



## **CDASS FINANCIAL MANAGEMENT SERVICES**

*Frequently Asked Questions October 2016*

### **Financial Management Services Information**

#### 1. What changes have taken place in regards to the CDASS program?

Effective January 1, 2015, the CDASS delivery changed to provide participants the ability to choose which approved Financial Management Service (FMS) provider they would like to use.

In August of 2016 the option for Agency with Choice (AwC) was eliminated and all clients will now utilize and follow the guidelines of the Fiscal Employer Agent (F/EA) model. These changes to the program ensure Colorado's compliance with the US Department of Labor's Fair Labor Standards Act (FLSA).

#### 2. What are the main roles of an FMS provider?

The FMS provider you choose will be responsible for establishing the client or authorized representative as the legal employer of record. They will also,

- Assist with obtaining a Federal Employer Identification Number (FEIN)
- Process attendant paperwork, timesheets and issue paychecks
- File employer related taxes
- Issue W-2s
- Obtain Workers Compensation Insurance coverage
- CDASS budget expenditure monitoring

## **FMS Provider Selection**

1. Who are the approved FMS providers I can choose from?

CDASS clients can chose between these FMS providers:

### **ACCESS**

Phone: 720-465-6405

Toll Free Phone: 844-776-7595

Website: [www.mycil.org](http://www.mycil.org)

Email: [jsmith@mycil.org](mailto:jsmith@mycil.org)

### **Morning Sun**

Toll Free Phone: 844-450-5444

Website: [www.morningsunfs.com](http://www.morningsunfs.com)

Email: [MS-COtransition@morningsunfs.com](mailto:MS-COtransition@morningsunfs.com)

### **PPL**

Toll Free Phone: 888-752-8250

Website: [www.publicpartnerships.com/cofacts](http://www.publicpartnerships.com/cofacts)

Email: [ppcdass@pcgus.com](mailto:ppcdass@pcgus.com)

2. As a client, do I get to change FMS providers? If so, how often?

Open enrollment occurs quarterly. The table below illustrates open enrollment dates and paperwork deadlines for changing providers. Paperwork received after the deadline will delay the transition to the following quarter.

<b>Paperwork Due:</b>	<b>Start Date with new FMS:</b>
<b>March 1st</b>	<b>March 16th</b>
<b>June 1st</b>	<b>June 16th</b>
<b>Sept. 1st</b>	<b>Sept. 16th</b>
<b>Dec 1st</b>	<b>Dec 16th</b>

3. What are the pros and cons of each vendor and what separates them from one another?

Each FMS vendor is available to answer any questions you have about their organization. FMS vendor contact information can be found above and in Chapter 5 of the CDASS Training Manual. The chapter contains marketing materials as well as a comparison chart of the 3 providers. To request a copy of the most updated manual, please contact Consumer Direct Care Network Colorado at 844-381-4433 or [infocddc@consumerdirectcare.com](mailto:infocddc@consumerdirectcare.com)

4. If I change FMS providers, do my attendants need to complete new employment applications?

Each FMS provider has their own paperwork you will responsible for completing in order to transition to the new provider. Your attendants may also need to complete new forms specific to that FMS. Contact the FMS directly to learn of their requirements and paperwork needs.

### **FMS Procedures**

1. Can an FMS provider refuse to work with or terminate a client? If so, under what circumstances?

No, the FMS provider cannot refuse to work with a client. The only circumstances under which the FMS can terminate the client is if the client is terminated from CDASS by the case management agency in accordance with 10 CCR 2505-10 Sections 8.510.12 and 8.510.13.

2. What liability does a client have when being an employer?

Clients face the same liabilities that any other employer will face. Details can be found on the IRS website at [www.irs.gov](http://www.irs.gov).

3. Do the FMS providers get paid the same and what impact will it have on the portion of my allocation available to purchase attendant services?

The FMS providers are paid a Per Member Per Month (PMPM) rate authorized by the Case Manager. The PMPM is separate from the client's allocation and does not affect the available funds for attendant services. Below are the rates:

	<b>Aces\$</b>	<b>Morning Sun Financial</b>	<b>Public Partnerships</b>
Fiscal Employer Agent	\$85.00/PMPM	\$103.21/PMPM	\$103.21/PMPM

4. Can CDASS members go to their FMS provider or Consumer Direct to help them locate new attendants? What supports are available for this?

Consumer Direct manages the CDASS Attendant Directory as a tool to connect clients and attendants in need. Consumer Direct is available as a resource and to answer any questions clients may have on being an employer. It is ultimately the client or authorized representative's responsibility to staff all caregiver needs including backup care.

5. How do I get a Federal Employer ID Number (FEIN) required in F/EA?

The FMS vendor will assist a client or authorized representative in obtaining the FEIN. The client or authorized representative does not need to contact the IRS themselves for this.

6. Who can hold the FEIN, the client or the AR?

It is best practice and highly recommended that the person who is managing the CDASS services hold the FEIN number.

7. Who is responsible for hiring, dismissing, supervising, and training attendants?

Under the F/EA model, the client or authorized representative is the legal employer of record and is responsible for all aspects of being an employer including hiring, dismissing, supervising, and training attendants.

8. Does the client need to purchase employer liability insurance?

No. The FMS will carry the liability insurance.

9. Does everyone have to be paid overtime and how does it work if an attendant works more than 40 hours for more than one client?

If an attendant works more than 40 hours in a work week or more than 12 hours in a single shift for the same employer they are most likely required to receive overtime compensation as indicated by the FLSA. There are some instances where an individual may be exempt from overtime. For more information, Please visit <https://www.dol.gov/whd/homecare/>

10. My current attendants work more than 40 hours each week, I'm concerned how I will afford overtime with my current allocation. What options are available to me?

The requirement to pay overtime is a federal requirement and cannot be waived.

There are options available to clients in this situation:

1. Consider the option of hiring additional attendants to reduce the hours worked by attendants to fewer than 40 hours.
2. Evaluate the wage paid for services to determine if a lower hourly wage is necessary to account for the overtime payment.
3. Contact the Colorado Department of Health Care Policy and Financing requesting a reasonable modification of program policy. In situations where compliance with FLSA creates a health, safety and welfare risk the Department may be able to adjust your CDASS allocation.

11. The current wage limit is \$39.30 per hour. Can the compensation for overtime exceed this amount?

Yes. The wage limit can be exceeded only for overtime compensation. Please speak with your FMS vendor and case manager regarding your need to pay overtime compensation.

Please see the FLSA Guidance Sheet located on the Consumer Direct website for more information on the Fair Labor Standards Act and your role as a CDASS employer.

<http://consumerdirectco.com/clientforms/>