

# PERSONAL CARE ATTENDANT NEW HIRE ORIENTATION

1199 TRAINING & UPGRADING FUND

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NEW ENGLAND HEALTH CARE EMPLOYEES UNION

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**DISTRICT 1199**

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AND THE CONNECTICUT NURSING HOMES

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**T&U**

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**TRAINING & UPGRADING**

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**FUND**

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This programming has been developed through funding provided by the PCA Workforce Council to the Connecticut PCA Training and Orientation Fund

Revised as of 2.3.2022

# GROUND RULES FOR VIRTUAL SESSIONS

- As you are being paid to attend this virtual orientation, you are expected to make it your only focus for the next three hours.
  - We realize that family, spouses, children, roommates, telephones and pets (etc.) can be distractions however, if you have a conflict now or later that will not allow you to devote the required time, please excuse yourself from the class and re-register for a time when you will be able to focus solely on your orientation.  
*\*You cannot be working on the clock with your consumer-employer during this time. You also cannot sleep, be in a moving vehicle, wash dishes, etc. or you will be removed from the session.\**
- You are required to verify your identification at the start and finish of the orientation for payment purposes.
- With some exceptions, the instructor must be able to see you at all times during the orientation, not just your photo.

# GROUND RULES

(CONTINUED...)

- You must demonstrate focus throughout the whole presentation. If not, you may be asked to leave the orientation and reschedule.
- Anyone who misses 15 or more minutes of the presentation will be required to retake the orientation.
  - This includes time when your video is turned off or you are not visible in the screen.
- If you need to take a bathroom break, please do not bring your phone with you. Remember the camera doesn't blink.
- Questions are best answered at the end of each session, please hold your questions until then.
- Please type out any questions using the "chat" and direct them to the Co-Trainer.

# MODULE 1:

## UNDERSTANDING INDEPENDENT LIVING PRINCIPLES

TOTAL TIME: 50 MINUTES

**Goals: PCAs will understand independent living principles and will understand that they are employed by the consumer-employer**

Objectives: By the end of the module the learner will be able to:

1. Describe the importance of the model in which the PCA is employed by the consumer-employer
2. Explain the importance of the Independent Living Principles
3. Describe the role of the PCA

10 Minutes Welcomes, Introductions, Orientation overview

4 Minutes People First Language

3 Minutes Self-Determination

10 Minutes Consumer-employer and their PCAs

6 Minutes Understanding Who Employs the PCAs

2 Minutes History of the Connecticut PCA Program

10 Minutes Understanding the Role of the PCA

# DEFINITIONS: TERMS WE NEED TO HAVE IN COMMON

For the purpose of this orientation, we will be using the following legal terms:

**“Consumer-employer”** is a person who receives services from a Personal Care Attendant under a state-funded program.

**“Personal Care Attendant”** is a person employed by a consumer-employer or authorized representative to provide personal care assistance to a consumer-employer.

**“Authorized Representative”** is a consumer-employer’s legal guardian or a person identified in a written agreement as having responsibility for the care of a consumer-employer.



Key Point:

The Consumer-employer or their Authorized Representative is your employer.

Your payroll is administered by a fiscal intermediary (Allied or Sunset Shores) on behalf of your consumer employer.

## TYPES OF PCAs

More commonly, PCAs are considered one of these different positions:

- Individual Home Support,
- Individual Day Support,
- Direct Support Professional,
- Personal Support,
- Personal Care Attendant,
- ABI or Adult Companion,
- ILST,
- Per Diem,
- or Respite.

For each of these roles, there are different responsibilities and expectations, depending on the individual support needs of each consumer employer as communicated by the employer to the PCA and within the established Medicaid guidelines.

\*For the purposes of this Orientation and the Collective Bargaining Agreement, all positions are defined as PCAs\*

## ROLES OF A PCA

Services provided may include supportive home care, direct support services, personal care or another nonprofessional service provided to a person with a disability or an elderly person who requires assistance to...

- (A) meet such person's daily living needs,
- (B) ensure such person may adequately function in such person's home, or
- (C) provide such person with safe access to the community.

# HOW DO CONSUMER-EMPLOYERS GET TO EMPLOY PCAs?

Consumer-employers are all connected to State or Medicaid Funded services through some of the following programs:

- Community First Choice (CFC)
- DSS Waivers via Community First Choice (CFC)
  - Medicaid State Plan
  - the Acquired Brain Injury (ABI) Waiver
  - the Personal Care Assistance (PCA) Waiver
  - the Connecticut Homecare Program for Elders (CHCPE) Waiver
  - the pilot program, Connecticut Homecare Program for Disabled Persons (CHCPD)
- the individual and family support waiver program administered by the Department of Developmental Services (DDS)
- the comprehensive waiver program administered by DDS
- any state-funded program that provides services from a Personal Care Attendant



# DEFINING THE DIRECT CARE WORKFORCE

*As a PCA, your consumer-employer or their authorized representative has the right to hire, supervise, train and evaluate you as well as define your job tasks.*

Type of Worker	Who is the Worker Employed by?	Who is the Supervisor?	Training
Personal Care Attendant (PCA)	The Consumer-employer or Authorized Representative/ Guardian (if applicable)	The Consumer-employer or Authorized Representative/ Guardian (if applicable)	Training requirements vary depending on the program
Home Care Worker	Agency	Registered Nurse	75 hours training through the state approved program, 10 hour orientation and completion of state Homemaker/HHA competency evaluation. Annually 12 hours per year ongoing, can be done with a licensed agency staff
Certified Nurse Aide	Facility	Registered Nurse	100 hours of training; 24 hours of clinical experience, 16 hours of training in; resident rights, safety procedures, disease prevention, emergency procedures, communication & interpersonal skills
Direct Support Professional	Provider Agency  Family	Direct Care Management Staff	Mandatory training varies by role. Provided by provider agency; completion of College of Direct Support Training

# PERSON FIRST LANGUAGE

Person First language isn't about being "politically correct."

It is, instead, about good manners and respect.

This kind of language started when individuals said:

*"We are not our disabilities!"*

Say:	Instead of:
<i>People with disabilities</i>	<i>The handicapped or disabled</i>
<i>He has a cognitive disability (diagnosis)</i>	<i>He's mentally retarded</i>
<i>He has Downs syndrome (or a diagnosis of)</i>	<i>He's Downs; a Downs person</i>
<i>She has a learning disability (diagnosis)</i>	<i>She's learning disabled</i>
<i>He has a physical disability (diagnosis)</i>	<i>He's a quadriplegic. He is crippled</i>
<i>She's of short/small stature</i>	<i>She's a dwarf/midget</i>
<i>He has a mental health diagnosis</i>	<i>He's emotionally disturbed/mentally ill</i>
<i>She uses a wheelchair/mobility chair</i>	<i>She is confined to a wheelchair/is wheelchair bound</i>
<i>He receives special education services</i>	<i>He's in special ed</i>
<i>She had developmental delays</i>	<i>She's developmentally delayed</i>
<i>Children without disabilities</i>	<i>Normal or healthy children</i>
<i>Communicates with her eyes/device/etc.</i>	<i>Is non-verbal</i>
<i>Consumer-Employer</i>	<i>Client/customer/recipient, etc</i>
<i>Brain Injury</i>	<i>Brain damaged</i>
<i>Accessible parking, hotel room, etc.</i>	<i>Handicapped parking, hotel room...</i>
<i>She needs.....she uses.....</i>	<i>She had problems, special needs</i>

## EXAMPLES OF "PERSON FIRST" LANGUAGE

# SELF DETERMINATION

**This term means:**

*People with disabilities have the right to control their lives and have authority over the resources that support them.*

People with disabilities have the...

**Freedom** to decide how to live their lives;

**Authority** over their resources and supports;

**Support** they need to live full lives; and

**Responsibility** for their decisions and actions

# PCA WORKFORCE COUNCIL

The Council was established in 2012 to represent the interests of the State and Consumer-Employers. The Council and Office of Policy and Management's Office of Labor Relations negotiate and administer the PCA collective bargaining agreement with 1199 SEIU-NE. Members of the Council are appointed by the Governor, the Commissioners of the Departments of Social Services and Developmental Services, the state Healthcare Advocate, and leaders in the Connecticut General Assembly (legislature). The PCA Workforce Council receives administrative support from the Office of Policy and Management. This Orientation is funded by the Council through a Collective Bargaining Agreement negotiated between the Council and the Union.

# WHO MIGHT EMPLOY A PCA?

Older Adults with disabilities and chronic illnesses

Individuals with intellectual and developmental disabilities

Individuals...

who have sensory disabilities, with physical disabilities,  
who are chronically ill, who are dying (terminally ill)

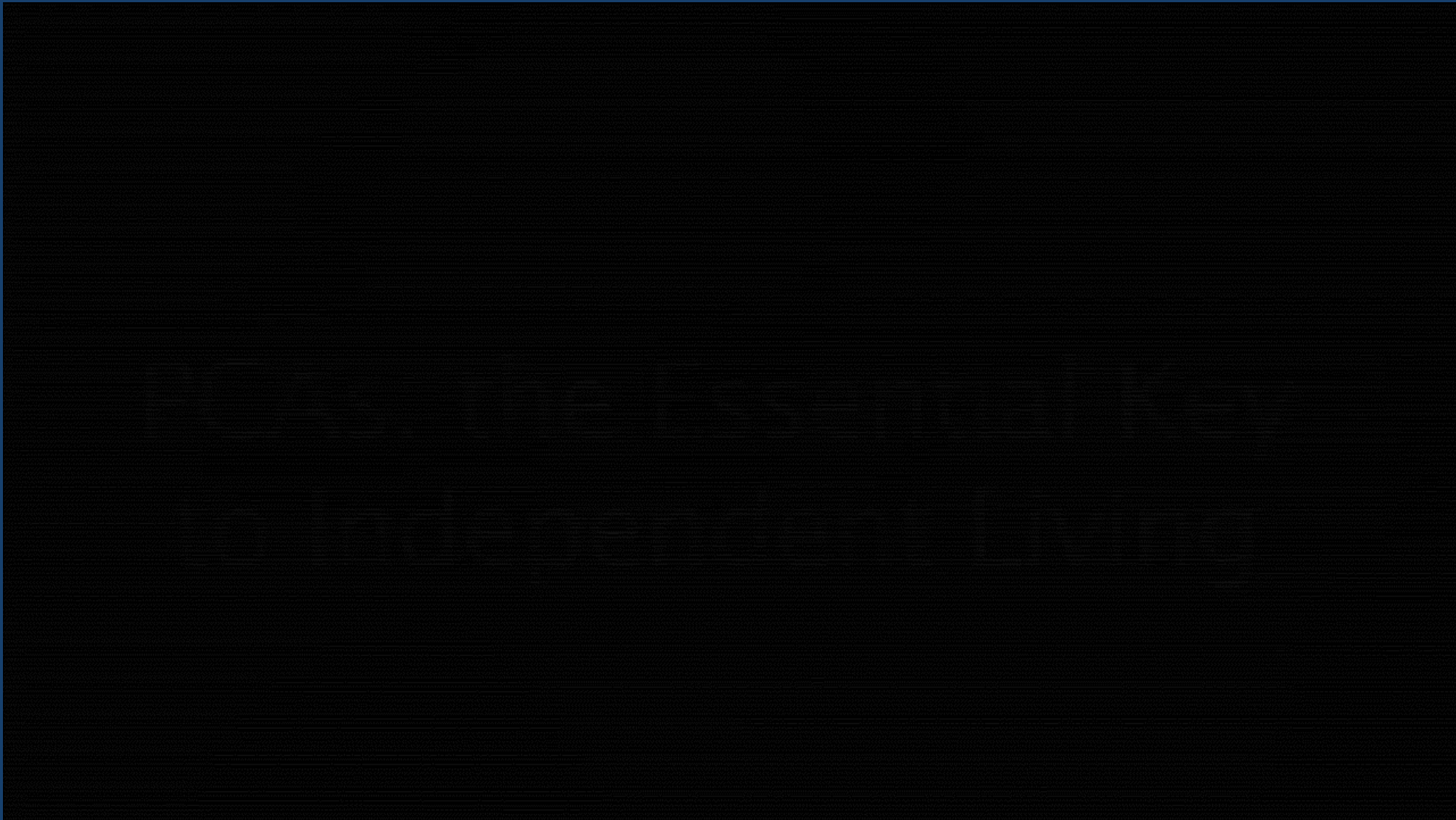
People with...

Mental health diagnoses, Alzheimer's disease, Acquired Brain Injury (ABI)

People on the autism spectrum

*\*IMPORTANT\**

*The Fiscal Intermediary (Allied or Sunset Shores) is not the employer*



## PCAs: The Essential Key to Independent Living

## Evolution of Services

Prior to 1970, most people with intellectual disabilities lived in institutional settings

1972: First Center for Independent Living  
Established: Berkley, CA



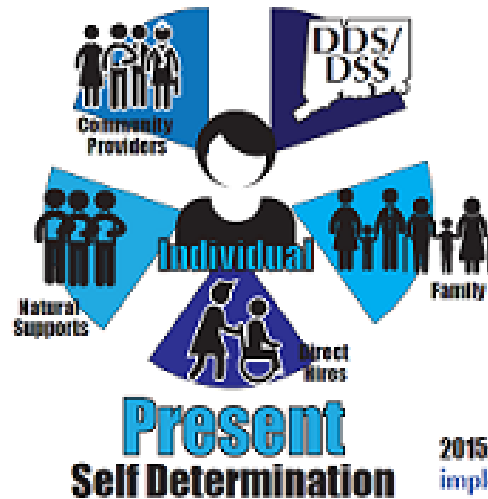
1980: Shifted to community based services

1986: First Center of Independent Living in CT



1990: Americans with Disabilities Act

1996: PCA Waiver  
Established



2015: Community First Choice implemented

## EVOLUTION OF SERVICES

Prior to 1963, individuals with disabilities lived very different lives than they do today.

The CT PCA program are a product of the Independent Living Movement, which evolved from the Civil Rights/Disability Rights movement in the United States.

CT PCA waiver program began in 1996.

Today, the PCA program continues to grow and evolved, providing more choices and control for more and more people with disabilities.



# UNDERSTANDING THE RIGHTS OF THE CONSUMER-EMPLOYER

Employer Rights	
Hire or Refuse to Hire PCAS	Supervise, Direct the Duties, Manage & Train PCAs
Determine Who May & May Not Enter Their Home	Determine Wages Within Established Wage Rates
Determine Work Schedules for PCAs	Terminate PCAs from Service at Will
Maintain Levels of Services	Self-Determination & Self-Direction

# UNDERSTANDING THE RESPONSIBILITIES OF A PCA

# PERSONAL CARE ATTENDANT'S RESPONSIBILITIES

PCAs must receive training from the consumer-employer or authorized representative in all PCA activities. REMEMBER, your responsibilities as PCA may be different depending on the individual.

**Good communication is critical!**

## Activities of Daily Living (ADLS)

- Bathing and grooming
- Dressing and undressing
- Eating
- Toileting and continence
- Transferring and mobility
- Transfers- physically assisting the person in and out of bed, a chair, or wheelchair (includes lifting)
- Mobility-physically assisting the person to ambulate or move their wheelchair from one point to another

## Instrumental Activities of Daily Living (IADLS)

\*DDS consider all these ADLS

- Laundry
- Housework
- Shopping
- Transportation; such as to/from a medical appointment
- Preparing food and clean up

## Supporting Individuals with Intellectual Disabilities

- Enhancement of skills necessary to complete any ADLS, IADLS and well as any health-related task.
- Cognitive Support- daily assistance to prevent harm due to intellectual disability
- Behavioral Support- requires assistance for administration of physician order daily, support beyond set up
- Community inclusion
- Personal Support- assistance necessary to meet the individual's day-to-day activities
- Assistance with the acquisition, improvement and/or retention of skills
- Companionship and social interactions

Keep in mind, while you should always communicate with your consumer-employer to provide them with the support they need, PCAs are not required or expected to perform tasks that:

- pose a significant health or safety risk for the PCA
- might be illegal
- may be considered fraudulent (see Module 3)
- asks the PCA to provide supports for someone other than the consumer-employer

*Remember, in all situations, PCAs should always...*

Listen carefully and communicate clearly

Be respectful

Act professionally

Ask for instructions/training if needed



If at anytime you have concerns, you should raise them immediately with your consumer-employer. If you are unable to resolve the matter with them, contact the PCA Workforce Council Hotline or your Union representative.

## MODULE 2:

# OPERATIONAL PROCEDURE OF THE CT PCA PROGRAM

TOTAL TIME: 50 MINUTES

**Goal: PCAs will be informed of the operational procedure of the PCA program, including how to resolve disputes**

Objectives: By the end of the module the learner will be able to:

1. Describe the CT PCA programs
2. Describe key terms of the PCA program
3. Explain how to handle a nonpayment wage complaint situation
4. Explain who PCAs may need to interact with and resources for resolving disputes

10 minutes      PCA Program: How a Consumer-Employer Qualifies for Services

3 minutes      Workers' Compensation Insurance

10 minutes      Completing a Timesheet

2 minutes      Role of Fiscal Intermediary

5 minutes      Non-payment Complaint

10 minutes      Resolving Disputes

10 minutes      BREAK

# PEOPLE WHO CAN'T BE PAID TO BE A PCA

The consumer employer's spouse

The parent of a minor child including adopted children

The guardian or conservator of a person

The authorized representative or anyone who signs a PCA's time sheet on behalf of the consumer employer

A legally liable relative of the consumer employer

# UNDERSTANDING HOW A CONSUMER-EMPLOYER QUALIFIES FOR SERVICES

## The Department of Development Services

1. Must be eligible for DDS services
2. Consumer-employer is evaluated for services based on his/her level of need by a case manager who determines their level of funds
3. Consumer-employer must become eligible for Medicaid waiver services by wanting to live in the community
4. Identifies the supports that will best meet the individual needs
5. Budget funds, if available, allocated to the services

## The Department of Social Services

1. Must be eligible for DSS services
2. Must be eligible for state's Medicaid program (HUSKY Health)
3. Must need assistance medically. Must need hands on assistance for at least three activities of daily living or requires supervision

# WORKER'S COMPENSATION INSURANCE

Section 31-294b of the Workers' Compensation Act states:

"Any employee who has sustained an injury in the course of employment should immediately report the injury to his employer, or some person representing their employer."

Consumer-employers are required to carry a Workers' Compensation policy for PCAs to receive necessary medical treatment for a work-related injury or illness.



\*If you have a work-related injury or illness you should report it to your employer immediately and seek medical attention if needed. Additional benefits include Rehabilitation services and Permanent or Partial Disability, if eligible.



# WORKER'S COMPENSATION INSURANCE

## MORE INFORMATION

**Access to Workers Comp Insurance for work-related injury or illness (including COVID-19 contracted at work):**

- To file for Workers' compensation, call your employer & Atlantic Charter [within the first 2 days if possible](#), to assure you have a claim number from them to use for medical care.
- Next fill out the 30c form here:  
[https://drive.google.com/file/d/1PunbGzh1aCPbvhA\\_45p8X3\\_q4d3CYdm\\_/view](https://drive.google.com/file/d/1PunbGzh1aCPbvhA_45p8X3_q4d3CYdm_/view)
  - One signed copy should be sent certified mail/return receipt requested to your consumer-employer. Mail a third copy, regular mail, to Atlantic Charter (Attn: Paul Hammond, Sr. Claims/Loss Control Specialist at Atlantic Charter, 25 New Chardon St. Boston MA). Always keep one copy for yourself.

### QUESTIONS?

- Contact Paul Hammond at Atlantic Charter (Phone: 617-488-6546; Fax: 617-207-4344; Email: [p Hammond@atlanticcharter.com](mailto:p Hammond@atlanticcharter.com)).
- You can also reach out to 1199's Workers Comp organizer, Alison Sylvia, for questions or to get help at [asylvia@seiu1199ne.org](mailto:asylvia@seiu1199ne.org) or by calling the Union at 860-549-1199

# WORKER'S COMPENSATION INSURANCE

## MORE INFORMATION

The State of Connecticut Workers' Compensation Commission office:

1-860-566-4154

For additional information on Workers Compensation benefits please go to the following website: <http://wcc.state.ct.us/download/acrobat/info-packet.pdf>

Effective 1/1/2019 Atlantic Charter Insurance Company is the insurance carrier for the Connecticut Worker's Compensation Personal Care Attendant Program and they can be contacted for reporting CT PCA claims.



Atlantic Charter Insurance Company

Paul Hammond- Sr. Claims/Loss Control Specialist

Office: 617-488-6546

Fax: 617-207-4344

Email [phammond@atlanticcharter.com](mailto:phammond@atlanticcharter.com)

# COMPLETING A TIMESHEET



Please turn to page 19 of your handouts to follow along, and for the completed list of timesheet guidelines.

# TIPS FOR COMPLETING A TIMESHEET

- ✓ Remember to use the correct service code  
Allied: RES, RES<sub>2</sub>, IND, IHS, COMP, INDB, PER  
Sunset: PERS, IHS, RESPD, INDGSS, FICS, AC, IND, RESPH, TRIP, STFD
- ✓ Show actual hours worked and the activities that helped the consumer-employer achieve their goals
- ✓ Please remember that your signature certifies to the consumer-employer and the State that the information on the timesheet is true and accurate
- ✓ Send over timesheets to Allied via fax or email by 5pm on Mondays and to Sunset Shores by 12pm on Mondays, even if it's a Holiday or the office is closed. Only PDF files are accepted via email
  
- ✗ Blank timesheets should not be signed
- ✗ White-out or cross-out on timesheets will not be accepted
- ✗ Timesheets that are sent in prior to the end date will not be processed
- ✗ Do not send over pictures of your timesheets in .jpeg format or pdfs. as a link or google doc as these will not be accepted

# MORE ABOUT TIMESHEETS...

PCAs cannot be paid during the time that their consumer-employer is admitted to a hospital or a nursing home.

\*Hours claimed while a consumer-employer is admitted to a hospital or a nursing home will be rejected and may be subject to investigation by the DSS Medicaid Fraud Unit.

- A PCA may be paid for hours worked on the day their consumer-employer is admitted to the hospital, prior to being admitted AND may be paid for hours worked on the day their consumer-employer is discharged from a hospital or a nursing home, after their consumer-employer is discharged
- PCAs are never paid to be “on call”
- PCAs cannot be paid for any days when either they or their consumer-employer is incarcerated
- The consumer-employer must not endorse, deposit, or cash the PCA paycheck



## KEEP IN MIND:

The State of CT is in process of transitioning to [Electronic Visit Verification](#). Your consumer-employer will instruct you whether you will use paper timesheets, EVV, or both during this transition period.

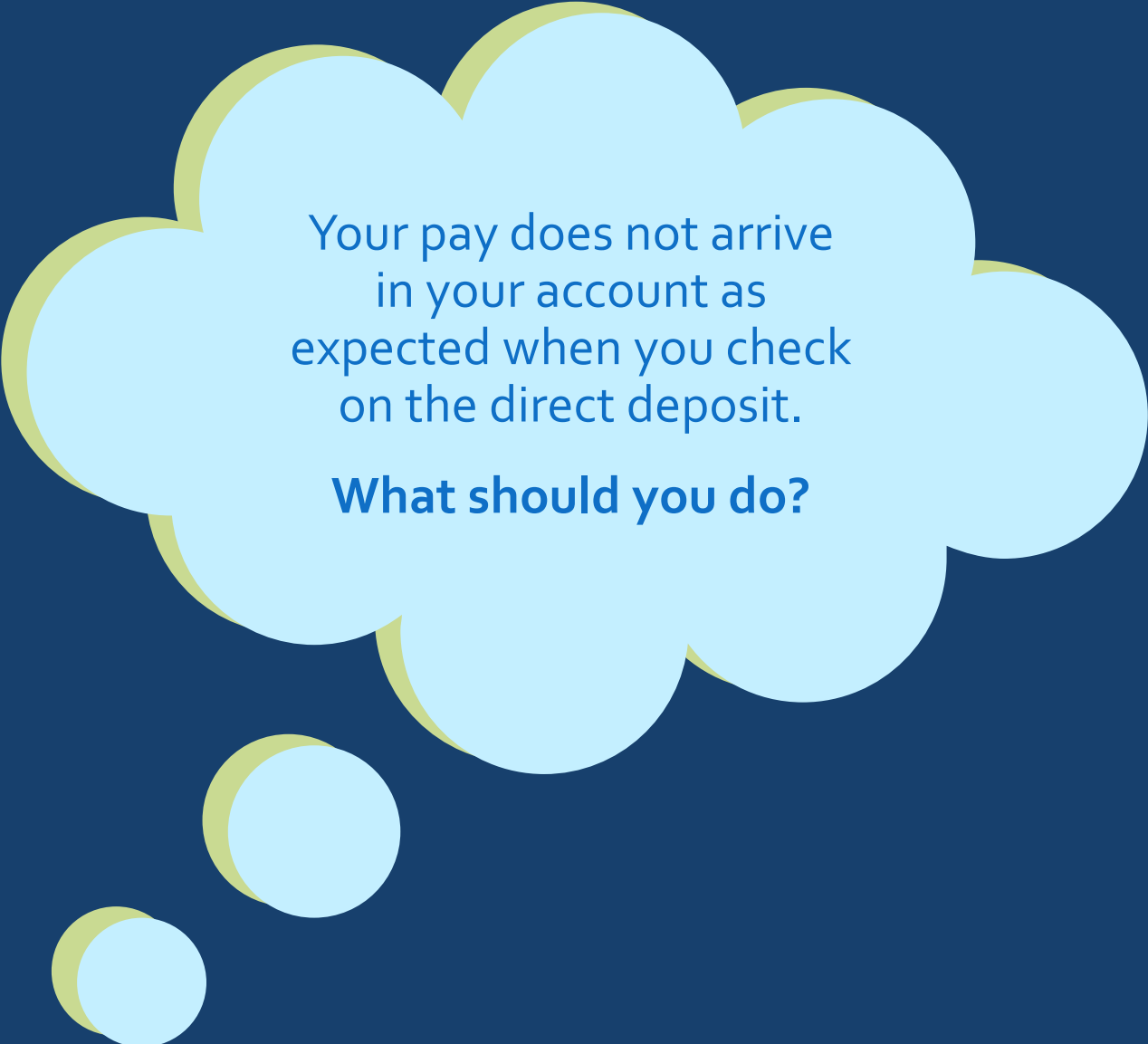
# ROLE OF THE FISCAL INTERMEDIARIES (FIs): ALLIED & SUNSET SHORES

- Receives funds from CT Medicaid (HUSKY HEALTH) to pay for PCA services
- Receives and processes PCA activity forms
- Processes PCA paycheck after deducting taxes
- Pays PCA, PCA may choose direct deposit option
- Processes PCA W2 forms at the end of the year for tax purposes
- Contracts with CT Medicaid
- PCA are never paid cash for providing services
- Reports Fraud

! REMEMBER: Allied & Sunset Shores are NOT your employer !

OPERATIONAL  
PROCEDURE OF THE  
CT PCA PROGRAM

RESOLVING DISPUTES:  
**SCENARIO 1**



Your pay does not arrive  
in your account as  
expected when you check  
on the direct deposit.

**What should you do?**

# NONPAYMENT COMPLAINTS

## Contact:

1<sup>st</sup> The consumer-employer or the authorized representative should contact Allied/Sunset Shores on your behalf

2<sup>nd</sup> The PCA Workforce Council: 860-418-6370

3<sup>rd</sup> The Union office: 860-549-1199

4<sup>th</sup> The Connecticut Department of Labor: 860-263-6790



OPERATIONAL  
PROCEDURE OF THE  
CT PCA PROGRAM

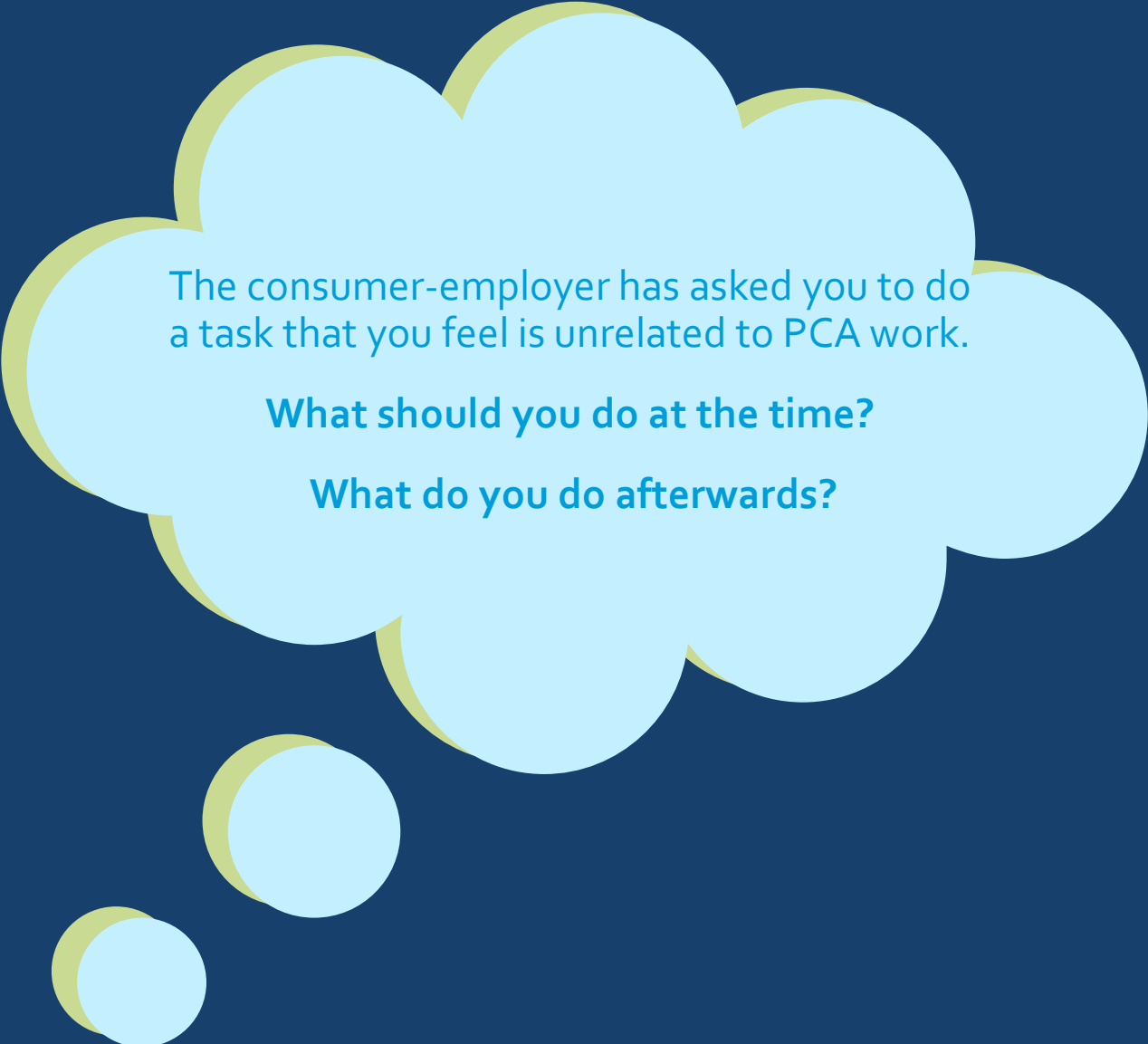
RESOLVING DISPUTES:  
**SCENARIO 2**

The consumer-employer calls and asks you to come in two hours early for your shift. You then get a call from his authorized representative telling you to come in at the regular time. When you arrive at the regular time, your consumer-employer yells at you for not coming in early as he had requested. When you explain that his authorized representative said not to come in early the consumer-employer says: "*Scheduling is up to me. You're fired,*"

• **What should you do?**

OPERATIONAL  
PROCEDURE OF THE  
CT PCA PROGRAM

RESOLVING DISPUTES:  
**SCENARIO 3**



The consumer-employer has asked you to do a task that you feel is unrelated to PCA work.

**What should you do at the time?**

**What do you do afterwards?**

## MODULE 3:

# RECOGNIZING AND REPORTING FRAUD, ABUSE AND NEGLECT

Total Time: 40 minutes

**Goal: PCAs will be informed of the laws, regulations, and procedure for recognizing and reporting fraud, abuse, neglect**

Objective: By the end of the module the learner will be able to:

1. Explain laws that protect against fraud, abuse, and neglect
2. List the potential signs of fraud, abuse and neglect
3. Describe the process for reporting fraud, abuse, and neglect

5 minutes      Understanding Medicaid Fraud

10 minutes      Recognizing potential fraud

5 minutes      Reporting fraud

5 minutes      Understanding abuse and neglect

10 minutes      Recognizing abuse and neglect

5 minutes      Reporting abuse and neglect

# UNDERSTANDING MEDICAID FRAUD

**Fraud** is an intentional deception or misrepresentation which results in an unearned benefit to a provider or vendor, usually in the form of an excess payment, through the Medical Assistance Programs (HUSKY Health- CT Medicaid).

This would include any provider or vendor (consumer-employer or PCA) operating as an individual or business entity including their employees, owners and/or officers. Conduct that constitutes potential providers or vendor fraud allegations includes, but not limited to:

- Provider billing (submitting timesheets) for services that were not rendered
- Altering and/or falsifying a claim or record (timesheet)
- Accepting kickbacks for patient referrals for services

## ROLE PLAY ACTIVITY:

# THE STORY

Sasha has been working for Ben for over a year, providing 20 hours of PCA services a week. She works four days a week Wednesday-Saturday from 7am to 12pm each day. Two months ago, Sasha told Ben that she would going on vacation for four days. She will be leaving Monday and coming home on Friday, so she will be back to work the following day, Saturday. Ben told Sasha he would schedule a substitute PCA to fill in for her while she is away. Sasha leaves for vacation in three days. In the meantime, Ben's doctor has scheduled a surgery for Ben during the time Sasha is on vacation. Ben will be admitted to the hospital on Monday (the same day that Sasha leaves for vacation); he expects to be home from the hospital on Thursday. Sasha is not aware Ben will be in the hospital.

## ROLE PLAY ACTIVITY:

# THE DIALOGUE

Ben (consumer-employer) "

*Sasha, I need to find someone to fill in for you while you're on vacation, do you know of anyone who might be available?"*

Sasha (PCA)

*"How about your wife? I know she can't be your PCA, but its only a few days so its not a big deal."*

Ben (consumer-employer)

*"OK, you're right, technically she can't be my PCA, but no one needs to know. I will talk to her about it, Also, before you go, I need you to sign your timesheets, I left them over there on the table."*

Sasha (PCA)

*"No problem. Did you want me to fill them in for 20 hours each and sign them both?"*

Ben (consumer-employer)

*"Sure, When the check comes I will keep the second one, for the week my wife is covering for you."*

Sasha (PCA)

*"OK, that's fine, except I will be coming to work on Saturday, so how will I get paid for that day?"*

Ben (consumer-employer)

*"After I deposit your check, I will pay you for the day. The only thing is on Saturday you won't need to come here, you should plan on being on call; I will call you if I need you."*

Sasha (PCA)

*"OK, so long as I get paid for the time I'm on call."*

Ben (consumer-employer)

*"Of course! Have fun and I will see you when you get back"*

# HOW TO REPORT MEDICAL FRAUD

State of Connecticut Department of Social Services/Investigations Division

55 Farmington Avenue

Hartford, CT 06105-3730

Phone: 1.800.842.2155 or 860.424.5980

Fax: 860.424.4945



# RECOGNIZING ABUSE & NEGLECT

## 1. Physical Abuse

Hurting someone's body on purpose, attacking, trapping, or punishing them.

## 2. Emotional Abuse

Threatening to hurt, trap, to punish someone or their loved ones. Includes insulting them or making fun of them with words, yelling, or scolding them

## 3. Sexual Abuse

Forced sexual activity or touching that is not wanted by the other person

## 4. Neglect

Not doing something for someone, and it results in them being hurt

## 5. Financial Abuse

Using the consumer-employer's money or things for your own benefit without permission



*Signs of abuse or neglect can include the way a consumer-employer looks or the way that they say or do something.*



# WHY IS REPORTING ABUSE & NEGLECT IMPORTANT?

## What could happen if the abuse, neglect, or abuse isn't reported?

It could get worse

The consumer-employer could be hurt badly

The consumer-employer could die

The person abusing, neglecting, or exploiting could do it to other consumer-employers

## When to Report:

For children, person with a disability and the elderly,

- a. A **“reasonable cause to believe”** of abuse or neglect is enough to file a report; proof is not needed
- b. If there is no abuse, but the report was made in good faith, the person who reported it will not be punished



*For those individuals who are mandated reporters; if the abuse or neglect is discovered later, the mandated reporter who didn't report it could be accused of wrongdoing and fined up to \$500*

# HOW TO REPORT ABUSE OR NEGLECT

Anyone can report abuse or neglect.

If you, or someone you know, is being abused or in danger of being abused, you should report it.

Additional information:

<http://www.ct.gov/dph/cwp/view.asp?a=3121&q=389520#Elderly>

Under CT Law, the following groups have designated contact for reporting abuse and neglect:

<u>GROUP</u>	<u>WHERE TO REPORT</u>
Children	Careline: 1-800-842-2288 <u>OR</u> Law enforcement agency
Persons with intellectual or physical disabilities	Disability Rights CT: 1-860-297-4300
Elders (Individuals of 60 years or older)	Protective Services for the Elderly (PSE): 1-888-385-4225

# MODULE 4: WORKERS' RIGHTS

Total Time: 15 minutes

**Goal: PCAs will be informed of their employee rights and learn what resources are available to them if their rights are not protected.**

Objectives: By the end of the module the learner will have:

1. Learned the definition of sexual harassment and received resources on this topic
2. Received information about mileage reimbursement
3. Received Information about EVV & HIPAA
4. Received information about COVID-19

# SEXUAL HARASSMENT: DEFINITION AND RESOURCES

Employees have a right to a safe and respectful work environment, free from sexual harassment. Sexual harassment means:

“Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when: (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.”

If you believe that you have experienced sexual harassment, **you should first bring your concerns to your employer**, being sure to address specific behaviors.

Should you need them, the following resources are available to you:

**1. Personal Care Attendant Workforce Council**

Email: [pcacouncil@ct.gov](mailto:pcacouncil@ct.gov)

Phone: (860) 418-6370 (please leave a message)

**2. Connecticut Commission on Human Rights and Opportunities (CHRO)**

Online: [www.ct.gov/CHRO](http://www.ct.gov/CHRO)

Phone: (860) 541-3400, or CT Toll Free 1 (800) 477-5737

**3. 1199 SEIU**

Email: [mailbox@seiu1199ne.org](mailto:mailbox@seiu1199ne.org)

Phone: (860) 549-1199

**4. CHRO definitions and guide to reporting sexual harassment**

<https://portal.ct.gov/-/media/CHRO/Sexual-Harassment-Prevention-Training/Sexual-Harassment-Prevention-Poster-English.pdf>

Sexual harassment can be perpetrated by **either the employer or the employee**. It is your Employer’s as well as your responsibility to refrain from any behaviors, such as the ones described in the CHRO guide, which could be interpreted as sexual harassment.

# MILEAGE REIMBURSEMENT

Mileage reimbursement is tricky...



It is sometimes available to PCAs who work for consumer-employers receiving services through DSS or DDS, who have mileage reimbursement as an approved part of their individual budget.

For DDS programs transportation services may be allowable as a separate service or included in the PCA wage. This is an individual decision made by the consumer-employer who determines if transportation is needed and how it would be compensated.



Mileage reimbursement is not widely available and is specific to the program through which the consumer-employer receives services and their individual budget.

A stack of brown file folders with green dividers is shown on a wooden surface. The folders are slightly out of focus, creating a sense of depth. A dark blue horizontal band is overlaid across the middle of the image, containing the text.

# ADDITIONAL INFORMATION: HIPAA

# HIPAA

## HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

The HIPAA Privacy Rule for the first time creates national standards to protect individuals' medical records and other personal health information.

- It gives patients more control over their health information.
- It sets boundaries on the use and release of health records.
- It establishes appropriate safeguards that health care providers and others must achieve to protect the privacy of health information.
- It holds violators accountable, with civil and criminal penalties that can be imposed if they violate patients' privacy rights.
- And it strikes a balance when public responsibility supports disclosure of some forms of data – for example, to protect public health.

Source: <https://www.hhs.gov/hipaa/for-individuals/faq/index.html?language=es>

# SOME TERMS TO KNOW:

## ***"Individually identifiable health information"***

This is information that relates to:

- the individual's past, present or future physical or mental health or condition,
- the provision of health care to the individual, or
- the past, present, or future payment for the provision of health care to the individual, and that identifies the individual or for which there is a reasonable basis to believe can be used to identify the individual.

***"Individually identifiable health information" is considered PHI.***

PHI = Protected Health Information



# EXAMPLES WHEN HIPAA APPLIES:



Sharing a medical information or health update with family and friends who stop by the consumer-employer's home and want to be part of the person's medical discussion is not permissible unless permission was granted by the consumer-employer/authorized representative. Permission should not be assumed by a PCA.



A PCA (or any health care professional) may not discuss your consumer-employer's health information with their brother, sister or other family member or any other person if the PCA was told not to.



A doctor or nurse may discuss your consumer-employer's treatment in front of you, if your consumer-employer asks you to come into the treatment room.



A hospital may not release detailed medical information about a consumer-employer to you, friends or family unless listed on a "release of information form" or the consumer employer gives permission in the moment.

# WHAT IS MY RESPONSIBILITY AS A PCA?

- ✓ As a PCA, you are covered by HIPAA and are required to protect your consumer-employer's PHI by not sharing it unnecessarily.
- ✓ You play a key role in helping to protect your consumer-employer's PHI.
- ✓ Never share PHI without your employer's permission or unless it is a matter of health and safety or in cases of abuse, neglect or domestic violence.



# ADDITIONAL INFORMATION: ELECTRONIC VISIT VERIFICATION (EVV)

# ELECTRONIC VISIT VERIFICATION (EVV)

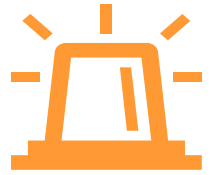
THE FEDERAL CARES ACT REQUIRES STATES TO IMPLEMENT AN EVV SYSTEM FOR PERSONAL CARE SERVICES (PCAS/DSPS). THE EVV SYSTEM NEEDED TO BE IN PLACE AND ACTIVE BY JANUARY 1, 2021. THIS INCLUDES ALL PERSONAL CARE/IN-HOME SUPPORTS.

**What is it?** Electronic Visit Verification (EVV) is a telephonic and computer-based system that documents the precise visit time worked by staff. Employees can choose to check in and out via two methods:

- **Telephony:** a phone call either through consumer employer's landline or consumer employer's cell phone \*PCAs cannot call-in or call-out using their own cell phone.\*
- **The Sandata Mobile Connect (SMC) app**, which can be used on your smart phone, when you start and end a service.

**When will I use it?** When I start and end my shift or when I start and end a new service. You must begin using EVV in addition to paper timesheets as of 2021.

- If you forgot your Santrax ID numbers or have any additional questions or concerns, please call the EVV Support Center: DSS PCAs, call 833-675-4306. DDS PCAs, call 833-656-1021.



*You will need to complete paper timesheets while doing EVV until consumer-employer is notified by Allied/Sunset Shores and tells you otherwise.*

# ELECTRONIC VISIT VERIFICATION (EVV) CONTINUED...

## What happens if I don't have a smart phone?

You may use Telephony Visit Verification (TVV)

**\*\*TVV must be used on Consumer Employer's cell phone or landline. PCAs cannot check-in or check-out using their own cell phone. This will lead to a visit error and potentially delay your pay\*\***

For any questions, contact: Your consumer-employer

The DSS website: <https://portal.ct.gov/DSS/Health-And-Home-Care/Electronic-Visit-Verification/Electronic-Visit-Verification>

The DDS website: <https://portal.ct.gov/DDS/OperationsCenter/EVV/Electronic-Visit-Verification>

Or call the EVV Support Center

# EVV GUIDELINES

*\*EVV (or TVV as an alternative) is a requirement of your job and required by Federal law\**

You **MUST** use EVV for each shift worked or your paycheck will be delayed. While you use EVV, you must continue to submit paper timesheets in order to be paid. Failure to use EVV at all will make you ineligible to be paid using Medicaid funds.

## **If you have questions:**

For DSS, please call the DSS EVV Support Center at 833-675-4306.

For DDS, please call the DDS EVV Support Center at 833-656-1021.

### **REMEMBER:**

YOU AND YOUR EMPLOYER MUST CONTINUE TO COMPLETE AND SUBMIT PAPER TIMESHEETS TO THE FISCAL INTERMEDIARY IN ADDITION TO USING THE EVV SYSTEM UNTIL FURTHER NOTICE.

# TAKE A MINUTE AND DOWNLOAD THE APP!

Go into your phone's App Store and search:  
"SANDATA MOBILE CONNECT"

Look for this logo →



Links:

Apple iPhone or iPad Users:

<https://apps.apple.com/us/app/sandata-mobile-connect/id1313423167>

Samsung or Android Users:

[https://play.google.com/store/apps/details?id=com.sandata.mvvhybrid.prod&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=com.sandata.mvvhybrid.prod&hl=en_US&gl=US)

A person wearing a white lab coat and blue nitrile gloves is holding a test tube with a blue cap. The test tube contains a yellow liquid. The background is a blurred laboratory setting with various pieces of equipment.

# ADDITIONAL INFORMATION: COVID-19



# THE 5 THINGS YOU NEED TO DO TO AVOID COVID-19 WHILE YOU WORK

## The CDC Recommends:

1. **SCREENING** - Be alert to symptoms

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>

2. **STAY APART** – 6 ft when possible

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

3. **HAND HYGIENE** - Wash hands often & at key times of day

<https://www.cdc.gov/handwashing/when-how-handwashing.html>

4. **PERSONAL PROTECTIVE EQUIPMENT** – (more on next slide)

5. **ENVIRONMENTAL CLEANING** – Clean surfaces and touchpoints often

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cleaning-disinfection.html>

# FOR MORE PREVENTION INFORMATION

## **The Centers for Disease Control (CDC)**

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>

## **Department of Social Services-PCA Guidance**

<https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Communications/PCA-Guidance.pdf>

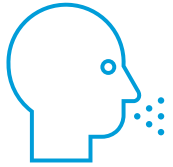
## **Department of Developmental Services**

[COVID-19 Updates for DDS Individuals and Families \(ct.gov\)](#)

# PERSONAL PROTECTIVE EQUIPMENT (PPE) DURING COVID-19



A mask is one kind of PPE. You should be wearing a mask, and your employer and household members should wear one too. You can wear a cloth mask if your employer does not have COVID-19, is not suspected as having COVID 19, or if you do not help with open suction, nebulizer or CPAP treatment. **All PCAs and consumer- employers are mailed masks every 3 months from The State of CT.** If you usually wear gloves to perform hands-on personal care for your employer, you should continue to wear gloves. **Consumers should also have emergency kits if a consumer-employer is symptomatic.**



Medical procedures that make tiny drops of saliva, like open suction and nebulizer or CPAP treatment, can put COVID-19 in the air. You could breathe it in and get sick. If you do these procedures, you should wear a special type of face mask labeled N95, a gown, and a face shield.



If your consumer employer has a positive test for COVID-19, you should use a N95 mask all the time when caring for them, and gloves, a gown, and a face shield or goggles. Do this if your employer has signs and symptoms of COVID-19.

For more information on when and how to use PPE visit these web sites:

DSS: <https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Communications/PCA-Guidance.pdf>

DDS: [https://portal.ct.gov/-/media/DDS/COVID-19/PPE\\_Letter\\_to\\_EORs\\_6\\_17\\_20.pdf](https://portal.ct.gov/-/media/DDS/COVID-19/PPE_Letter_to_EORs_6_17_20.pdf)

# HOW DO I GET PPE?

If you need additional or specialized PPE, you or your Employer should complete these forms. It is critical to note if your Employer is COVID positive, experiencing symptoms, or receiving aerosolizing treatments when you or your Employer completes these forms:

## For DSS:

<https://dss-pperequest.ct.gov/>

## For DDS:

**English:** [https://forms.office.com/Pages/ResponsePage.aspx?id=nyLEd2juUiwJjH\\_abtziojZnob8UlpCjbyyDVIZkk5UMlIXWEFYMTNuuU9YOUooVjBHQzdaOEFQOCQIQCNoPWcu](https://forms.office.com/Pages/ResponsePage.aspx?id=nyLEd2juUiwJjH_abtziojZnob8UlpCjbyyDVIZkk5UMlIXWEFYMTNuuU9YOUooVjBHQzdaOEFQOCQIQCNoPWcu)

**Spanish:** [https://forms.office.com/Pages/ResponsePage.aspx?id=nyLEd2juUiwJjH\\_abtziojZnob8UlpCjbyyDVIZkk5UNDZGNDVCSzBGRzY5OENJUzhMV1FDSUVGVCQIQCNoPWcu](https://forms.office.com/Pages/ResponsePage.aspx?id=nyLEd2juUiwJjH_abtziojZnob8UlpCjbyyDVIZkk5UNDZGNDVCSzBGRzY5OENJUzhMV1FDSUVGVCQIQCNoPWcu)

\*DDS COVID related information, guidance and details of in person PPE distribution events can be found on the DDS website under Personal Protective Equipment for individuals and families:

<https://portal.ct.gov/DDS/General/COVID19/COVID-19-Updates-for-DDS-Individuals-and-Families>



For more information on when and how to use PPE visit:

<https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Communications/PCA-Guidance.pdf>

[https://portal.ct.gov/-/media/DDS/COVID-19/PPE Letter to EORs 6 17 20.pdf](https://portal.ct.gov/-/media/DDS/COVID-19/PPE%20Letter%20to%20EORs%206%2017%2020.pdf)

The CDC has issued instructions on how to make PPE last by using strategies for the conservation of PPE. For more info visit:

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/ppe-strategy/index.html>

# CT PAID FAMILY & MEDICAL LEAVE PROGRAM EFFECTIVE JANUARY 1, 2022

Connecticut's Paid Family and Medical Leave Act (PFMLA) allows employees, including PCAs, who are eligible and experiencing one of the qualifying reasons for leave, up to twelve (12) weeks of paid leave benefits that do not impact your Consumer-Employer's budget.

See website for more information on qualifying criteria:

[https://ctpaidleave.org/s/employee-landing-page?language=en\\_US](https://ctpaidleave.org/s/employee-landing-page?language=en_US)

## What Are Qualifying Circumstances?



### I'M STARTING OR EXPANDING MY FAMILY

If you are welcoming a new child into your family - by birth, adoption, or foster care - you may be eligible to receive paid leave benefits while you take bonding leave.



### I NEED TO CARE FOR MYSELF OR A LOVED ONE

If you or a family member is dealing with a serious health condition, you may be eligible to receive paid leave benefits while you receive treatment or recover from your own illness or injury or while you care for a family member. If you are serving as an organ or bone marrow donor, you may also be eligible to receive this benefit.



### I HAVE BEEN IMPACTED BY FAMILY VIOLENCE

If you have been impacted by family violence, you may be eligible to receive up to twelve (12) days of CTPL benefits to seek medical or psychological care, to seek care from a victim services organization, to relocate, or to participate in any civil or criminal proceeding relating to family violence.



### I NEED TO CARE FOR A FAMILY MEMBER INJURED DURING ACTIVE DUTY IN THE MILITARY OR TO TAKE QUALIFYING EXIGENCY LEAVE

If you need to take leave to care for a family member who was injured on active duty or to address specific qualifying exigencies connected with a family member's overseas service in the armed forces, you may be able to receive income-replacement benefits during your leave.

### Who is considered to be a family member?

A family member means a spouse, sibling, daughter or son, grandparent, grandchild, or parent; or, an individual related to the employee by blood or affinity, and whose close association with the employee shows to be the equivalent of those family relationships.

# CONTINUED....

To check your eligibility and/or apply for leave:  
Click this link

[https://ctpaidleave.org/s/for-claims?language=en\\_US#ClaimsQuestionnaire](https://ctpaidleave.org/s/for-claims?language=en_US#ClaimsQuestionnaire)

or

Call (877) 499-8606



**FOR COVID REASONS:** *Testing positive alone is unlikely to be enough to qualify, but a serious illness resulting from a COVID infection (as certified by a medical provider) could be enough to qualify a PCA for the paid leave.*

Simply being exposed to COVID-19 or even being diagnosed with COVID-19 is not necessarily a qualifying reason for leave under FMLA or for income replacement benefits under CT Paid Leave. Instead, a person applying for leave or for benefits will need to provide medical documentation demonstrating that the exposure to or diagnosis of COVID-19 meets the one or more elements of the definition of serious health condition, in other words, that the COVID-19 results in the person having a condition that:

- requires an overnight stay in a hospital or other medical care facility; or
- incapacitates the employee or the employee's family member (for example, unable to work or attend school) for more than three consecutive days and that include ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care, such as prescription medication) or,
- results in or exacerbates a chronic conditions that causes occasional periods when the employee or the employee's family member is incapacitated, and which require treatment by a health care provider at least twice a year.

Source: [https://ctpaidleave.org/s/frequently-asked-questions?language=en\\_US](https://ctpaidleave.org/s/frequently-asked-questions?language=en_US)

See the form a medical provider would need to complete here: [https://zna-prod.my.salesforce.com/sfc/p/#3600000012Lh/a/5b000001GgiJ/tVsEuMfqxhk4nCdjFv4p7QEMzF8D\\_ZdaBW4Qaz.Cpu8](https://zna-prod.my.salesforce.com/sfc/p/#3600000012Lh/a/5b000001GgiJ/tVsEuMfqxhk4nCdjFv4p7QEMzF8D_ZdaBW4Qaz.Cpu8)

# CONNECTICUT ESSENTIAL WORKER COVID-19 RELIEF FUND

(WILL APPLY TO THOSE WHO HAD COVID-19 CASES BETWEEN MARCH 10, 2020- JULY 20, 2021)

*The Connecticut Essential Worker COVID-19 Relief website states...*

**“If you are an essential worker who was affected by COVID-19 during the pandemic we invite you to apply for financial relief from the new Connecticut Essential Worker COVID-19 Assistance Fund.”**



This fund may be able to assist with:

Wage replacement

Out-of-Pocket Medical expenses

Burial expenses

~

To check your eligibility:

<https://www.ctessentialworkerrelief.org/>

# WHO DO I CONTACT IF I HAVE ADDITIONAL QUESTIONS?

- You were emailed this PowerPoint, which includes links to the most up-to date State and Federal COVID-19 guidance.
- For more information, please visit the State's dedicated Frequently Asked Questions (FAQ) document for Medicaid Consumers Self-Directing Their Own Services and their Nonagency-Based Home Care workers available on the PCA Workforce Council web site <https://portal.ct.gov/pcaworkforcecouncil/>
- The FAQ document will be updated regularly as needed. If your specific question is not addressed in the FAQ please contact the Union at 860-549-1199 or e-mail your question to [PCACouncil@ct.gov](mailto:PCACouncil@ct.gov) and include "COVID-19 Question" in the subject line.



***THANK YOU FOR ATTENDING THE ONLINE  
PERSONAL CARE ATTENDANT NEW HIRE ORIENTATION!***

Additional information can be found online at:

<http://1199trainingfund.org/>

<http://www.seiu1199ne.org/>

<https://portal.ct.gov/pca workforce council/>