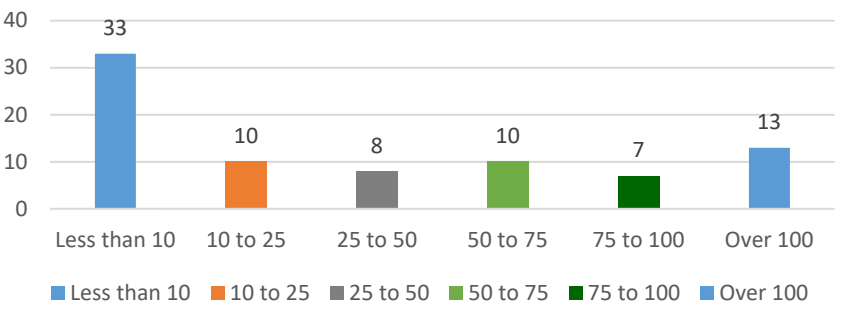


April Veteran Directed Care Operations Office Hour Frequently Asked Questions (FAQs)

The April Veteran Directed Care (VDC) Operations Office Hour Session was facilitated by the Administration for Community Living (ACL) and the Veterans Health Administration (VHA) with support from the Lewin Group to provide an overview of VDC spending plan development, hiring workers, and initiating services. Participants during the webinar were given the opportunity to ask questions through the Zoom chat feature, which were addressed by Hayley Mitchell and Pat Brady from Lewin. **Table 1** provides a list of frequently asked questions (FAQs), generated from the question and answer portion of the webinar.

Table 1. April VDC Office Hour Session 1 FAQs

Questions	Responses
Where can VDC providers access the VA Field Guidebook?	The VA Field Guidebook was published in early April and shared with VAMCs on their SharePoint site. VDC providers should request access to it from their partnering VAMC.
Where can we access recordings of the past office hours in this series?	All office hour sessions in this series have been recorded and posted to YouTube and are linked on the ACL No Wrong Door (NWD) website . Links to these recordings can be found here: February Educational Webinar , March Office Hour , and April Office Hour .
May a Veteran hire a caregiver that lives out of state for temporary care?	Yes, there is nothing to prohibit a Veteran from hiring a caregiver that lives out of state for temporary care. However, the VDC provider should ensure that doing so does not inhibit care due to travel or other considerations.
If a Veteran is on hospice and the overspending per month is planned and intentional, is that allowed (with the understanding that there is an approved spending plan for allowable goods/services)?	Yes, this is permissible as long as it is documented in the Veteran's spending plan and approved by the VAMC VDC Coordinator. Only items included in the approved VDC spending plan will be approved for payment.

Questions	Responses														
<p>Where do we find the remediation/termination policy?</p>	<p>The remediation training and termination policy aims to support Veterans who consistently spend over their average monthly budget and are at risk of exceeding their authorized budget prior to the end of their authorization period. The VDC provider is responsible for applying the policy by developing a plan with the Veteran to align spending with the average monthly amount and continue to review spending with the Veteran monthly. The VDC provider must alert the VAMC VDC coordinator of continuous Veteran overspending. If overspending continues to occur despite remediation training, the VAMC VDC coordinator may opt to work with the Veteran to determine if a different VHA program will better meet their needs.</p> <p>Additional information on the remediation training and termination policy can be found in the VDC Billing and Invoicing Guide. We also have a template relevant to this policy that can be found in the VDC Forms Library on the TA Community website.</p>														
<p>Can I get a copy of the answers for the Menti poll about program size? I find it very interesting.</p>	<p style="text-align: center;">Number of Veterans Enrolled in VDC Program</p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Enrollment Category</th> <th>Number of Veterans</th> </tr> </thead> <tbody> <tr> <td>Less than 10</td> <td>33</td> </tr> <tr> <td>10 to 25</td> <td>10</td> </tr> <tr> <td>25 to 50</td> <td>8</td> </tr> <tr> <td>50 to 75</td> <td>10</td> </tr> <tr> <td>75 to 100</td> <td>7</td> </tr> <tr> <td>Over 100</td> <td>13</td> </tr> </tbody> </table>	Enrollment Category	Number of Veterans	Less than 10	33	10 to 25	10	25 to 50	8	50 to 75	10	75 to 100	7	Over 100	13
Enrollment Category	Number of Veterans														
Less than 10	33														
10 to 25	10														
25 to 50	8														
50 to 75	10														
75 to 100	7														
Over 100	13														
<p>Is there a timeframe for when the VAMC needs to review and provide feedback or approval of the Monthly Spending Plan (MSP) to the Person-Centered Counselor?</p>	<p>There is no definitive timeframe for when the VAMC needs to review and provide approval of the MSP. However, communication between VDC providers and VAMCs is critical, and expedited approval is a best practice to ensure that Veteran needs are met.</p>														

Questions	Responses
<ol style="list-style-type: none"> 1. What is a Good Cause Waiver? 2. Is a Good Cause Waiver not required if they have certain findings on their background check? 3. Since the Good Cause Waiver is a requirement for the Department of Senior Services in Missouri, does this still apply to VDC since it is a federal program? 	<ol style="list-style-type: none"> 1. Criminal background check requirements vary by state. In Missouri, “Good Cause Waiver” is the terminology used to reference a Veteran’s right to overrule concerning background check findings. If granted, the Good Cause Waiver does not remove the finding but waives the legal hiring restriction and allows employment. 2. If a potential employee passes their background check without disqualifying factors, they are considered employable. In this case, a Good Cause Waiver will not be necessary. 3. The VDC provider specifies any hiring requirements, as dictated by state policy. Similarly, the VDC provider specifies the requirements and procedure for conducting background checks with Veterans’ workers in accordance with state policies.
<ol style="list-style-type: none"> 1. Can a Veteran sign a right to hire document that overrides the state criminal background check standards? 2. Is there a definitive list of offenses that would not allow PCA to be hired or a Veteran to sign a waiver to be hired? 	<ol style="list-style-type: none"> 1. If the results of a background check show events that are not disqualifying but present a concern for Veteran health and safety, the PCC discusses them with the Veteran and authorized representative. If the Veteran insists on the hire, the Veteran is required to sign an Informed Risk Agreement or Waiver. It is recommended that the Veteran develop a risk management plan related to the hire with their PCC. The risk management plan should be monitored multiple times during the year (e.g., during onsite visits with the Veteran) and updated, as appropriate, while the Veteran employs the worker. 2. States may have criteria, guidance, and/or policies in State Participant Directed Programs that would disqualify a worker due to certain offenses. Veterans should not hire workers that indicate a history of abuse, neglect, or exploitation of a person of any age. VDC providers should work with Veterans to develop mitigation plans for any workers with potential risks due to background checks or other findings.
<p>Can a Veteran sign a waiver to start an employee prior to background check results?</p>	<p>Procedures for Veterans’ workers’ background checks for VDC must be in accordance with state policies.</p>
<p>For background checks, do charges (not convictions) disqualify the worker from employment?</p>	<p>The events that are considered disqualifying for hiring a worker and the length of time they are in place vary by state.</p>
<p>Is it state policy that sets the practice on screening and/or waiver requirements? If there is a federal reference for the VDC program, can you share that citation?</p>	<p>Yes, the VDC provider specifies the requirements and procedure for conducting background checks with Veterans’ workers in accordance with state policies.</p>

Questions	Responses
<p>Is there a minimum/maximum wage that a Veteran can pay their employees?</p>	<p>Veterans as employers have the right to determine and establish hourly rates within the funds available in their spending plan. However, VDC workers hired by the Veteran will not be paid an hourly rate that exceeds the hourly rate allowed by the state program for agency services (excluding employer tax costs). Veterans must also comply with the minimum wage requirements in their state. The average VDC worker hourly rate ranges from \$15.00 – \$20.00/hour (excluding employer tax costs) but may be exceeded if necessary.</p>
<p>Can a Veteran receive VDC if they are currently on the Medicaid Waiver program?</p>	<p>A Veteran who is dually eligible for VA and Medicaid may choose VA as first payer. States may require Veterans to seek VA assistance for personal care services (PCS) before approaching the Medicaid program for services covered by both entities. States may choose to supplement VA’s authorization for PCS, based on the State’s assessment. If a Veteran is enrolled in Medicaid at the time of referral, the VA may supplement the State authorization if the Veteran has unmet needs. If all the Veteran’s needs are met by Medicaid, additional services provided by the VA would constitute duplication of care. Coordination of benefits with State Medicaid agencies is encouraged to ensure needed services and avoid service duplication.</p>
<p>What supplies or services can be included in a Veteran’s spending plan?</p>	<p>The purchase of goods and services must meet all the following criteria:</p> <ol style="list-style-type: none"> 1. Meets the identified needs, goals, and outcomes in the Veteran’s spending plan; 2. Improves the Veteran’s ability to remain safely in their home; 3. Addresses the ADLs or IADLs needs of the Veteran; 4. Be the least costly alternative that reasonably meets the Veteran’s identified needs; 5. Not be provided or paid for by VA, Medicare, Medicaid, TRICARE, or other agency, organization, program, service, or insurance; 6. Not be the responsibility of the Veteran as a homeowner to maintain, repair, or replace goods and services; AND 7. Be for the Veteran. <p>If all the above criteria are met, goods and services are appropriate purchases when they are reasonably necessary to meet one or more of the following Veteran outcomes: 1. Support the ability of the Veteran to remain in their home and access their community resources and network; 2. Enhance community inclusion and family involvement; 3. Develop, maintain, or improve personal, social, physical, or work-related skills; 4. Decrease dependency on formal support services (i.e., reduce the need for purchasing services through other professional health and community-based service providers); 5. Increase the Veteran’s independence; 6. Increase the Veteran’s safety in their home and community; and/or 7. Enhance family involvement by increasing the ability of direct care workers and caregivers, including family members and friends, to receive education and skills training needed to provide support to the Veteran.</p>
<p>If the Veteran is responsible for their program and overspends beyond the spending plan amount, the VA may not pay that amount back to the agency due to it not being an approved overage? Is that correct?</p>	<p>Yes, only items included in the approved VDC spending plan will be approved for payment. To ensure that Veterans comply with their spending plan, VDC providers should monitor spending, especially during the first few months that the Veteran is on the program.</p>

Questions	Responses
<p>There is a new form that was rolled out for Goods and Services. Does that need to be signed and submitted each time the Veteran submits the expense?</p>	<p>Please work with your partnering VAMC VDC Coordinator to establish processes for the Goods and Services Form.</p>
<p>We have a Veteran who wants to split employer responsibilities with his son – where the Veteran would be the legal employer in the eyes of the IRS, but the son would be an authorized representative and take on all the responsibilities that that entails (e.g., managing employees and signing timesheets). Is that allowed? How would we navigate the shared responsibilities?</p>	<p>Typically, Veterans will select an authorized representative to manage the entire VDC program – including hiring workers, managing the budget, etc. – on their behalf. In that sense, authorized representatives may not serve as paid workers, but would be taking on that “employer” role.</p>
<p>VDC pays for Adult Day Care (ADC) service for a Veteran on the program. Veteran participates in a supervised gym class at the ADC. Approval from VDC has been confirmed to pay for this class using Planned Savings. Under what billing/service category would you recommend we put this service under? *Purchase of non-employee services OR *Emergency back-up OR *Planned Purchase service</p>	<p>Please work with your partnering VAMC VDC Coordinator to confirm the billing/service category that would apply to this specific Veteran’s situation.</p>
<p>How can I be added to the email list for the next two sessions?</p>	<p>If you or a colleague needs to be added to the VDC email distribution list, please enter your information in this form: VDC Email Distribution List Form. Please contact us at VeteranDirected@acl.hhs.gov if you have any questions or concerns.</p>
<p>Can we get a place for all the various forms people use to live as samples that we can all access?</p>	<p>Based on provider feedback during the office hour session, a “forms library” is located on the TA Community website, where we will house the various forms that VDC providers use for their VDC processes (e.g., the intake process, person-centered assessments, etc.). To help us build that library, we ask that VDC providers who would like to share their existing VDC form templates with peers to please forward them to VeteranDirected@acl.hhs.gov, so we can upload them to a shared resource.</p>

Questions	Responses
<p>If a Veteran (or authorized representative) refuses a home visit for many months, would the Veteran need to be disenrolled from the program?</p>	<p>The VDC provider, in consultation with the VAMC VDC Program Coordinator, may decide to involuntarily dis-enroll a Veteran from the VDC program for the following reasons only:</p> <ul style="list-style-type: none"> • Inability to manage their services and the unwillingness or inability to identify an appropriate authorized representative; • Fraudulent use of VDC funds; and/or • Compelling health or safety issues that have led to clear poor health outcomes such as several preventable emergency room visits or hospitalizations. <p>In this sense, the refusal to have a home visit for many months may fall under the “inability to manage their services.” However, the VDC provider should work closely with the Veteran to resolve issues before seeking disenrollment.</p> <p>If involuntary disenrollment is pursued, it requires written documentation of the reason for disenrollment. Once the decision is made to dis-enroll a Veteran, the VAMC VDC Program Coordinator sends a notice to the Veteran with the date of termination and the reason for the disenrollment. A copy is then retained by the VDC provider and VAMC VDC Program Coordinator. The PCC and the VAMC VDC Program Coordinator then collaborate with the Veteran to develop a transition plan to other services.</p> <p>The Veteran can appeal discharge from the program. The Veteran can re-apply/ask for a VDC referral through the VAMC.</p>
<p>Where can we find the Operations Manual Template?</p>	<p>The Operations Manual Template can be found on ACL’s No Wrong Door website at this link: Operations Manual Template.</p>