

1 **1302 INDEPENDENT PROVIDER PROGRAM**
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6 REFERENCES: A.A.C. R6-6-2109
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8 **PURPOSE**

9 The purpose of this policy is to outline requirements for the Division's
10 Independent Provider Program.

11 **DEFINITIONS**
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- 14 1. "Direct Care Worker" or "DCW" means an individual who assists
15 elderly individuals or individuals with a disability with activities
16 necessary to allow them to reside in their home.

 - 17 2. "Electronic Visit Verification" or "EVV" means a computer-based
18 system that electronically verifies the occurrence of authorized
19 service visits by electronically documenting the precise time a
20 service delivery visit begins and ends, the individuals receiving
21 and providing a service, and the type of service performed.

 - 22 3. "Employer of Record" means the ~~responsible person~~ individual
23 enrolled with the Fiscal Intermediary services as the employer.

- 24 4. "Fiscal Intermediary" means a contracted provider that files
25 state
26 and federal paperwork required for a member Member to serve
27 as the employer and required for an Independent Provider to be
28 an employee of the member Member and that provides payroll
29 functions.
- 30 5. "Individual-Independent Provider" means the same as Individual
31 Independent Provider as defined in A.A.C. R6-6-2101. an
32 individual who has a service agreement with the Division to
33 provide Attendant Care (ATC), Homemaker (HSK), Respite
34 (RSP), or Habilitation (HAH/HAI) and who is a DCW.
- 35 6. "Independent Provider Agreement" or "IPA" means a legally
36 binding contract to provide community developmental disability
37 services and includes the following: the Independent Provider
38 Application, including service requirements/scope of work, terms
39 and conditions, and service specifications; the most current
40 Arizona Independent Provider Rate Schedule and any updates;
41 the Application and any updates; the Independent Provider

42 Agreement Award Notice; any Agreement Amendments; and any
43 terms applied by law.

44 7. "Member" means the same as "Client" as defined in A.R.S. § 36-
45 551.

46 8. "Responsible Person" means the parent or guardian of a minor
47 with a developmental disability, the guardian of an adult with a
48 developmental disability or an adult with a developmental
49 disability who is a member Member or an applicant for whom no
50 guardian has been appointed.

51
52 **POLICY**

53
54 **A. PROGRAM REQUIREMENTS**

55 1. The Division shall offer ~~members~~ Members and their families the
56 ability to direct their care and give the ~~member~~ Member control
57 over assigning duties and schedules for the Direct Care Worker
58 (DCW) including hiring, firing and changing Independent
59 Providers at any time. ~~and some~~

60 2. The Division shall require the Independent Provider to remain in

- 61 compliance with trainings requirements through as identified in
62 the Independent Provider Agreement (IPA) Program and the
63 Person Centered Service Plan (PCSP).
- 64
65 3. The Division shall not permit an Individual Independent Provider
66 shall not to provide more than 40 hours per week in combination
67 of all services to any combination of services for more than 16
68 hours within a 24 hour period to Members. all members
- 69 4. The Division shall require an Individual Independent Provider
70 shall adhere to adhere to the Division's Medical, Operational,
71 Behavioral Supports and Provider Manuals as applicable to their
72 scope of service.
- 73 5. ~~The Division shall allow the member Member or responsible~~
74 ~~person Responsible Person to change Individual Independent~~
75 ~~Providers at any time.~~
- 76 5. The Division shall require the Independent Provider to complete
77 the Pre-Service Provider Orientation form (DDD-0097A) prior to
78 providing services and if there are any changes to the Member's

79 conditions or needs.

80 **B. MEMBER/RESPONSIBLE PERSON RESPONSIBILITIES**

81 1. The Division shall require the member or responsible person

82 Responsible Person to shall:

83 a. Identify any training needs, over and above the minimum
84 required training by the Division, that are necessary to
85 meet their ~~unique~~ individual needs;

86 b. Select an ~~the Individual~~ Independent Provider from a pool
87 of ~~Individual~~ Independent Providers that are already
88 contracted by the Division;

89 c. ~~Orient~~ Inform the ~~Individual~~ Independent Provider to the
90 manner in which they want the services provided;

91 d. Provide feedback to the ~~Individual~~ Independent Provider
92 regarding the performance and dismiss or fire if the
93 ~~member~~ Member is not satisfied with the care provided;

94 e. Provide oversight and instruction to the ~~Individual~~
95 Independent Provider to ensure they are receiving quality
96 care;

- 97 f. Communicate regularly with the Support Coordinator about
98 the ~~Individual~~ Independent Provider performance; and
- 99 g. Enroll with the Division's Fiscal Intermediary agency as the
100 Employer of Record and verify service visits using the ~~fiscal~~
101 ~~intermediary's~~ Fiscal Intermediary's Electronic Visit
102 Verification (EVV) system.
- 103

104 **C. FISCAL INTERMEDIARY RESPONSIBILITIES**

- 105 1. The Division shall require the Fiscal Intermediary to: ~~shall:~~
- 106 a. Maintain an EVV system as required by AHCCCS;
- 107 b. Process payments to ~~Individual~~ Independent Providers;
- 108 c. Manage required withholdings;
- 109 d. Provide tax documentation of ~~members~~ Members and
110 ~~providers~~ Independent Providers; and
- 111 e. Adhere to all contractual requirements as outlined in the
112 Fiscal Intermediary Management services contract.

113 Signature of Chief Medical Officer:
