

## **CDASS FINANCIAL MANAGEMENT SERVICES**

*Frequently Asked Questions June 2022*

### **Financial Management Services (FMS) Information**

1. What changes have taken place regarding the CDASS program?

Effective February 1<sup>st</sup>, 2022, the Department implemented an Electronic Visit Verification (EVV) Compliance Protocol. This protocol states that Members/Authorized Representatives must be 80% or above in compliance with EVV Match Rates or they will receive a strike. To learn more about the EVV Protocol, Please visit: [Electronic Visit Verification \(EVV\) Compliance Protocol \(consumerdirectco.com\)](https://consumerdirectco.com)

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

The FMS provider you choose will be responsible for establishing the Member or Authorized Representative as the legal Employer of Record. They will also,

- a. Assist with obtaining a Federal Employer Identification Number (FEIN)
- b. Process Attendant paperwork, timesheets, and issue paychecks
- c. File employer related taxes
- d. Issue W-2s
- e. Obtain Workers Compensation Insurance coverage
- f. Provide CDASS budget expenditure monitoring
- g. Implement and monitor EVV
- h. Comply with state sick time and family medical leave requirements

### **FMS Provider Selection**

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

CDASS Members can chose between these FMS providers:



**Palco**

Toll Free Phone: 866-710-0456 and select the option for Colorado

Website: [www.palcofirst.com/colorado/](http://www.palcofirst.com/colorado/)

Email: [CO-CDASS@palcofirst.com](mailto:CO-CDASS@palcofirst.com)

**Public Partnerships (PPL)**

Toll Free Phone: 888-752-8250

Website: [www.publicpartnerships.com/state-programs/colorado/](http://www.publicpartnerships.com/state-programs/colorado/) Email:

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

2. As a Member, 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. For more information, see [Changing FMS Providers - Process Flow](#) resource located at: <https://consumerdirectco.com/cdass-resources/>

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

3. How do I choose my FMS provider? What separates them from one another?

Each FMS provider is available to answer any questions you have about their services. FMS contact information can be found on page 2 and in Chapter 2 of the CDASS Training Manual. The chapter contains marketing materials as well as a provider comparison chart for your review. To request a copy of the most updated manual, please contact Consumer Direct Care Network Colorado at 844-381-4433 or [infocdco@consumerdirectcare.com](mailto:infocdco@consumerdirectcare.com).

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

Each FMS provider has their own paperwork that you will be 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 more about their transition requirements.

5. If I change FMS providers, will my ASMP need to be updated?

No, a new ASMP will not be needed unless there has been a needs change and/or you are required to go through retraining. Consumer Direct recommends reviewing your monthly budget and adjusting the Cost to You to match your new FMS vendor payroll taxes. This will ensure you are not overspending your Monthly CDASS Allocation.

### **FMS Procedures**

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

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

2. What liability does a Member have when they are the employer of record?

Members face the same liabilities that any other employer face. Details can be found on the IRS website at [www.irs.gov](http://www.irs.gov), within Chapter 5 in the CDASS Training Manual at [CDASS Training Manual - Consumer Direct Care Network Colorado \(consumerdirectco.com\)](http://CDASS Training Manual - Consumer Direct Care Network Colorado (consumerdirectco.com)), or by visiting the Colorado Department of Labor and Employment website at: <https://cdle.colorado.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) established by the Department of Health Care Policy and Financing. The PMPM is separate from the Member's allocation and does not affect the available funds for Attendant services. Below are the rates:

	Palco	Public Partnerships (PPL)
Financial Management Service	\$85.00/PMPM	\$103.21/PMPM

### **FMS and Consumer Direct Support**

1. Can CDASS Members go to their FMS provider or Consumer Direct to help recruit new Attendants? What supports are available for this?

Consumer Direct is the best resource to answer any questions Members may have regarding being an employer. Consumer Direct manages the [CDASS Attendant Directory](#) as a tool to connect Members in need with available Attendants. It is ultimately the Member or Authorized Representative's responsibility to recruit and retain Attendants needed including backup care.

2. How do I get a Federal Employer ID Number (FEIN) required in the Fiscal / Employer Agent (F/EA) model of CDASS?

The FMS provider will assist a Member or Authorized Representative in obtaining an FEIN. The Member or Authorized Representative does not need to contact the IRS themselves for this.

3. What if I already have a Federal Employer ID Number (FEIN)?

If you already have a FEIN number, please make your FMS aware of that number and they will communicate any next steps needed.

4. Who can hold the FEIN, the Member or the Authorized Representative?

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

5. Who is responsible for hiring, dismissing, supervising, and training Attendants?

Under the F/EA model, the Member 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.

6. Does the Member need to purchase employer liability insurance?

No. The FMS will carry the liability insurance.

7. Does everyone have to be paid overtime and what happens if an Attendant works more than 40 hours for more than one Member?

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 Fair Labor Standards Act (FLSA). There are some instances where an individual may be exempt from overtime such as family members working as Attendants. For more information, please visit <https://www.dol.gov/whd/homecare/>

8. 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?

Paying overtime is a federal requirement and cannot be waived. However, there are options available to Members in this situation:

- Consider the option of hiring additional Attendants to reduce the hours worked by the Attendants currently working more than 40 hours per week. Consumer Direct can assist you with resources for finding additional Attendants.
- Evaluate the wages your paying for your services to determine if a lower hourly wage is appropriate to account for the overtime payment.
- Contact your Case Manager to explore other service delivery options that may better fit your needs.

9. The current wage limit is \$50.57 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 provider 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. <https://consumerdirectco.com/cdass-resources/>

10. How can I contact Consumer Direct Colorado if I have more questions?

Phone: 844-381-4433

Email: [infoedco@consumerdirectcare.com](mailto:infoedco@consumerdirectcare.com)

Fax: 866-924-9072

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