

### **3001 FAMILY MEMBERS AS PAID PROVIDERS**

REVISION DATE: 2/26/2016, 7/3/2015

EFFECTIVE DATE: June 30, 1994

In some situations, family members may be paid to provide certain services. Immediate relatives permitted to provide service include the following:

- A. Natural Child;
- B. Natural Sibling;
- C. Adoptive Child;
- D. Adoptive Sibling;
- E. Stepchild or Stepsibling;
- F. Father-in-Law, Mother-in-Law, Son-in-Law, Daughter-in-Law, Sister-in-Law, Brother-in-Law;
- G. Grandparent or Grandchild; and, or,
- H. Spouse of Grandparent or Grandchild.

Immediate relatives not permitted to provide services for children under age 18 include:

- A. Natural Parent;
- B. Adoptive Parent ; and,
- C. Step Parent.

Certain requirements are specific to family members who may be paid to provide supports to their family member with a developmental disability. They include:

- A. Parent/Step Parents may only be paid for an adult child (over age 18). Other family members of an adult or minor who meet certification requirements may be paid to provide services;
- B. A spouse of a person with a developmental disability may not be paid to provide services to their spouse (See Attendant Care section for exception);
- C. The Planning Team must determine the type and amount of services the person needs within their home environment. This determination is based on assessed need as well as the availability of natural and community resources;

- D. Family members cannot be paid for skilled care during the provision of services such as Attendant Care or Habilitation (skilled care includes, but is not limited to: G-tube insertion and feedings, catheter replacement, respiratory treatment such as Small Volume Nebulizers, or suctioning tracheostomy care) (See Appendix D – Skilled Nursing Matrix);
- E. A single family member who is an individual independent provider may not be paid to provide more than 40 hours of any combination of service per week. This maximum of 40 hours per week does not limit another family member from providing services. For example, an adoptive sibling may provide 38 hours of services and the grandparent may provide another 12 hours of service;
- F. Family members must comply with all requirements in their contract in addition to all policies, procedures, laws, and rules;
- G. Primary caregivers/parents may not be paid to provide Respite;
- H. Services shall not replace care provided by the person's natural support system;
- I. Family members shall participate in and cooperate with ongoing monitoring requirements by the Division;
- J. Qualified family members may become certified home and community based service providers by meeting the certification requirements, as applicable; and,
- K. When a family member requests to become the provider for a member over the age of 18, the Support Coordinator/designee will conduct a personal interview with the member.