

## Hawai'i Going Home Plus Operational Protocol

### B.7 Self-Direction

Under the consumer directed (self-direction) service option, the participant, legal guardian and/or designated representative is the managing employer who is responsible to hire, train, supervise, and fire their direct support workers. The DD/MR waiver offers consumer-directed personal assistance, habilitation and respite services. Under QExA HCBS, personal assistance, attendant care and respite services may be consumer directed; however, only personal assistance and attendant care can be consumer-directed prior to implementation of the QExA Medicaid managed care program. Family members may be hired. Under QExA, HCBS participants will have the ability to hire family members (including spouses and parents of minors).

All waiver participants are offered the choice of consumer directed services, agency services or both when making their selection of personal assistance and nursing waiver service providers. Certain nursing services may be delegated tasks under consumer-directed services. When waiver participants sign up for consumer directed services they are also required to identify their first three agency services to be used for back-up purposes. Waiver participants are frequently encouraged to utilize a combination of agency and consumer directed services; this facilitates timely implementation of backup services and allows additional oversight and supervision to protect the participants' health and welfare. Participant service provider choices are updated during monitoring visits and as needed.

#### a. Voluntary Termination of Self Direction

Participants may terminate consumer directed services at any time. When this occurs the case manager will assist the participant with consumer-directed employee termination procedures, initiate needed services to ensure continuity of care from one of the agency providers selected by the participant and update the service plan. Continuation of self directed services will be encouraged until agency services are established unless the participant affirms the adequacy of their informal support system.

#### b. Involuntarily Termination of Self Direction

The State may involuntarily terminate consumer directed services under the following conditions:

- Evidence of Medicaid fraud on the part of the participant-employer.
- Participant's worker is unable or unwilling to provide the service and there are no additional workers desired or identified by the participant.
- Participant's preferred worker has been confirmed as a perpetrator of abuse (including financial) and/or neglect of the participant.
- Evidence that participant's preferred worker(s) do not or cannot provide appropriate services, endangering the participant's health, safety and welfare.
- Participant or their representative require the provider to provide services that are not in the service plan and/or are beyond the provider's scope of practice/
- There is no back-up provider(s) available.

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The case manager will assure health and welfare of the participant, arranging for agency provided services or natural supports as soon as the case manager is aware of the need. The service plan will be revised to address the changes.

### c. State Goal

The State's goal is that at least **60%** of the *Going Home Plus* participants who do not live in licensed settings will avail themselves of consumer directed services.