for the cost of your services.

## **Who Decides How Much My Support Worker Gets Paid?**

You, the consumer, negotiates wages with your employees. Wages must not go below minimum wage and should be in line with industry standards. Your care advisor can tell you the current wage and when it is due to increase.

## **Who Can I Hire to be My Support Worker?**

You may hire friends, relatives, neighbors or someone who does this type of work for a living. At this time, spouses may be paid for this work. If you have a surrogate, someone who helps manage your program, that person cannot be both a surrogate and a support worker. If you have someone who is a power of attorney or guardian, that person cannot be your support worker. Your care advisor will teach you how to recruit, interview, train and schedule your support workers. The state contracts with Rewarding Work to maintain a website with listings of people who are or wish to be support workers. Your care advisor can help you access this website for potential employees.

Your support workers must be:

- Legally authorized to work in the United States and have a social security number;
- CORI checked; (Criminal Offender Record Information)
- Able to understand and carry out directions given by you;
- Willing to receive training and supervision in all designated tasks.

## **How Many Hours Can My Support Workers Have?**

You and your care advisor will discuss the tasks with which you need help and determine your service plan. The weekly hours and schedule will come from the service plan.

## **Why are CORI (criminal offender record information) Checks Required?**

The VIP program uses Federal funds to pay your workers. Because of this, CORI checks are required before you may hire anyone to be your CDC support worker. CORI reports include any criminal offense committed in Massachusetts, not in any other state. The rules regarding the eligibility of support workers are changing and the AAA is the most up to date source of information. You will be given CORI forms to complete for each potential support worker. The forms are returned to the AAA and the certified CORI staff person for the AAA submits the information and receives the completed CORI. CORI reports are confidential and only trained CORI authorized staff can submit, read and analyze the information. At the present time, some offenses are serious enough that the person cannot ever be paid, using State or federal funds, to work for a person over 60 years of age. In other cases, if the offense is not repeated for a number of years, the person may work for an elder, using State or federal funds. If there are any questions regarding the CORI and a person's eligibility to work, the CORI authorized staff person will contact the potential support worker. It is the potential support worker's responsibility to share the CORI results with the employer (you) and the employer's (your) responsibility to decide to hire or not hire the individual.

## **What Are My Responsibilities When I Choose the VIP Program?**

The paperwork that you complete when you enroll in the VIP Program makes you the employer of your support workers. Part of the paperwork is the Veteran Tasks Agreement. The Veteran Tasks Agreement has a section with questions that help the care advisor determine if you can manage the program by yourself or with the assistance of a surrogate. The surrogate is someone who knows you and is familiar with

your needs. The Veteran Tasks Agreement spells out what the surrogate will do. The duties of the surrogate can range from managing the entire program for you to small, specific tasks.

- When you choose the VIP program you must agree to use the FI;
- Recruit, hire, train, schedule and, if necessary, fire your worker;
- Submit information for CORI reports and, if necessary, determine if you wish to hire the individual;
- Complete and send to the FI all required paperwork;
- Ensure that the timesheets are accurate. When you or your surrogate sign the time sheets you are certifying that the support worker has worked the hours listed;
- Pay your support worker(s) in a timely manner;
- Provide verification of employment if requested by the support worker;
- Make sure that the hours your support worker has worked do not exceed your service plan;
- Explain to your support worker the tasks with which you need assistance and how to assist you;
- Meet with your care advisor;
- Cooperate with your care advisor during your assessment and subsequent visits.

## **What if I Need Help Managing My Consumer-Directed Care or with Support Worker Training?**

The Executive Office of Elder Affairs requires that the AAA assess your ability to manage consumer-directed care independently and review this assessment periodically. If the AAA determines that you need a surrogate, you will be required to find a surrogate in order to begin or maintain enrollment in the VIP program.

The surrogate can be a spouse, friend, parent, other family friend or neighbor. Your surrogate cannot be a support worker for you. The care advisor may be able to help you find a surrogate if you do not know anyone to help.

The AAA has several options for you if you decide that you need help training your support workers. In some cases, the AAA nurse may visit you and outline a recommended plan for your personal care routine. Another way is to talk to your care advisor about hiring a visiting nurse, occupational therapist, or physical therapist to teach you or your surrogate techniques for personal care, transferring, or other needs, and then you or your surrogate may train your support workers.

## Who Do I Call if I have Questions about the VIP CDC?

Call your care advisor if:

- You need a CORI completed for a potential employee
- You have any questions about your service plan
- You have any questions about your service agreement or surrogate
- You wish to file a grievance about your VIP services
- Your medical condition changes and you feel you need more or fewer hours of care
- Your support worker has jury duty when scheduled to work for you
- You are having trouble managing the program
- You are not sure about your responsibilities
- You have questions about the rules around CDC
- You need your care advisor to visit you
- You have questions about how to recruit, hire, or schedule support workers
- Your back-up plans are not working well
- You are planning to move
- You no longer wish to participate in VIP and prefer agency services

Call your fiscal intermediary (Stavros Center for Independent Living) if you:

- Need more timesheets or other paperwork forms
- Have hired or fired a support worker or your support worker has quit
- Have moved or your support worker has moved
- Have questions about the payment of your support worker
- Need to correct a timesheet
- Have other payroll related questions

## What if I Have Questions About My Legal Responsibilities as an Employer?

Your care advisor and your FI cannot give you legal advice. There are other organizations that can help you with this. The end of this handbook has a section of resources that can help you find assistance.

## Resources

### Fiscal Intermediary

Agency Name	Address	Phone Number
Stavros Center for Independent Living	210 Old Farm Rd. Amherst, MA 01002	413-256-6692

## My AAA

Agency Name	Address	Phone Number
Care advisor		

## Worker Registry

Agency Name	Website	Phone Number
Rewarding Work Resources	<a href="http://www.rewardingwork.org">www.rewardingwork.org</a>	Toll free 866-211-9675
	Ask your care advisor how to access this	
Department of Workforce Development (to find a Career Center near you)	<a href="http://www.mass.gov/dwd">www.mass.gov/dwd</a>	617-626-5300

## Organizations that can help you in your role as an employer

Organization Name/Description	When to Contact	Phone/Web site
Attorney General Office of Fair Labor and Business Practices (Assists with questions on labor and wage laws)	If you have questions about payment of wages, employing minors, paying overtime, etc.	617-727-3465 <a href="http://www.ago.state.ma.us">www.ago.state.ma.us</a>
Department of Industrial Accidents (Oversees workers' compensation system in Massachusetts)	If you have questions about the workers' compensation system	800-323-3249 <a href="http://www.mass.gov/dia">www.mass.gov/dia</a>
Department of Revenue (Manages state taxes)	If you have questions about your employer taxes	800-392-6089 <a href="http://www.mass.gov/dor">www.mass.gov/dor</a>
Division of Unemployment Assistance (manages unemployment insurance taxes and claims)	If you have questions about an unemployment claim filed by your worker or about your unemployment taxes	877-626-6800 617-626-6560 <a href="http://www.mass.gov/dua">www.mass.gov/dua</a>
Internal Revenue Service (federal tax information and	If you have questions about your federal employer taxes	Local IRS office <a href="http://www.irs.gov">www.irs.gov</a>

forms)		
Mass Commission Against Discrimination (enforces anti discrimination laws)	If you have questions about your responsibilities as an employer relating to discrimination and sexual harassment	413-739-2145 617-994-6000 <a href="http://www.mass.gov/mcad">www.mass.gov/mcad</a>
U.S. Citizenship and Immigration Services/Office of Business Liaison (information for employers, including use of the I-9 form)	Answers questions about documentation needed when hiring workers	800-375-5283 <a href="http://www.uscis.gov">www.uscis.gov</a>

### Organizations to help you screen a potential support worker

Organization Name/Description	When to Contact	Phone/Web site
CORI	Required to be done by the AAA	
Department of Public Health Registry (maintains a registry of people determined by DPH to have abused, neglected or mistreated a person receiving home health, homemaker, hospice or nursing facility services)	To see if someone you wish to hire has had a previous finding of neglect or mistreatment	617-753-8143 <a href="http://www.mass.gov/dph">www.mass.gov/dph</a>
Disabled Persons Protection Commission (DPPC) (investigates cases of abuse/neglect of disabled persons aged 18-59)	To see if someone you wish to hire has had a previous finding of neglect or mistreatment	617-727-6465 <a href="http://www.mass.gov/dppc">www.mass.gov/dppc</a>
Sex Offense Registry Board (maintains database available for public access of names of convicted sex offenders)	To see if someone you wish to hire has registered as a sex offender in Massachusetts	800-936-3426 <a href="http://www.mass.gov/sorb">www.mass.gov/sorb</a>

## Organizations to help you report abuse or neglect by a support worker or other caretaker

Organization Name/Description	When to Contact	Phone/Web site
Elder Abuse Hotline (investigates reports of physical, emotional, sexual abuse, neglect, self-neglect and financial exploitation of people aged 60 and over)	To report abuse or neglect of an elder	800-922-2275
Your local Elder Protective Services Program		

## Organizations that can provide you with legal assistance

Organization Name/Description	When to contact	Phone/Web site
Disability Law Center (legal assistance and information to people with disabilities)	To find legal assistance	617-723-8455 413-584-6337 <a href="http://www.dlc-ma.org">www.dlc-ma.org</a>
Greater Boston Legal Services (provides legal services for low-income and elderly persons in Greater Boston)	To find legal assistance in Greater Boston	617-371-1234 <a href="http://www.gbls.org">www.gbls.org</a>
Legal Assistance Corporation of Central Massachusetts (provides legal services for low-income and elderly persons in Central Massachusetts)	To find legal assistance in Central Massachusetts	508-752-3718 <a href="http://www.livejustice.org">www.livejustice.org</a>
Western Mass. Legal Services (provides legal services for low-income and elderly persons in Western Massachusetts)	To find legal assistance in Western Massachusetts	413-781-7814 <a href="http://www.wmls.org">www.wmls.org</a>

### Other helpful organizations and state agencies

Organization Name/Description	When to contact	Phone/Web site
800 Age Info (provides information for elder and their caregivers)	For information about resources for people aged 60 and up	800-243-4636 (800-AGE-INFO) <a href="http://www.800ageinfo.com">www.800ageinfo.com</a>
Executive Office of Elder Affairs (information, resources and services for people over 60)	For information, resources and services for people over 60. Includes Office of Community Care Ombudsman for complaint resolution	800-882-2003 617-727-7750 <a href="http://www.mass.gov/elder">www.mass.gov/elder</a>
Brain Injury and Statewide Specialized Community Services (provides resources and services for Massachusetts residents who have sustained an externally caused traumatic brain injury)	For resources and services for Massachusetts residents who have sustained an externally caused traumatic brain injury	800-223-2559
Department of Mental Health (information and services for people with mental illness)	To find information and services for people with mental illness	617-626-8000 <a href="http://www.mass.gov/dmh">www.mass.gov/dmh</a>
Department of Developmental Services (information and services for people with mental retardation)	To find information and services for people with mental retardation	617-727-5608 <a href="http://www.mass.gov/dmr">www.mass.gov/dmr</a>
Mass. Commission for the Blind (provides social and rehabilitative services to persons who are legally blind)	To find information on social and rehabilitative services to persons who are legally blind	800-392-6450 617-727-5550 <a href="http://www.mass.gov/mcb">www.mass.gov/mcb</a>
Mass. Commission for the Deaf and Hard of Hearing (information and resources for people who are deaf or hard of hearing)	To find information and resources for people who are deaf or hard of hearing	800-882-1155 800-530-7570 <a href="http://www.mass.gov/mcdhh">www.mass.gov/mcdhh</a>

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MassHealth (administers the Medicaid and other health programs in Massachusetts)	To find information about MassHealth programs	800-841-2900 <a href="http://www.mass.gov/masshealth">www.mass.gov/masshealth</a>
Mass Office on Disability (information and advocacy for people with disabilities; promotes access for people with disabilities; oversees state compliance the ADA)	To find information on available government program or for help with rehabilitation and independent living related services	800-322-2020 <a href="http://www.mass.gov/mod">www.mass.gov/mod</a>
Mass Rehabilitation Commission (administers assistive technology grant)	To find resources for assistive technology	800-245-6543 <a href="http://www.mass.gov/mrc">www.mass.gov/mrc</a>
Social Security Administration (administers social security benefits, including SSI)	If you are applying or have social security benefits including Medicare B and D	Local social security office <a href="http://www.ssa.gov">www.ssa.gov</a>