

POLICIES AND PROCEDURES

Policy Title: Relative as Provider of NC Innovations Services		
Policy Number: C-3.3.25		
Original Effective Date: June 27, 2017	Approved by:	Eastpointe Board of Directors
Revised/Review Date: June 26, 2018	Approved by:	Eastpointe Board of Directors

Reviewed and Approved by: _____ / _____
Sid Hosseini, Medical Director / *Date*

Policy: Eastpointe Local Management Entity/Managed Care Organization (LME/MCO) shall ensure that if a qualified provider is unavailable for NC Innovations services for adult North Carolina (NC) Innovations Waiver participants, that the service as deemed allowable in Clinical Coverage Policy 8P, may be provided by a legal guardian, parents of adult participants, and other relatives who live in the home of the participant.

Definitions:

Relatives: Individuals related by blood or marriage to the waiver participant. The relative must live in the home of the waiver participant. Excluded from this policy are the following relatives: biological or adoptive parents of a minor child, stepparents of a minor child, or the spouse of a waiver participant.

Procedure:

- This policy applies to waiver participants ages 18 and older who live with a relative or legal guardian who is employed by a waiver provider agency.
- Community Living and Support is the only waiver service that may be provided by a relative who resides in the home of the individual (age 18 and older).
- Employers of Record and Managing Employers participating in the Individual Family Directed option may not be employed to provide waiver services.
- It is recommended that a relative residing in the home of the participant provide no more than 40 hours per week of services to the person. This must be reported to Eastpointe, but does not require approval by Eastpointe. This will be documented in the participant’s Individual Support Plan (ISP).

URAC Reference: Click here to enter text.	EQRO Reference: Click here to enter text.
Contract Reference: Click here to enter text.	Regulation: Clinical Coverage Policy 8P; 2013 House Bill 543
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- If more than 40 hours are requested to be provided by relatives residing in the home of the participant, then approval must be obtained by Eastpointe. Justification needs to be provided as to why there is no other qualified provider to provide Community Living and Support, and assurances of provider choice, and that the participant will not be isolated from their community. In exceptional situations, up to 56 hours per week may be approved. This is the total number of hours that one relative may provide regardless of the number of NC Innovations Waiver participants residing in the home.
- Relatives who were providing more than 56 hours of services on 12/31/2015 may exceed the 56-hour limit and be approved to provide the amount of services that they were authorized to provide as of 12/31/2015, if the participant continues to choose the relative as the staff member, there are no health and safety issues, and the participant is not isolated from their community.
- Eastpointe ensures compliance with the conditions of this policy through a prior approval process. Eastpointe provides an increased level of monitoring for services delivered by relatives/legal guardians. Services delivered by relatives/legal guardians are monitored monthly. Intellectual/Developmental Disabilities (I/DD) Care Coordinators monitor through on-site monitoring and documentation review to ensure that payment is made only for services rendered, and that the services are furnished in the best interest of the participant.
- The Individual Support Plan (ISP) contains documentation that the waiver participant agrees with the employment of the relative and has been given the opportunity to fully consider all options for employment of non-related staff for waiver service provision.
- The relative or legal guardian will not be reimbursed for any activity that would be provided to a person without a disability of the same age.
- Legal guardians may provide services if they are a parent of the ward, member of the ward's immediate family, a licensed family foster care provider or licensed therapeutic foster care

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provider, or a biologically unrelated individual who was serving on Mary 1, 2013 as a guardian without compensation for the guardianship services.

- The ISP Planning Team regularly reviews the paid service provision of relatives and guardians when they live in the home of the waiver participant to ensure that:
 - The participant has requested this staffing choice;
 - There are no barriers to full community membership and relationship building with non-family members;
 - The staff qualifications needed and the unique training needs of the participant are met; and
 - The role of the relative/legal guardian clearly encourages autonomy and skill building for independence in the community.
- Agreement of the participant in this arrangement, if approved by Eastpointe, and any identified barriers that need to be addressed are documented in the ISP.
- Participants whose services are provided by guardians and relatives living in the home of the participant, receive monthly face to face monitoring visits by the I/DD Care Coordinator.

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