

MEMO

To: Office of Management & Budget
From: Brian J. Hartman, on behalf of the following organizations:

Disabilities Law Program, Community Legal Aid Society, Inc.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens
State Council for Persons with Disabilities

Subject: Division of Services for Aging & Adults with Physical Disabilities FY 14 Budget
Date: November 13, 2012

Please consider this memo a summary of the oral presentation of Brian J. Hartman Esq. on behalf of the Disabilities Law Program ("DLP"), Developmental Disabilities Council ("DDC"), Governor's Advisory Council for Exceptional Citizens ("GACEC"), and the State Council for Persons with Disabilities ("SCPD"). Although input could be provided on several aspects of the DSAAPD budget, we are addressing one (1) component today, i.e., attendant services.

ATTENDANT SERVICES

As you may know, the Division administers an attendant services program in collaboration with two non-profit contractors, Easter Seals and JEVS Human Services.¹ Attendant services are subsidized to permit participants to engage in employment, attend school, or avoid institutionalization. This is a true "statewide" program. According to the latest annual report, 51% of participants live in New Castle County, 26% live in Kent County, and 23% live in Sussex County.² Historically, the most prevalent disability diagnoses of participants have been Quadriplegia; Multiple Sclerosis (MS); and Cerebral Palsy. Participants use an average of 17 hours of services per week.³

¹ DSAAPD, Easter Seals, and JEVS summaries of the program are included as Attachment "A".

²The latest (FY11) DSAAPD Personal Attendant Services Program Annual Report (December, 2011) covers the period between July 1, 2010 and June 30, 2011. A more up-to-date report should be published soon.

³The latest Annual Report indicates that 86 participants used 74,932 hours of attendant care, an average of 16.76 hours per participant.

November 13, 2012

Qualitatively, this program enjoys a terrific “track record”. As reflected in the latest consumer satisfaction ratings compiled approximately six (6) months ago, participants are overwhelmingly positive in their assessment of the program.

INQUIRY	EASTER SEALS	JEVS
	PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES	PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES
SATISFACTION WITH QUALITY OF CARE	100%	99%
AGREEMENT WITH SERVICE PLAN	100%	98%
STAFF COURTEOUS	100%	99%
STAFF RESPONSIVE TO QUESTIONS & REQUESTS	94%	93%
ATTENDANTS PROMPTLY PAID	100%	95%
STAFF NOTIFIES OF ACTIONS TAKEN	94%	84%
CLIENTS WOULD RECOMMEND PROVIDER	94%	97%
CLIENTS WOULD RECOMMEND PROGRAM	100%	98%
LIFE IMPROVED BY PROGRAM	92%	96%

Individual comments are also compelling:

- Program is excellent.
- PAS program is greatly appreciated.
- Staff is friendly and cheerful and very helpful to our family.
- People don't know how hard life can be without PAS.
- Just, thank you.

Quantitatively, the Department was successful in eliminating its entire waiting list for this popular program last Fall. Individuals eligible for the Medicaid DSHP Plus initiative now receive attendant services through that program. The balance are served through a combination of State General Funds and \$760,000 in Tobacco funds. The Department has requested level funding (\$760,000) in Tobacco funds in its FY14 application.⁴ In FY14, the Department expects to serve 49 individuals with the Tobacco funds and another 18 individuals with General Funds for an aggregate of 67 program participants. Unfortunately, there is already a waiting list of 80 individuals, 68 of whom are designated as "high priority".

Recommendation

We support at least level funding for this highly successful program. However, given the burgeoning waiting list, we recommend consideration of enhanced funding to address the needs of a significant percentage of "high priority" applicants.

Thank you for your consideration.

Attachments

F:pub/bjh/legis/agebud14
8g:leg/agebud14

⁴A copy of the DHSS FY14 Health Fund Application is included as Attachment "B".



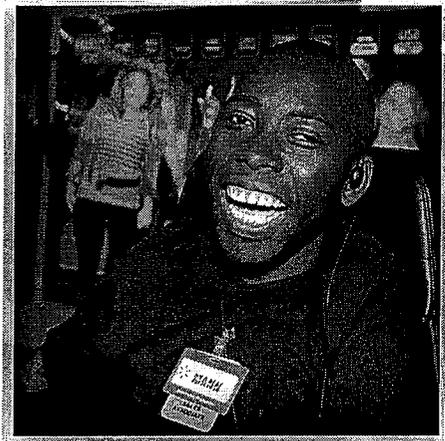
Attendant Services

<p>Program/Service description</p>	<p>The goal of attendant services is to support persons with disabilities who need ongoing assistance. The program helps to maintain independence by allowing persons to work, complete their education, and/or to avoid living in a highly supervised setting. The client (or his/her surrogate) has control over the use of services. The services are provided based on the client's lifestyle, preferences, and abilities.</p> <p>See also: <u>Personal Care Services</u>.</p>
<p>Public funding source(s)*</p>	<ul style="list-style-type: none"> • State funds • Tobacco settlement funds
<p>Who is eligible</p>	<p>Delaware residents aged 18 and older with disabilities who meet specific social, financial, and physical criteria</p>
<p>Where it is available</p>	<p>Statewide</p>
<p>Who to contact for information or enrollment</p>	<p>Contact the <u>Division of Services for Aging and Adults with Physical Disabilities</u> by phone or e-mail.</p>
<p>Related internet links</p>	<ul style="list-style-type: none"> • Family Caregiver Alliance Hiring In-home Help Factsheet (http://www.caregiver.org/caregiver/jsp/content_node.jsp?nodeid=407) • Center for Personal Assistance Services (http://www.pascenter.org/home/index.php)

*Public funding means that the program is paid for, in part or in whole, by the government. Some publicly-funded programs have eligibility requirements and provide services at low cost or no cost to people who qualify. Most of these programs and services though, are also available to people who are able to pay privately (with their own money). For more information, please see the Sources of Funding section of this web site.

ATTACHMENT "A"

Personal Attendant Services



Take Charge of your Life!

For adults with physical disabilities, the Personal Attendant Services program (PAS) allows people with disabilities to maintain independent lifestyles, to live in the community and make choices concerning their personal assistant needs. Individuals with disabilities taking part in the Personal Attendant Services Program choose and hire their own Personal Attendant and work with them based on their individual needs. If you need a personal attendant and qualify through the Delaware Division of Services for the Aging and Adults with Physical Disabilities (DSAAPD), our

staff can help you with the selection, hiring and training of the personal attendant. You become the employer.

Easter Seals is a resource to help you succeed in your employer/employee relationship. To find out DSAAPD's eligibility criteria, contact them at: DSAAPDinfo@state.de.us or call 1-800-223-9074.



Read Emmanuel's story

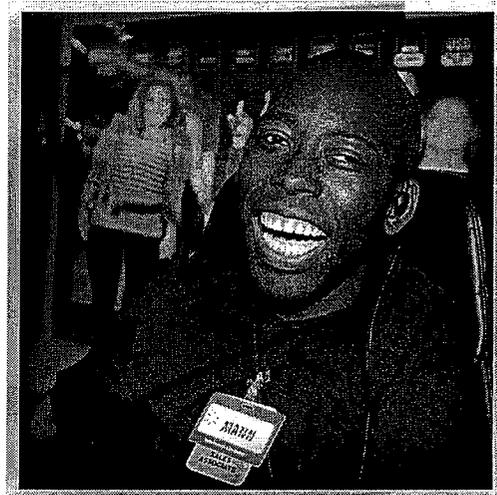
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Easter Seals Delaware and Maryland's Eastern Shore, 61 Corporate Circle, New Castle, DE 19720-2405 Easter Seals and its affiliate organizations are 501(c)(3) nonprofit organizations.

Take charge of your life with Personal Attendant Services

Like Emmanuel, you too can have it all!

Whoever said you can't have it all doesn't know Emmanuel. He has a beautiful wife, a five-year-old son, a new house in Harrington and a great job. Who could ask for more? Not Emmanuel, who is happy to be able to provide for his family. Life has not always been this perfect for Emmanuel, who lives with Cerebral Palsy and uses a power wheelchair. It was not until he started receiving Personal Attendant Services (PAS) through Easter Seals that he could live his life to the fullest.



"Easter Seals Personal Attendant services gives me a chance to be more independent. It has opened many doors for me on a professional and social level," Emmanuel says. "It gives me a chance to go out into the community and be a part of society. This program lets us live a 'normal' life without limitations."

He was working part-time at the Boys & Girls Club in Seaford when he first started receiving Personal Attendant services. Now days, his Personal Attendant helps him get ready each morning so he can report to work at his full-time job in the Wal-Mart store in Seaford each day.

Emmanuel is a valued part of his community and often does speaking engagements in Washington and Philadelphia to encourage men to step up to the plate as good fathers, husbands and employees in society.

The Personal Attendant program is one that puts the individuals with the disability in charge. Easter Seals staff provides the training of the attendant and other administrative tasks, such as payroll, but participants are trained to hire their own attendant, and set the work schedule and duties to be performed.

For more information on Easter Seals' Personal Attendant Program, please call 1-800-677-3800.

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Supports for Independence

Delaware

What are Personal Assistance and Personal Attendant Services?

Personal Attendant and Personal Assistance Services (PAS) empower individuals with disabilities to maintain their independence at home and remain active in their community. Individuals receive service coordination and financial management services, which support them in the process of hiring their own personal care attendant. Individuals can hire a friend, neighbor, or relative to help them with their personal care needs. Our experienced staff can also assist individuals in finding personal care attendants who can work at the participant's requested days and times.

Are you 18 or over with a disability and want control of your own services?

Do you want the choice to hire your own personal attendant to provide your personal care?

JEVS Supports for Independence can help. We tailor your services to meet your needs!

Service Coordination Includes

- An experienced Coordinator to support you in creating an individualized service plan (ISP)
- Assistance with setting you up as an employer so you can hire personal care attendants to meet your needs

Your Personal Attendant can help you with

- Bathing, dressing, grooming, toileting, meal preparation, and transferring
- Light housekeeping such as cleaning and doing laundry
- Errands and tasks such as food shopping and visits to the pharmacy

Financial Management Services Include

- Orientation to the program for you and your employees
- A competitive pay rate for your employees
- Human Resources support that helps you find a personal attendant to fit your needs
- Completing reference and background checks.
- Assistance with establishing and maintaining workers' compensation accounts
- Assistance with payroll
- Assistance with managing employment taxes
- A phone activated time and attendance system to ensure accuracy in recording hours worked
- A convenient call in system to confirm the hours your personal care assistant has worked

Would you like a FREE one of a kind training to help you in your role as an employer?

JEVS Supports for Independence offers a free Consumer Directed Training Series for all individuals enrolled in our Self-Directed Services Programs.

Consumer Directed Training

The JEVS SFI Consumer Directed Training Series supports program participants in their role as employers. This one of a kind training consists of video and written components that cover 11 topics essential to creating an effective relationship between the participant and his or her attendant. This training is the result of a team effort involving important contributions from self-directing participants, attendants, and SFI staff.

Eligibility for Personal Attendant Services

- A Delaware State Resident who is 18 years of age or older

- Applicant must possess a severe, chronic disability that significantly impairs his or her ability to perform the essential activities of daily living in an independent manner either at home or in the community
- Disability must be medically verified and expected to last for a continuous period of no fewer than 12 months

Enrollment for Personal Attendant Services

Eligibility and enrollment are determined by the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD).

TF: 1-800-223-9074
TTY: (302) 453-3837

Email: DSAAPDinfo@state.de.us

Eligibility for Personal Assistance Services

- A Delaware state resident who is at least 18 years of age
- Applicant must possess a severe, chronic physical, mental or developmental disability which significantly impairs the applicant's ability to perform the essential activities of daily living in an independent manner at home and in the community
- The applicant's chronic disability must be medically verified and expected to last for a continuous period of no fewer than 12 months

Enrollment for Personal Assistance Services

Eligibility and enrollment are determined by the Division of Medicaid and Medical Assistance (DMMA) or a Contracting Agency.

TF: 1-800-372-2022
TEL: (302) 255-9500

We Speak Your Language

JEVS Supports for Independence is dedicated to meeting your needs in a variety of languages. Our bilingual staff will create a supportive environment in which participants with limited English proficiency can have questions answered and their needs met.

Cost

Personal Attendant Services may be available at no cost or through cost sharing. Cost sharing, if applicable, is determined by the enrolling agency.

Personal Assistance Services are available at no cost for eligible participants.

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HEALTH FUND APPLICATION - FY '14 REQUEST

AGENCY NAME:	DHSS, Division of Services for Aging and Adults with Physical Disabilities
FY '13 BUDGET:	\$760,000.00
FY '14 BUDGET REQUEST:	\$760,000.00

PRIORITY #	AMOUNT OF REQUEST	SERVICE IMPACT	
		# of CLIENTS	DESCRIPTION & IMPACT OF A REDUCTION
1	\$760,000.00	49	DSAAPD is requesting Health Funds to support its Personal Attendant Services (PAS) program. The PAS program enables participants to live in the community and postpone or avoid entering long term care facilities. The impact of a reduction in funding is that less participants would be served. Participants who would not receive PAS services would potentially be in danger of requiring more costly nursing home care.

STATE OF DELAWARE
HEALTH FUND APPLICATION
FISCAL YEAR 2014

Applications are only being accepted from programs that received Health Fund money in FY 13.

FUNDING REQUESTS ARE DUE BY 4:30 PM, Monday, SEPTEMBER 10, 2012.

Requests should be submitted electronically to deborah.gottschalk@state.de.us and joanne.finnigan@state.de.us . Please send as a PDF or Image Writer file with your organization's name at the beginning of the file name. (Please remember to sign the Agreement on page 5).

As part of your application, please complete the attached template that itemizes your funding request.

Please direct questions to Debbie Gottschalk, Chief Policy Advisor, DHSS, Phone: (302) 255-9038; email: deborah.gottschalk@state.de.us or Joanne Finnigan, Phone: (302) 255-9880; email: joanne.finnigan@state.de.us .

Agency Information

1. Official Name of Organization:
Delaware Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities

2. Date of Incorporation or Date Established by Law:
1965

3. 9-digit Federal Employer Identification No.:
51-600279

4. Address of Management Office:
1901 N. DuPont Highway
Herman Holloway Campus
Main Building, 1st Floor Annex
New Castle, DE 19720

5. Name, Phone Number, and E-mail Address of Primary Contact Representative:
Denise Weeks-Tappan, 203-255-9360, denise.weeks-tappan@state.de.us

6. Did your agency receive Health Funds in Fiscal Year 2013? If yes, how much?
Yes, \$760,000

Program Information

1. Why is there a need for the program for which your agency is seeking Health Funds?

The mission of the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) is to improve and maintain the quality of life for Delawareans who are elderly or who are at least eighteen years of age with physical disabilities. The Division is committed to the development and delivery of consumer driven services, which maximize independence through individual choice in the least restrictive environment possible, enabling individuals to continue living active and productive lives and protecting those who may be vulnerable or at risk.

The Personal Attendant Services (PAS) program is an important component of the community-based long term care system supported by DSAAPD. The program provides personal care and other approved support services for adults with physical disabilities who need assistance to enable them to live in their own homes and communities and to carry out functions of daily living, self care, and mobility.

Guidelines for the Personal Attendant Services program were established through the Community-Based Attendant Services Act (HB 30), which was signed into law by Governor Minner in 2001. The law (16 Del.C. Ch. 94) can be reviewed online at <http://delcode.delaware.gov/title16/c094/index.shtml>

The main goal of Personal Attendant Services Program is to provide attendant services to eligible adults with physical disabilities, enabling them to work and/or avoid living in highly supervised institutional settings. Attendant Services is intended to maximize independence and autonomy for consumers. Currently, Attendant Services is the only self-directed service administered by DSAAPD.

Consumers select their own attendants and direct attendant care in a manner which is consistent with their own personal lifestyles and preferences. Consumers serve as the actual employers of their attendants by hiring, training, scheduling, directing work activities, issuing paychecks and performing other related oversight functions. Consumers may act through a guardian or appointed representative.

The Division contracts for the provision of Personal Attendant Services on a statewide basis. Originally funded with State general funds, the program was later expanded with the addition of funds available through the State's portion of the Tobacco Settlement.

- ### 2. What are the program goals and objectives?
- a. To provide personal attendant services to promote self-sufficiency, self-reliance, and a sense of personal responsibility among participants.
 - b. To minimize the likelihood of institutionalization and maximize the potential for independent living of individuals with disabilities.
 - c. To reduce the barriers to participation in common community-based activities.

3. Please describe the target population affected by the program.

The target population consists of individuals with low incomes who require long term care supports and services to remain in the community.

4. Where will the services be provided?

The Personal Attendant Services program is statewide and provides services in the client's home or other community-based settings.

5. What other agencies or organizations provide services similar to those of your agency, if any? How do you propose to work with the agencies that perform similar services?

Home health agencies provide personal care services that are used as supplementary service for some recipients of attendant care. DSAAPD will continue to coordinate scheduling and service delivery issues with these agencies.

Funding Request

1. What level of funding is your agency requesting for FY 2014?

\$760,000

2. Is the requested funding a one-time request or do you anticipate the need for on-going funding? Please explain.

The need for this funding is ongoing. It is expected that in FY 2014, Health Funds will provide attendant services for approximately 49 participants and general funds will serve an additional 18 persons for a total of 67 persons. In addition, there are currently 80 persons on the waiting list, including 68 who are designated as high priority.

3. Please submit a proposed line item budget (i.e., personnel, contractual, travel, supplies, etc.) explaining how you intend to use **FY 2014 Health Funds**. You will be asked to submit a year-end expenditure report, based on the proposed budget, due 30-days following the end of your Health Fund contract, if one is awarded.

Proposed line item budget for FY 2014 Health Funds:

Staff Salaries	\$131,534
Staff Fringe Benefits	\$45,796
Travel/Training	\$5,970
Contractual	\$569,604
Supplies	\$2,910
Indirect Costs	\$4,186
Total	\$760,000

4. If you received Health Funds in **FY 2012**, please submit a year end expenditure report detailing how those funds have been used.

Please see attached contractor year-end reports for FY 2012 Attendant Services Program unit cost and line item budget contracts.

5. Does your agency receive funding for this project from any of the following sources? If so, please provide the name of the funding source and the amount of funding received.

- State Funds (i.e., General Funds, ASF, Grant-in-Aid): \$ 269,086
- Federal Funds (including federal grants):
- Other Funds (i.e., corporate grants/donations):

6. In addition to sources listed in the answer to question 5, does your agency receive funding from any of the following sources? If so, please provide the name of the funding source and the amount of funding received.

- State Funds (i.e., General Funds, ASF, Grant-in-Aid): \$ 18,985,182
- Federal Funds (including federal grants):

Social Services Block Grant	\$ 1,219,507
Medicaid	1,912,440
Older American's Act Title III	5,962,829
Older American's Act Title V	1,897,116
Older American's Act Title VII	108,909
Nutrition Services Incentive Program	492,941
Senior Medicare Patrol and Capacity	222,138
Aging and Disabilities Resource Center	221,935
Approach to Legal Assistance	100,000
Federal Total	\$ 12,137,815

- Other Funds (i.e., corporate grants/donations):

Program Evaluation

1. If you are currently receiving Health Funds, how have you evaluated your program's success at meeting the previously stated goals and objectives? Specifically, identify the performance measures you use and the corresponding results.

Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) staff members monitor the Attendant Services Program contracts to ensure that program goals are being met.

DSAAPD case managers provide oversight to ensure that services are delivered in accordance with individual care plans.

Recipients are surveyed annually regarding their satisfaction with the service. During the most recent program year, nearly all program participants indicated that the attendant services met their expectations, that their interactions with staff were good and that the staff members were responsive to their needs.

DSAAPD utilizes a tracking system which closely monitors service utilization. This system enables staff to accurately project service hour availability and allows for efficient use of existing resources.

2. If you are currently receiving Health Funds and did not meet your stated goals and objectives, how would you modify your program to meet the stated goals and objectives?

DSAAPD has met our current goals and objectives.

Agreement

Delaware of Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities agrees to the following as a condition of receiving Health Funds:

1. To submit funding requests on the forms provided at the times designated and to participate in the allocations review process.
2. To provide an annual certified audit and other financial statements, service figures, and reports or audits as required by the State of Delaware.
3. To cooperate with other organizations, both voluntary and public, in responding to the needs of the community and in promoting high standards of efficiency and effectiveness.
4. To submit accurate information with this application. NOTE: Any misstatement of facts may forfeit any remaining balance of grants due and/or future grants.
5. That this agency meets the criteria established by the Health Fund Advisory Committee and uses any funds appropriated by the General Assembly in accordance with those provisions and any additional restrictions that may be set forth in State Law.
6. This agency will provide the Health Fund Advisory Committee with financial or programmatic information upon request.

This agreement has been read and approved on:

September 4, 2012
(Date)

By: William Love
(Name)

Division Director
(Title)

William Love
(Name)

Division Director
(Title)

Health Fund Project Criteria

In accordance with Section 137 of Title 16 of the Delaware Code, moneys from the Delaware Health Fund shall be expended for Delaware citizens in accordance with any 1 or more of the following:

- (1) Expanding access to healthcare and health insurance for citizens of Delaware that lack affordable healthcare due to being uninsured or underinsured;
- (2) Making long-term investments to enhance healthcare infrastructure which meets a public purpose;
- (3) Promoting healthy lifestyles, including the prevention and cessation of the use of tobacco, alcohol and other drugs by the citizens of Delaware;
- (4) Promoting preventative care for Delawareans in order to detect and avoid adverse health conditions, particularly cancer and other tobacco-related diseases;
- (5) Working with the medical community by providing funding for innovative and/or cost effective testing regimens to detect and identify lesser-known but devastating and costly illnesses, such as sarcoidosis and hemachromatosis, fibromyalgia, lupus, Lyme disease and chronic fatigue immune deficiency syndrome;
- (6) Promoting a payment assistance program for prescription drugs to Delaware's low-income senior and disabled citizens who are ineligible for, or do not have, prescription drug benefits or coverage through federal, state, or private sources;
- (7) Promoting a payment assistance program to Delaware's citizens who suffer from debilitating chronic illnesses, such as diabetes and kidney disease, which are characterized by onerous recurring costs for equipment, tests and therapy; and/or
- (8) Such other expenditures as are deemed necessary in the best interests of the citizens of Delaware provided they shall be made for health related purposes.

