

**Helpful Information for New Employers**

**Best Practice to Manage Your DDS Waiver Funds/Individual budget**

**Waiver Eligibility & DDS Allocation-**

In order to receive and maintain DDS waiver funding, you need to maintain Medicaid/Husky eligibility. This includes the yearly completion and submission of your redetermination to DSS.

**Relationship to Individual Plan (IP)**

To maintain waiver funding all services/supports in the budget need to reflect the goals in the IP and address the needs identified in the Level of Need (LON). All services must be listed in the Summary of Supports and Services section of the IP.

**Allocation**

Your budget allocation is determined by the Level of Need (LON) which is completed by The Planning and Support Team (PST) and submitted by your Case Manager and approved by a regional committee.

Residential and Day funding – Residential and Day budgets have separate funding allocations. Residential supports are for supports within an individual’s home life. Day Support can be work, community or agency related supports.

Funding cannot be moved between Day and Residential allocation, unless the funding has been approved through DDS blended supports pilot.

**Department of Developmental Services (DDS) funding is different than services provided through the Department of Social Services (DSS). Community First Choice (CFC) is a program funded through DSS.** As an employer, it is your responsibility to know how much funding is provided through each program and that you stay within the allocation of each. Contact your DDS case manager/broker or DSS care coordinator to assist you in understanding what is allowable through the different state programs.

**Expenditure Report and Utilization**

It is your responsibility as the employer to review expenditure reports and stay within your budget allocation.

 Be careful not to overspend your budget as you are responsible for covering any overspending.

*Any money not used in a budget year will not be forwarded to the next year’s budget.*

**Budget Changes (Adjustments, Amendments)**

The budget is built on a 12-month duration. Any changes to your budget need to be discussed with your DDS Case Manager. Any newly added services for DSP which requires Electronic Visit Verification (EVV) needs at least 2-3 weeks to process before staff/services can be paid.

***Adjustments*** can be made quarterly through your DDS Case Manager; talk with your Case Manager to review your expenditure report before making any adjustment to avoid taking out funds from a line that you plan on using fully.

***Amendments*** – talk with your Case Manager when you are approved for additional funds, the funds may be annual dollars which stays in your budget every year or one-time dollars for a specific need but have an expiration to their use.

**Contact Information:**

**As an employer you should know the following:**

**Your Case Manager’s**  **Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Payroll issues: Your FI \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**EVV Issues for DDS services: EVV Call Center 833-656-1021**

**Your Employees**

**Pay Rates**

There are minimum pay rates established by the **Collective Bargaining Agreement (CBA).** CBA is an agreement between the PCA Workforce Council and New England Health Care Employees Union, District 1199, SEIU, and passed by CT General Assembly on 3/21/2018. Workers who provide the following DDS Services:

 Individualized Home Supports, Individualized Day Supports, Personal Supports, Senior Supports, Blended Supports, Adult Companion, Sleep Assignment, and Respite) are covered under the Collective Bargaining Agreement (CBA)

The Workforce Council and the union negotiate the CBA. For more information see Collective Bargaining Agreement <https://portal.ct.gov/-/media/Malloy-Archive/Personal-Care-Attendant-Workforce-Council/PCAWC-Doc---2018-Employer-Forum---Collective-Bargaining-Agreement-2018.pdf>

All employees’ hourly wages must start at the **minimum pay rate** established by the CBA for each service or higher (as the budget allows). Increased rate of pay mandated by CBA or CT minimum wage law will be added by DDS and it will not reduce the amount of current services.

You, as the employer can determine the pay rate for your employee. Based on the IP decide how many hours per week you have in your plan to help determine an employee’s pay rate. Please keep the following in mind:

* The rate must follow the CBA and CT minimum wage requirements
* Service needs, as identified in the Individual Plan (IP), must be met. This could be a combination of paid and natural supports (unpaid).
* The combination of the pay rate (including payroll taxes, usually 12%) and the needed hours of supports plus other budget expenses (staff training, background checks, etc.) must fit within the budget allocation. If you pay an employee $20/hr., with 12% added $22.40 is the rate with payroll tax. Your Case Manager can provide additional explanation, if needed.

When you have an established budget and wish to give your employee a pay raise, DDS will not add funds to your budget to support this additional increase, you will need to reduce supports in other areas of your budget. If you choose to give you Direct Support Professionals (DSP) a pay increase that reduces the hours of support by 25% or more, DDS will require a detailed regional review of the individual plan to assure that all health and safety needs are being met. DDS has the right to not approve the plan should it be determined that the health and safety is not addressed. If, after choosing to increase your staff rate of pay and the hours are insufficient to meet overall health and safety, you will need to review all your supports and services (paid or natural supports) to stay within the current allocation. Talk to your Case Manager how to rebalance your budget. Submit an updated Individual/Family Agreement (IFA) to the FI when you make any changes to services or rate for any of your employees. **Tip**: best to make these changes at the beginning of your new budget year.

**Holiday Pay**

Per CBA your employees must be paid holiday pay which is time and half of their hourly rate.

Present CBA (2018) include the following holidays:

New Year’s Day, Martin Luther King’s Day, Memorial Day, Independence Day, Thanksgiving Day, Christmas Day

**Overtime Pay**

DDS does not allow planned overtime (over 40 hours/week per employee). Under extenuating circumstances, a prior approval may be granted for temporary overtime hours within budget allocation. You are responsible for paying any overtime wages not authorized by DDS via the FI. Any overtime hours worked must be paid at time and a half of the hourly wage.

\*DDS does not pay over-time for any services outside of DDS, example CFC.

**Individual Goods and Services (IDGS) Supervisor**

The IDGS Supervisor service may be used by an EOR to assist with the day-to-day coordination of services and scheduling and supervision of direct hire employees. IDGS supervisor may approve other employees’ time, if the EOR authorizes him/her to do so on the IFA. The IP must indicate the need for this service as well as the specific location where the service will occur (the individual’s home, a meeting location etc.) An IDGS Supervisor cannot be the person’s guardian or immediate family member and his/her wages must not exceed 15% of total payroll.

**Workers’ Compensation Insurance**

Effective 1/1/2019 worker’s compensation coverage was provided for every EOR (Employer of Record) that self-directs their services. Worker’s Compensation coverage is provided at no cost to the EOR. It covers all work-related injuries for employees. The cost for the worker’s compensation premium comes out of the State budget and not out of the DDS individual’s budget. Please contact assigned FI for information regarding Workers’ Compensation. For more information on worker’ compensation. [**PDF - English**](https://portal.ct.gov/-/media/DDS/FactSheets/FS_Atlantic_Charter_contact_to_file_a_claim.pdf)(CTRL + Click)

**Department of Labor (DOL) unemployment claims**

Employers have the right to contest any unemployment claims by their employee. You will be notified by mail if there is a Department of Labor (DOL) claim. Don’t ignore these claims as an employer – claims will affect your payroll tax.

Your employee does not qualify for unemployment if:

* **Employee failed to meet the minimum earnings requirement.**  See Department of Labor website <https://eligibility.com/unemployment/connecticut-ct-unemployment-benefits>
* **Voluntary Separation-** an employee elects to separate from employment, the employee must notify the employer. The employer should require the employee to submit written notification of their intent to leave, with a projected end date. The employer must provide this information to the Fiscal Intermediary and notify the assigned Broker/Case Manager.

A written letter of separation will ensure that overpayment is not issued by the Fiscal Intermediary and will provide valid documentation should an unemployment compensation or legal claim be filed. It is recommended that the employer provide the employee with a letter acknowledging the receipt of separation. This letter should be titled

‘Letter of Separation’.

* **Terminating Employees-** In order to keep good employees, an individual must show that he or she is able to hold all employees accountable for their performance (or lack of performance). The poor performance of one employee can impact the morale of all employees. It is important to refer to the Individual Employer/Employee Agreement and the Work Rules, agreed to at the initiation of work, to assist in making determination to discontinue the employment relationship. It is recommended to provide the employee a letter with notification of the termination with the rational clearly documented. This letter should be titled ‘Letter of Termination’. The employer must provide this information to the Fiscal Intermediary and notify the assigned Broker/Case Manager. A written letter of termination will ensure that overpayment is not issued by the Fiscal Intermediary and will provide valid documentation should an unemployment compensation or legal claim be filed.

**Unemployment Compensation:**It is important for you as the employer to know that your ex-employee may attempt to apply for Unemployment Compensation. If this occurs, the Labor Department will send a letter to the employer of record.

It is important for all documentation to be maintained as justification for the separation/termination.

* If an employee is terminated based on Breech of Employee Agreement or for Just Cause– they cannot collect unemployment benefits.
* If the employee voluntarily separates from this employment arrangement – they cannot collect unemployment benefits.

**\*Any additional questions you may have relating to this document should be directed to your DDS Case Manager.**