Frequently Asked Questions

FAQ #5

Participant-Directed Services (PDS)

The Partnership
The Pennsylvania Training Partnership for People with Disabilities and Families

Spring 2014
What are Participant-Directed Services (PDS)?
Participant-Directed Services (PDS) are exactly what they sound like – PDS means that services and supports are directed by the person, with the assistance of his or her surrogate, if needed.

Based upon the principles of self-determination, PDS offers an alternative to how supports are traditionally provided in the Intellectual Disability (ID) system. Traditionally, services are provided by agencies or “providers.” In the traditional model of service delivery, the person selects a qualified and willing provider who hires the staff to work with the person. In PDS, the person directly hires the staff or “Support Service Workers (SSWs).”

Participant-Directed Services give you more flexibility, control and responsibility in selecting, managing, and paying your staff. PDS allows you to directly employ and/or manage support workers with help from a Financial Management Service (FMS) to handle administrative duties (see below).

NOTE: To simplify, we use the term “you” throughout this booklet. The “you” refers to the person receiving services, though we recognize that it is often family members or a surrogate assisting with the details of services and supports.

Who Can Use Participant-Directed Services (PDS)?
PDS can only be used if:
1. You have some Base funding or you are on an ID Waiver, and
2. You live in a private home, either yours or a family member’s.

People who live in licensed and unlicensed agency-owned, -rented, -leased, or -operated homes cannot use PDS because their services are managed by a provider.
What services are available to you if you use Participant-Direction?

You can have access to Participant-Directed Services under Home and Community Based Intellectual Disability (ID) Waivers and Base Funds. These services include:

- Assistive Technology
- Companion Services
- Education Support Services
- Home Accessibility Adaptations

Services Available through Base Funding only

- Home and Community Habilitation (Unlicensed)
- Homemaker/Chore
- Specialized Supplies

- Supported Employment
- Supports Broker
- Transportation (Mile) and Public Transportation
- Unlicensed Respite
- Vehicle Accessibility Adaptations

What are your responsibilities when using PDS?

In PDS, you directly hire and manage your Support Service Workers (SSWs). With this control, there is also some responsibility. Responsibilities include:

- Finding (recruiting) and hiring qualified SSWs;
- Creating job descriptions for each service;
- Deciding worker wages based on wage ranges established by the Office of Developmental Programs (ODP);
- Training and supervising workers;
- Deciding worker schedules;
- Deciding worker tasks and how they will be performed;
- Managing the workers’ performances; and
- Terminating/firing workers when appropriate

What kind of financial responsibilities do you have with PDS?

Being an employer means being responsible for paying staff, taxes, and insurances. This can be difficult for anyone. That is why the Office of Developmental Programs (ODP) has made Financial Management Services (FMS) available to you if you want to direct your services. The Financial Management Service you use will provide payroll services for you and take care of paying all taxes and insurances on your behalf.

You are responsible to follow the budget for services in your approved ISP. Following the budget means only scheduling and using SSWs for the hours and services approved in your ISP and avoiding overtime.

Whether you are using traditional ID services or PDS, any services and supports that you receive must be identified in an approved and authorized Individual Support Plan (ISP). For more information about the ISP, please see the ISP resources section of The Partnership website:

www.temple.edu/thetrainingpartnership/resources/isp
Who can assist me to use PDS?
There are many ways you can be assisted to use PDS. The following is a list of resources you may use:

- **Financial Management Services (FMS)** – designed to help you manage financial responsibilities such as payroll services. Everyone using PDS will use a Financial Management Service.
- **Surrogate** – an unpaid representative who has your permission to speak and act for you for purposes of directing your own services
- **Supports Broker** – a paid professional who can assist you with duties related to directing your own services
- **Circle of Support** – an informal and unpaid group of people you have chosen to help support you to work toward your vision of the future

There is more information about each of these possible supports below.

What are Financial Management Services (FMS)?
Financial Management Services (FMS) are services designed to help you manage financial responsibilities such as payroll services for SSWs; federal, state and any local taxes; worker’s compensation premiums; and unemployment insurance. The FMS makes sure that the required taxes and insurances are paid. The FMS also pays vendor services purchased for individuals such as transportation mileage and Assistive Technology.

If you use PDS, you will need to choose which type of FMS you want. With either type, you, or a surrogate (see below), will take on some of the responsibilities of being an employer. That person must be at least 18 years of age or older, and follow other conditions stated by ODP.

What are the two choices of Financial Management Services (FMS) in Pennsylvania?
**Vendor Fiscal/Employer Agent (VF/EA)**
In this model, you or your surrogate (representative) is the Common Law Employer, or legal employer for hiring and managing your staff. The Vendor Fiscal/Employer Agent FMS, which in Pennsylvania is currently an agency called Public Partnerships LLC (PPL), is approved by the Internal Revenue Service (IRS) to be an “employer agent” on the participant’s behalf for the limited purposes of handling employment and income taxes. The VF/EA processes payroll for your workers and makes sure all taxes, workers compensation and unemployment insurances are paid. All other responsibilities of being an employer stay with you, the participant.

**Agency With Choice (AWC)**
In this model, the agency is the legal employer and you or your chosen surrogate (representative) are the Managing Employer. This means you and the agency are co-employers. You can refer workers you want to hire to the AWC. You manage the day-to-day work of your SSWs. You can work with the AWC to recruit, hire and train your workers.

To find the AWC that serves your area, take a look at the list of AWCs on the Partnership website: [www.temple.edu/thetrainingpartnership/resources/pds](http://www.temple.edu/thetrainingpartnership/resources/pds)
ODP contracts with AWCs. You do not get to choose your AWC.

What is the major difference between using a VF/EA or an AWC?
If you choose to use Participant-Directed Services and meet the requirements to become an employer or managing employer, you also accept the responsibilities of being the boss. The main difference between the two models of Financial Management Services is a legal one.
In VF/EA, you or your representative are the legal employer. The Commonwealth of Pennsylvania and the federal Internal Revenue Service (IRS) will have your name on file as a Domestic Employer. If you want to use VF/EA, you handle the finding, interviewing, hiring, managing, and terminating of Support Service Workers. PPL takes care of payroll, taxes, unemployment, and worker’s compensation insurance.

In AWC, the agency is the legal employer. In the AWC model, you manage the daily tasks of the Support Service Worker and can get help from the AWC with the recruiting, hiring, managing, and terminating of Support Service Workers.

Read Pennsylvania’s Guide to Participant-Directed Services to fully understand the roles and responsibilities of each model and how the FMS provider will support you if you choose PDS. A copy of the guide is available from Supports Coordinators, the AE/County, or the Partnership website at www.temple.edu/thetrainingpartnership/resources/pds

The other difference between the two models is in the rates for services that get charged to the Individual Support Plan (ISP). The Financial Management Service itself does not impact your budget for services on your ISP. There are differences in how much services like habilitation and supported employment can cost in VF/EA and AWC. In the VF/EA model it is a pure pass through of funds and depends on how much the SSW is paid per hour. In the AWC model, the AWC is paid a set rate for each service. You can look through the rates for services under both types of FMS on the Partnership webpage on Participant-Directed Services: www.temple.edu/thetrainingpartnership/resources/pds

What is a Supports Broker?
A Supports Broker is a paid professional or agency that performs a variety of duties for you and with you, as you direct your supports. A Supports Broker must know the ID system and be able to work with your Supports Coordinator. Tasks for a Supports Broker could include building a Circle of Support, helping to hire and manage staff, and finding resources that could provide natural or unpaid supports within your community. This service is available to you as a Waiver service if you direct your own supports.

Can family provide services for you in PDS?
Yes, there are a few PDS services that relatives and legal guardians/legally responsible individuals may provide for you. Those services are: Home and Community Habilitation (Unlicensed), Transportation (mile), and Supported Employment. If the family member is not the “primary caregiver,” he or she can also provide: Supports Broker Services and Respite.

Relatives and legal guardians may be paid to provide Waiver services under the following conditions:
1. The service is not something the relative or legal guardian would normally perform or be responsible to provide.
2. The service would otherwise need to be provided by a qualified provider of services funded under the waiver.
3. The service is provided by a relative or legal guardian who meets the qualification criteria that are established by ODP.

The Office of Developmental Programs (ODP) considers the following “relatives”: parent (natural or adoptive) of an adult, adult child, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, adult child or stepchild of parent with intellectual disability, and adult grandchild of grandparent with intellectual disability.
What are some of the rights you have with PDS?

You have the right to:

• Choose a surrogate (representative) to help hire and manage support staff
• Choose a Financial Management Service Model, either Agency with Choice or Vendor Fiscal/Employer Agent
• Recruit, hire and manage your Support Service Workers
• Set your Support Service Worker schedules
• Decide how much to pay your Support Service Workers from the wage ranges that ODP sets.

Where can I get more information on PDS?

• Other information on this alternative to traditionally-provided services and supports can be found on the Partnership website: www.temple.edu/thetrainingpartnership/resources/pds

• Public Partnerships LLC
  www.publicpartnerships.com//programs/Pennsylvania/PA PWODP/index.asp

• PA’s Guide to Participant-Directed Supports
  www.temple.edu/thetrainingpartnership/resources/pds

• Person-Driven Services Project
  www.disabilities.temple.edu/programs/pds
  AND www.drmpa.org
  Tel: 215-204-9543

The State Office of Developmental Programs has a toll free phone number for you to call if you have questions about Participant-Directed Services (PDS). Additionally, The Partnership and its participating agencies can answer questions and offer assistance to individuals or their families.

<table>
<thead>
<tr>
<th>Office of Developmental Programs</th>
<th>The Partnership</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-888-565-9435</td>
<td>1-866-865-6170</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.ThTrainingPartnership.org">www.ThTrainingPartnership.org</a></td>
</tr>
</tbody>
</table>

ODP Regional Point People
(as of May 2014)

<table>
<thead>
<tr>
<th>Central</th>
<th>The Partners:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christine Enrico</td>
<td>Achieva</td>
</tr>
<tr>
<td>717-705-8197</td>
<td>412-995-5000 x579</td>
</tr>
<tr>
<td><a href="mailto:cenrico@pa.gov">cenrico@pa.gov</a></td>
<td>toll free: 1-888-272-7229</td>
</tr>
<tr>
<td>Northeast</td>
<td><a href="http://www.achieva.info">www.achieva.info</a></td>
</tr>
<tr>
<td>Shawn Lynn</td>
<td>Mentors for Self Determination</td>
</tr>
<tr>
<td>570-963-3202</td>
<td>814-547-1577</td>
</tr>
<tr>
<td><a href="mailto:shlynn@pa.gov">shlynn@pa.gov</a></td>
<td><a href="http://www.mentors4sd.org">www.mentors4sd.org</a></td>
</tr>
<tr>
<td>Southeast</td>
<td>Self-Advocates United as 1</td>
</tr>
<tr>
<td>Marguerite Peashock</td>
<td>toll-free: 1-877-304-7730</td>
</tr>
<tr>
<td>215-560-1049</td>
<td>Eastern 215-923-3349 x132</td>
</tr>
<tr>
<td><a href="mailto:mpeashock@pa.gov">mpeashock@pa.gov</a></td>
<td>Western 724-877-3984</td>
</tr>
<tr>
<td>Western</td>
<td><a href="http://www.sau1.org">www.sau1.org</a></td>
</tr>
<tr>
<td>Dan Goclano</td>
<td>Vision for Equality</td>
</tr>
<tr>
<td><a href="mailto:dgoclano@pa.gov">dgoclano@pa.gov</a></td>
<td>Harrisburg: 717-233-2424</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.visionforequality.org">www.visionforequality.org</a></td>
</tr>
<tr>
<td></td>
<td>Institute on Disabilities at Temple University</td>
</tr>
<tr>
<td></td>
<td>215-204-7556</td>
</tr>
<tr>
<td></td>
<td>toll free: 1-866-865-6170</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.disabilities.temple.edu">www.disabilities.temple.edu</a></td>
</tr>
</tbody>
</table>
The Pennsylvania Training Partnership for People with Disabilities and Families

• Achieva
• Institute on Disabilities
• Mentors for Self Determination
• Self-Advocates United as 1
• Vision for Equality

1-866-865-6170

www.TheTrainingPartnership.org

Provided by the Office of Developmental Programs, Department of Public Welfare

Providing Training and Technical Assistance in Pennsylvania

This information is available in alternate formats, upon request. Para información en español: 215.204.9348 o por correo electrónico al: latino@temple.edu