



SECTION 7

Ongoing Support



Consumer/
Client



Directed



Attendant/
Employee



Support



Services

You will have ongoing needs while on CDASS. Listed below are some common topics that you may have questions about as you participate in CDASS. Consumer Direct of Colorado (Consumer Direct/CDCO) is available to assist you with your problem or direct you to someone who can best support you.

Supplemental Training Opportunities

Consumer Direct will have a variety of additional trainings available to you. These trainings range from a review of hiring practices to addressing performance issues with Attendants. To learn more about the trainings and how to access them, please contact Consumer Direct for assistance.

Change in Need or Plan Changes

Your needs may change throughout your time on CDASS. As a result of your changing needs, you may need to make adjustments to your ASMP. Your Case Manager will be key in determining changes and will need to review your ASMP for final approval. Please contact your Case Manager for additional information on how to best approach these changes.

Attendant Paperwork

You may need to hire additional Attendants at some point. You must complete new hire paperwork for each Attendant prior to them working. The FMS provider is responsible for processing the employment related paperwork on your behalf.

Because your FMS provider is responsible for processing employment related paperwork on your behalf as an employer of record, you will need to work directly with your FMS provider to obtain a recent employee packet or to address any questions you may have.

Attendant Payroll Questions

Your FMS provider is responsible for processing the payroll of your Attendants. You and your Attendant are also responsible for ensuring employment paperwork is completed accurately and submitted prior to scheduling your Attendant to work. You must receive notice from your FMS provider that the employee is cleared to begin working. If there is an issue or concern regarding payroll you should contact your FMS provider to work through those issues.

Tax Questions

Your FMS provider is responsible for processing Attendant taxes based on how they completed their W-4. The FMS provider issues your Attendant's W-2 form to report wages earned. They are also responsible for filing taxes on your behalf as an employer of record. If you have issues or concerns on these tax topics, it is your responsibility to contact the FMS provider.

General CDASS Questions or Assistance

Consumer Direct is here to support you in navigating through the CDASS program requirements. Please contact us with any questions. If we are unable to answer your question directly because it is related to a Case Management function or is an FMS provider's area of responsibility, we will assist you in contacting them or gather the necessary information to answer your question.

Other Client Supports

In addition to the AR, there can be situations where other individuals can serve to support you. These situations are described here.

Court Appointed Legal Guardians

A court appointed Legal Guardian is a person or agency responsible for making decisions on behalf of someone who is unable to make or communicate responsible decisions about his/her own life. The person for whom a guardian is appointed is called a ward. Without being the guardian, a person cannot legally make decisions for a child or at-risk adult.

Before having a guardian appointed, the court must find by “clear and convincing evidence” that the person is incapacitated. Colorado law defines an incapacitated person as “an individual, other than a minor, who is unable to effectively receive and evaluate information or make or communicate decisions to such an extent that the individual lacks the ability to satisfy essential requirements for physical health, safety, or self-care, even with appropriate and reasonably available technological assistance.” (C.R.S. 15-14-102(5))

TIPS



There are several types of guardianship that may be acknowledged in CDASS under Colorado law. If any of the listed guardianships apply to you as a CDASS Client, the appropriate documentation must be on file with the FMS.

Limited Guardianship

Under limited guardianship, a person is only responsible for specific matters with which the ward may need assistance, for example, money management and/or medical decisions. The ward remains responsible for all other decisions.

Conservatorship

A conservatorship is a court appointment for an adult who is incapacitated, missing, detained or unable to return to the United States. The appointment of a conservator gives a person or organization the responsibility to prevent waste or dissipation of the protected person’s assets or to obtain or provide for the support, care, education or welfare of the protected person or someone entitled to support the protected person.

Please Note: Court documents designating a legal guardian, conservatorship and/or power of attorney must be on file with your chosen FMS provider in order to obtain information.

Power of Attorney

With a Power of Attorney, a person appoints another person or organization to act on his/her behalf in all matters as designated in the court-appointed document. The person must have the capacity to understand the consequences of the directives outlined in the document provided by the courts.

TIPS



“Durable” means the authority continues if the principal becomes incapacitated. To be durable the document must contain wording such as “this power of attorney shall not be affected by the subsequent incapacity or disability of the principal.”

In Colorado, there are two types of durable Power of Attorney:

- Medical Durable Power of Attorney includes medical and personal decision-making authority which may be limited or broad.
- General or Financial Durable Power of Attorney includes decisions about money and property and can include other matters, except medical decisions.

As a guardian, a person must know and care about all aspects of the well-being of a ward. It is the guardian’s responsibility to make arrangements for, keep informed about, and maintain documentation of a ward’s current situation regarding finances, living arrangements and caregivers, health and medical care, education and training, personal needs, preferences and desires, employment, recreation and leisure time.

It is important for a guardian to get acquainted with the people who are significant in a ward’s life, for example, family, doctors, nurses, recreation directors, case workers, employers, therapists, teachers, friends, and neighbors.

SUMMARY



Section 7: Ongoing Support

- Additional training opportunities are available to ensure your success in CDASS. Consumer Direct Colorado will assist you with accessing a variety of topics, such as hiring, firing or budgeting.
- Your FMS provider is here to help with any Attendant paperwork or payroll questions you or your Attendant may have.
- Don't hesitate to contact your Case Manager if there is a change in your health or service needs.
- Court documents designating a legal guardian, conservatorship and/or power of attorney must be on file with your chosen FMS provider.

Do you want to be more involved?

The Participant-Directed Programs Policy Collaborative (PDPPC) is a monthly joint meeting for stakeholders and the Colorado Department of Health Care Policy and Financing meeting.

The PDPPC is a place where stakeholders and the Department work together, with transparency, on issues relating to the Participant-Directed Programs administered by the Department

(<https://www.colorado.gov/pacific/hcpf/participant-directed-programs-policy-collaborative>).

For more information and to join, contact John Barry, at John.R.Barry@state.co.us or (303) 866-3173

