

Background

Direct care workers provide critical services and supports to individuals enrolled on Medicaid's home and community-based waiver programs. The provision of these essential services is even more critical during the ongoing coronavirus (COVID-19) emergency. The commitment of direct care workers, and the agencies that employ them, is ensuring the needs of vulnerable Ohioans continue to be met.

There is a recognition the COVID-19 emergency may impact both the pool of direct care workers and the willingness of individuals to allow workers to come into their homes to provide services. Service delivery disruption may result in increased health and safety risks to waiver participants.

Policy Change

Effective immediately, participant-directed services, listed in the table below, are permitted to be furnished by individuals who may have been previously excluded from furnishing waiver services.

This flexibility is available to individuals using participant-directed service available in Ohio Department of Aging (ODA) operated waivers and Ohio Department of Medicaid (ODM) operated waivers listed below.

Exclusion of Participant-Directed Services in Expanded Workforce for Department of Developmental Disabilities (DODD) Waivers for Minor Children

ODM and DODD have jointly decided to exclude participant-directed services from the expanded workforce flexibility for minor children during the COVID-19 emergency.

The State is only allowing parents or stepparents of minor children to deliver services to their children during the COVID-19 emergency if the parent or stepparent is employed by an agency, and the service is not participant-directed.

In the developmental disabilities delivery system, while a parent can deliver participant-directed homemaker/personal care (PD-HPC) through the agency with a choice model to an adult child, the State has determined there is a risk of conflict of interest with employer authority and the agency with choice model, as those terms are defined in Ohio Administrative Code 5123-9-32. Due to this risk, the State is unable to consider extending the workforce to parents or stepparents of minor children utilizing PD-HPC services.

The Individual Options and Level One waivers include a homemaker/personal care (HPC) service that is not participant-directed. Parents of minor children enrolled on those two waivers may be paid caregivers, if necessary and authorized through the person-centered planning process.

The SELF waiver does not include an HPC service that is not participant-directed, so there is no option for parents to be utilized as paid caregivers in this program.

Operating Agency	Waiver Program	Waiver Service
Ohio Department of Aging	PASSPORT	Choices Home Care Attendant Consumer-directed personal care
Ohio Department of Medicaid	My Care Ohio	Choices Home Care Attendant Consumer-directed personal care

Waiver participants may hire the following individuals to **furnish services to a family member for the duration of the COVID-19 emergency. It's important to remember that some waiver programs may already allow some of the below individuals to provide services.**

- Spouse
- Parent of a minor child
- Stepparent of a minor child
- Foster parent
- Power of Attorney
- Authorized Representative
- Legal Guardian*.

** This only applies to individual relatives or friends acting as a guardian i.e. excludes attorneys and/or agencies in the role of guardian.*

For Specific Waiver Program Information and Questions

ODA certified providers:

- <https://aging.ohio.gov/wps/portal/gov/aging/agencies-and-service-providers/certification/>
- <http://ohiohcbpcgus.com/>

