



Title: SD-CFC/PAS 404
Section: ELIGIBILITY FOR SERVICES
Subject: Service Limitations and Exclusions
Reference: ARM 37.40.1002, 37.40.1006, 37.40.100, ARM 37.40.1110,
37.40.1115 and 37.40.1116
Supersedes: SD-CFC/PAS 404 (April 2018)

SKILLED SERVICES

➤ Skilled services, as defined in the Nurse Practice Act, may not be performed under this program. Four Health Maintenance Activities (HMA) are exempt from the Nurse Practice Act and may be provided under the Self Directed (SD) Community First Choice/Personal Assistance Service (CFC/PAS) program. These four HMA tasks may be delivered when the following criteria are met:

1. HMA is authorized by MPQH on the Service Profile (SLTC-155);
2. Health Care Professional (HCP) has signed the HCP Authorization form (SLTC-160) initially, and annually thereafter, indicating the member/Personal Representative (PR) may direct the HMAs; and
3. HMA tasks are delivered exactly as indicated on the Mountain Pacific Quality Health (MPQH) Service Profile.

PERSONAL ASSISTANCE SERVICE LIMITS

A member is eligible for no more than 80 hours (320 units) of Personal Assistance Services (PAS) in a two-week period. MPQH may authorize hours in excess of this limit for less than 90 days.

A member may receive no more than six hours (24 units) or 1/3 of their total SD-PAS time for Instrumental Activities of Daily Living (IADL) tasks; whichever is less, in a two-week period.

NOTE: Medical escort attendant time may exceed the service limits outlined above.

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COMMUNITY FIRST CHOICE SERVICE LIMITS

A member is eligible for no more than 84 hours (336 units) of Community First Choice (CFC) in a two-week period. Mountain Pacific Quality Health (MPQH) may authorize hours in excess of this limit for periods less than 90 days.

A member may receive no more than ten hours (40 units) or 1/3 of their total SD-CFC time for IADL tasks, whichever is less, in a two week period.

Mileage may only be billed for miles associated with an approved shopping or community integration trip and when the member's attendant uses their car to transport the member. Mileage for medical escort transportation may only be billed when the medical appointment is within the local community and the member's attendant uses their car to transport the member.

Skill Acquisition may only be provided for a period of time not to exceed 90 days and total hours authorized in that three month period may not exceed 26 hours. A second three month authorization span and additional 26 hours may be authorized in special circumstances. Refer to SD- CFC/PAS 721 for specific criteria.

NOTE: Medical escort attendant time may exceed the service limits outlined above.

AUTHORIZATION BEYOND SERVICE LIMITS

MPQH may complete a short term authorization for services that exceed the CFC and PAS service limits. The authorization must be prior authorized by the Department and based on a consideration of medical necessity. Short term authorizations that exceed the CFC and PAS service limits may only be made under the following circumstances:

1. Additional assistance is required for a short time as the result of an acute medical episode;

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2. Additional assistance is required for a short time to prevent institutionalization during the absence of a normal caregiver;
3. Additional assistance is required for a short period of time during a post hospitalization period; or
4. Additional assistance is required for a short time to prevent institutionalization pending a referral and intake to home and community based waiver services.

SERVICE LOCATION

1. Members who reside in the following settings are not eligible to receive CFC/PAS:
 - a. Hospital, hospitals providing long-term care, or a long-term care facility as defined in 50-5-101, MCA, and licensed under 50-5-201, MCA; and
 - b. Assisted living or adult foster homes, as defined in 50-5-225, MCA, and licensed under 50-5-227, MCA.
2. Members who reside in the following group home settings are not typically provided services, unless prior authorized by the Department. CFC and PAS services may be authorized when the person's medical needs are beyond the scope of services normally provided by the respective program funding the service in the group setting. For example, a person requiring additional assistance because of an acute medical episode or post-hospitalization period. Group home settings include the following:
 - a. Licensed youth group foster homes;
 - b. Mental health group homes; and
 - c. Developmental disability group home (adult intensive community home), as defined in 53-20-302, CMA and ARM 37.100.301.

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EXCLUDED SERVICES

CFC/PAS services do not include services that maintain a household or family and services that are not medically necessary. These exclusions include, but are not limited, to the following:

1. Cleaning floors and furniture in areas that members do not use or occupy. For example, cleaning the entire living area, when the member occupies only one room.
2. Laundering clothing or bedding the member does not use. For example, laundering for the entire household rather than laundering just the member's clothes when family is unable or unavailable.
3. Shopping for groceries or household items the member does not need for health or nutritional needs. Attendants may not shop for items that are used by the rest of the household.

NOTE: If a member has CFC community integration they have the option of shopping for non-essential items under community integration, keeping in mind that the one-third rule still applies.

4. Supervision, habilitation, respite care, babysitting, or friendly visiting. Household tasks may not be authorized for the purpose of supervising the member.
5. Maintenance of pets except in the case where the animal is a service animal. A service animal is an animal trained to undertake particular tasks on behalf of the member. Such tasks must be necessary for accessibility, independence, health or safety. In the case where a member has a service animal, the CFC/PAS provider agency must provide written documentation on the member's Service Plan related to the nature of service the animal performs and explain the type of training the animal has received. In circumstances where the service animal's purpose and training is documented on the Service Plan, the

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following services may be provided, if approved by the CFC/PAS provider agency:

- a. An attendant may assist with offering food and water, letting the animal out to exercise, and brushing/combing the animal's coat;
 - b. An attendant may provide non-routine bathing in circumstances where the animal needs immediate attention; and
 - c. These services must be absorbed in the member's current plan of care. No additional hours will be authorized.
6. Regular house and yard maintenance. For example, lawn care, window washing, and woodcutting.

NOTE: A member may be authorized for Yard Hazard Removal Services in order to increase personal safety to access their home. To be eligible to receive this service, the member must be unable to perform such activities independently and be living in a home where the service is not provided as a part of a rental or lease agreement.

7. Services designed to train a member to complete functional tasks must be provided by a specially trained attendant or habilitation trainer under one of the Home and Community Based Service waiver programs.

NOTE: A member may be authorized for skill acquisition services. This service is provided by a Community First Choice attendant to train and support a member to acquire independence

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with an activity of daily living, instrumental activity of daily living, or health maintenance activity. The service may be authorized when the member is expected to achieve skill acquisition within a 90-day period of time.

SERVICES TO CHILDREN

1. CFC/PAS services are not available to relieve a parent of their child caring or other legal responsibilities. CFC/PAS for children with a disability may be appropriate when the parent is unqualified or otherwise unable to provide the personal assistance or the child is at risk of institutionalization unless the services are provided. In authorizing services to children with a disability, the age-appropriateness of parental assistance is considered. (Refer to SD-CFC/PAS 711 and 712).
2. Skilled services for children are provided under the Early Periodic Screening, Detection Treatment (EPSDT) program or waiver Private Duty Nursing (PDN) when specific criterion is met.
3. Household tasks and meal preparation may be authorized only when the child, in absence of their physical limitations, would normally perform the task.
4. For a minor child (member under age 18) to participate in this program, a personal representative must be utilized.

MEMBER RESTRICTIONS

1. Members who participate in SD CFC/PAS are restricted from utilizing AB CFC/PAS except when the member's emergency backup plan fails. In these circumstances the member may access AB services when the AB provider agency is able to provide temporary back-up assistance.

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2. Members must select one SD provider agency to oversee and support their participation in the SD-CFC/PAS program. More than one provider agency cannot share a SD member's CFC/PAS services.
3. Members who are authorized to manage specific health maintenance tasks are restricted from utilizing skilled nursing home health services for the routine completion of such tasks.
 - a. Tasks that are not authorized for management by the member may be performed through waiver PDN or services provided through a home health agency. In an acute episode, the member may suspend a HMA and receive the service temporarily through a home and community based waiver or home health program. The SD agency should complete a temporary authorization to decrease the service authorization in these circumstances.
 - b. The member is required to participate in the MPQH initial and annual assessments as well as the provider agency's person centered planning and recertification visits. If a member refuses to participate in these visits, services will be terminated.