

HB 377 -- PERSONAL CARE ASSISTANCE SERVICES

SPONSOR: Kelly (141)

This bill requires a consumer of consumer-directed services to allow a vendor to comply with its quality assurance and supervision process, including bi-annual face-to-face home visits and monthly case management activities. During the home visits, the vendor must monitor the performance of the personal care assistance services plan and document whether the attendant was present and providing services required under the plan of care.

The bill repeals language requiring the Department of Health and Senior Services to establish regional telephone tracking system pilot programs.

The bill requires vendors to notify consumers during orientation that falsification of attendant verification records is fraud and will be reported to the department.

The bill removes a requirement that vendors must submit an annual audit report to the department.

The bill requires that the department create rules for a consumer-directed services division provider certification manager course. Additionally, a vendor must perform face-to-face home visits with a consumer at least bi-annually. The vendor still has a responsibility to provide ongoing diligence of case management activity oversight. A vendor must maintain a business location.

The bill prohibits state or federal funds from being given if the owner, primary operator, certified manager, or any direct employer of the vendor is also the personal care attendant.

Currently, a consumer's personal care attendant services can be discontinued if the consumer has falsified records; this bill allows the services to be discontinued if the consumer provides false information about his or her condition, functional capacity, or level of care needs.

This bill is the same as SB 70 (2019).