

Lifeworks

**AGENCY WITH CHOICE
PROGRAM MANUAL**

Customized Support

Table of Contents

What Is Lifeworks	3
Lifeworks Mission	3
The People We Serve	3
Agency With Choice	4
Payroll Agent	5
Fiscal Conduit	5
Support Planner	5
Training	5
Getting Started	5
Learning About Consumer Directed Services	5
Writing The Plans	5
Getting The Plans Approved	6
Making Purchases	6
Staffing Hours	6
Independent Contractors	7
Co-Supervisor Responsibilities	7
Selection Of Employees	8
Child Labor Laws	8
Interviewing	8
References	10
Vacation And Sick Benefits To Employees	10
New Employee Paperwork	10
Background Study	11
Driver’s Record Check	11
Training	11
Time Card Procedure	12
Performance Reviews	12
Employee Injuries	13
Ending The Employment Relationship	13
Fiscal Support Entity	13
Options For Reimbursement	14
Updating Your Plan	14
Addendums	14
You Must Wait For Approval Before Making The Purchase	15
Renewing Your Plan	15
Other Services Lifeworks Offers	15
Communications Services	15
School-To-Work Transition Services	16
Career Development	16
Social Enrichment	16
Planning	17
More About Lifeworks Services, Inc.	17

Attachment - First Report of Injury

What Is Lifeworks

Lifeworks Services is a private, nonprofit organization serving more than 1,300 people with disabilities throughout Minnesota. Our Career Development and Social Enrichment services are available in the metro and Mankato areas and our Customized Support services are available statewide. Lifeworks was founded in 1965 by families of children with special needs.

Lifeworks Mission

The mission of Lifeworks is to serve the community and people with disabilities as they live and work together.

Lifeworks is passionately committed to fostering a greater understanding of people with disabilities so that they are heard, their interests are respected, and their contributions valued.

The People We Serve

The people Lifeworks serves in our Social Enrichment and Career Development programs have Developmental Disabilities and related disabilities such as cerebral palsy, epilepsy, and autism. In Customized Support we provide services to people with disabilities and the elderly.

Consumer Directed Community Supports

Consumer Directed Community Supports (CDCS) has its roots in self-determination, a national movement aimed at changing the service system for people with disabilities, which began in the mid '90s. Minnesota received a grant from the Robert Wood Johnson Foundation to demonstrate how self-determination might work.

The Self-Determination Project showed that, if individuals and their families were given control over the resources spent on their behalf, they would choose the support they really need for a more meaningful life, instead of fitting into a set program of services.

CDCS has the same key principles as the Minnesota Self-Determination Project:

- | | |
|----------------|--|
| Freedom | The ability of individuals, with freely chosen family and friends, to plan and live a life with necessary support. |
| Support | The arranging of resources, both formal and informal, that will assist an individual to live a life he or she chooses. |

Authority The individuals control resources, both formal and informal, that will assist the individual to live a life he or she chooses.

Responsibility Acceptance of the benefits and risks by an individual for choices made and accountability for spending money in ways that assure health and safety and that are life enhancing.

CDCS Gives You Control of Your Resources

You are given information on the funding that is available to you and can decide how you want to allocate those funds within the guidelines of CDCS. You direct your supports. Because of this, we have chosen to refer to you as the **support manager** in this document.

Because you are not able to bill directly to the waiver, you must use a Fiscal Support Entity (FSE). Lifeworks is a state approved FSE.

All Medical Assistance waivers require that services provided through CDCS:

- Are necessary to ensure the recipient's health, welfare, and safety.
- Enable the individual to function with greater independence.
- Are needed as a direct result of the recipient's disability or functional limitation.
- Cannot be paid for by any other funding source.
- Meet the individual desires, preferences, and needs of the person within a compensatory range that is considered reasonable and customary.

Services Offered Through Lifeworks

Fiscal Support Entity (FSE) Or Fiscal Intermediary

Lifeworks is a Medical Assistance Enrolled Provider. As your FSE or fiscal intermediary, Lifeworks will reimburse you, pay vendors, bill your waiver, monitor your spending and send reports to you and the county.

Agency With Choice

The support manager acts as the Managing Employer. Lifeworks manages the employment tasks and bills the state for services. The employment tasks include:

- Completing background and driving record checks.
- Verifying citizenship.
- Issuing paychecks.
- Withholding and filing employment taxes.
- Providing Workers' Compensation and liability insurance.
- Assisting with the employment relationship, including hiring, firing, and benefits.

Payroll Agent

The support manager is the employer; Lifeworks will assist you in the process of becoming your own employer. In addition, we will provide payroll and invoice payments and assist with the filing of taxes.

Fiscal Conduit

The support manager is the employer and uses Lifeworks for financial transactions only. The support manager is also the Employer of Record.

Support Planner

This service is available to assist the individual or his or her representative with writing, implementing, or monitoring the plan. It may also include assistance with day-to-day implementation of the services in the plan. Lifeworks cannot provide both Support Planner and FSE services for the same person as this is considered a conflict of interest.

Training

\$25 per person, per session, for Lifeworks training sessions, includes CPR and First Aid

Getting Started

Learning about Consumer Directed Services

Your county may recommend that you attend a training session on the waiver and Consumer Directed Community Supports (CDCS) and meet with your case manager or service coordinator to go over the guidelines for these services. Your county can give you information on these training sessions.

Writing the Plans

You must then write a Community Support Plan (CSP). You can get a copy of the template from your case manager, service coordinator or by email from either Lifeworks or the county. When writing your plan, include the costs of the items you are requesting. It is helpful to include bids or catalog pictures with the price information. Don't forget to include tax and shipping costs. The county may also require that you complete worksheets for items in your plan.

You may be required to write a Health and Safety Plan. This document is separate from the CSP and is also available by email from Lifeworks or the county. If the individual is an adult and receives licensed services, you will have assisted with

completing a Risk Management Plan. The Risk Management Plan can be used instead of the Health and Safety Plan.

If you like, Lifeworks can complete a budget based on your proposed plan and include Lifeworks' fees to ensure that you are within your waiver allocation.

Getting the Plans Approved

After completing the plan, submit the plan to your county for approval. The county will review and approve your plan. You will be informed if items in your plan are denied or pended. Your case manager or service coordinator will inform you of your right to appeal decisions if you do not agree.

Lifeworks will create a budget and expense summary from the approved plan. The expense summary is used to monitor your spending. We will email (viewable through the lifeworks portal) or mail you a copy of your expense summary monthly. We are required by our county contracts to send a copy quarterly to the counties.

You, the county, and Lifeworks will all receive a Service Agreement from the department of human services. It is the Service Agreement that allows Lifeworks to bill your waiver.

Making Purchases

Once you receive the Service Agreement from DHS, you can begin purchasing the items that were approved in your plan. The Fiscal Support Entity section of this manual explains options for reimbursement.

Staffing Hours

When you completed your Community Support Plan (CSP), you estimated the hours of staffing you will use per week or month. This was the information that was used to develop your budget. If you consistently use more hours than the number budgeted, you may not have enough money to pay for staff at the end of your budget year. This means your staff will not be able to work or, in extreme cases, the county may decide you are no longer eligible for CDCS services. **If you authorize more hours of work than you have funding to pay for, Lifeworks reserves the right to recuperate the money from you.** If your staff works more than 40 hours per week, employees must be paid at the overtime rate of time-and-a-half. This will also affect your budget and the same consequences may apply. Overtime must be pre-approved. We are required to send a notice to you and the county when overtime is used and not approved. We are also required to send a notice to both you, and the county, when your spending is at 15% above budget or you have unauthorized use of overtime.

Independent Contractors

Some of the individuals you hire may be considered independent contractors. Independent contractors must meet the definition and follow the guidelines set by the Internal Revenue Service. Generally, home remodelers, homemaker cleaning services, and therapists with training and education in a field such as music, art, behavior, or speech therapy can be considered independent contractors. You must consult with Lifeworks before making the determination that an individual will be classified as an independent contract rather than an employee.

Independent contractors must submit an invoice to Lifeworks for payment. All independent contractors are required to complete a W-9 and an Independent Contractor Agreement before we can release payment to them. You may access a copy of an independent contractor agreement through lifeworks website at www.lifeworks.org or request one be mailed to you. At the end of the tax year, Lifeworks will issue an IRS 1099 form to an independent contractor that earned more than \$600 in the tax year.

Co-Supervisor Responsibilities

As the support manager, you have agreed to take on the responsibility of knowing and following the legal obligations. You are responsible for the selecting and supervising the employee(s). As a co-supervisor you need to be aware of and follow the policies in Lifeworks' Employee Handbook.

You are responsible for

- Knowing and following Lifeworks policies in Lifeworks' Employee Handbook, including but not limited to its Equal Employment Opportunity, Harassment and Discrimination Policy, and Lifeworks' Code of Ethics. Your employee(s) will receive a copy of Lifeworks' Employee Handbook in the New Hire Packet provided by Lifeworks. Employees will receive notification when employee handbooks are updated. Updates will be available on-line.
- Maintaining a working environment that is free of intimidation, coercion and unlawful discrimination and harassment. **You must respond to any hint of harassment that you witness or hear about from employees or clients by contacting Human Resources immediately. An investigation involving all concerned parties will begin. There are many laws to follow and certain procedures to follow when investigating reports of harassment or discrimination.**
- If an employee believes there is a problem, then it is the position of Lifeworks that there is a problem. Your own value judgments about the alleged behavior are irrelevant.

- Creating a workplace that employees strive to communicate openly, and have a sense of control and value the mission of Lifeworks.
- Providing employees with support and recognition.
- Training employees on all Lifeworks policies
- Maintaining a safe workplace by ensuring Infection control procedures are in place to minimize the transmission of communicable disease and prevent infection when possible.
- Modeling the high value of safety to employees.
- Ensure employees receive proper medial attention if injured on the job and fill out the first report of injury form in a timely manner.
- It is Lifeworks policy to create a work environment of equal opportunity in which all persons are treated without regard to race, color, creed, religion, sex, sexual orientation, age, national origin, marital status, status with regard to public assistance, membership or activity in a local commission, disability or any other protected class status.
- It is Lifeworks policy that all employees have a right to work in an environment free from unlawful discrimination and harassment.

Selection of Employees

With the agency with choice model you are responsible for selecting and hiring new employees.

Child Labor Laws

Employees must be at least 14 years of age. There are guidelines for employees who are between 14 and 18 years of age. You must consult with Lifeworks regarding the employment of individuals between the ages of 14 and 18 in order to determine appropriate job duties and working hours.

Interviewing

You will want to prepare some questions for the interview. All applicants for the same position must be asked the same questions. You will want to start the interview by giving the applicant information about the position, review the job description and the hours for the position. Some questions you may want to ask are:

- What is your experience with people with disabilities?
- Why are you interested in this position?
- What work experience do you have?
- What did you like or dislike about those jobs?
- Ask if they are able to perform the duties on the job description. Then ask if there are tasks that may make them uncomfortable.
- Do you prefer a job that is highly structured or one that is more flexible?

- Tell me about a mistake you made in a previous job and how you handled it?
- What hours and days are you available?
- Tell them they will need to pass a background study for the job and ask if that will be a problem.

You cannot ask certain questions at any time during the applicant search or interview process. These questions, if asked, violate the Minnesota Human Rights Act. The following are guidelines on what you can or cannot ask or do during an interview.

Subject	Do NOT ask or Do	May Ask or Do
Marital Status	Are you Married? Single? Divorced? Engaged? Separated? Maiden Name?	After hire, marital status for insurance or tax needs only
Children	Do you have children at home? How old? Who takes care of them? Do you plan to have children?	After hire, number and ages of children for insurance needs only.
Housing	Do you own your own home? Do you rent? Do you live in an apartment or a house?	If you have no telephone, how can I reach you?
Criminal Record	Have you ever been arrested or spent time in jail?	If criminal background checks are required, you may ask, "Have you ever been convicted of a serious crime?"
Military Status	What type of military discharge do you have? In what branch did you serve?	Are you a veteran? Do you have job-related military experience?
National Origin	Of what country are you a citizen? Nationality of applicant' parents. Native-born or naturalized? Languages commonly used by applicant.	Are you an U.S. citizen? If not, do you have the legal right to remain permanently in the U.S.? Languages applicant speaks and writes fluently are O.K.
Age	How old are you?	Are you over 18? Age may be asked when an employee must be of legal minimum age. After hire, exact age or date of birth can be asked.
Ethnic Background	Any questions about ethnic origin. Any notes regarding complexion or color of skin.	Respectful questions in regard to cultural to foster acceptance of diversity

Religion	anything about their religious beliefs	After hire, you may ask about religious observances that might interfere with work.
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References

Lifeworks does not check references on the employees you choose to hire. Employees are asked to include references on the application for employment. If you want references check you may do so. Here are some guidelines for checking references:

- Tell the applicant that you will be checking references and ask if there is anyone they do not want you to contact.
- When you call the reference, ask to speak to someone that has direct knowledge of the applicant’s performance. Some employers will only let you talk with Human Resources and will only give dates of employment.
- Assure confidentiality. Begin the conversation by saying something like, *“I am considering Sally Smith for employment and am calling to verify some information.”* Ask question that verify basic information such as job title and responsibilities that he or she stated on their application. Check the length of time employed. Ask if they would rehire the individual.

Offering The Job

- Review the responsibilities of the job (traveling, working occasional evenings, use of personal vehicle, etc.)
- State the salary.
- Review the benefits (see note below).
- State that the offer is contingent on the results of passing the State of Minnesota Background Study, clean driver’s record and proof of insurance.
- Set a tentative start date.
- Review hours of current job and remind the applicant that these may change.

Vacation And Sick Benefits To Employees

You may choose to provide paid vacation and sick time for your full time employees. You will need to write this into your plan and have it approved; you will also need to work within your established budget to cover the cost.

New Employee Paperwork

New employees must complete the New Hire Packet and read the Employee Handbook that Lifeworks provides. Included in the packet are an application, I-9, W-4, background and driver’s record check, time cards, expense sheets, and an Employee Handbook. Please go over the packets with each new employee.

When Lifeworks has received all the required forms and has completed the background study (as described below), the individual can begin working. **The individual cannot begin working until all the required forms are turned in and approval has been given to the employee and the support manager.**

The pieces that are most often missed are copies of the documents listed on the back of the I-9 form. The HR department will send the new employee a hire letter and the coordinator will call the support manager to let them know when the employee is ready to work.

Background Study

Lifeworks will send the completed background study form to Verified Credentials, a company that Lifeworks contracts with for the completion of the study. Verified Credentials checks the employee's record with the Bureau of Criminal Apprehension (BCA). The BCA looks for criminal conviction records in Minnesota. You can request a more complete check of the person's background for an additional cost. The individual may not begin working until Lifeworks has received notification from the BCA that the individual is qualified to provide support for individuals with disabilities. The check takes approximately 3 days to complete. Lifeworks will notify both you and the individual if he or she has a criminal history that disqualifies him or her.

Driver's Record Check

Lifeworks employees are required to fill out the driver's record check if driving will be a part of their job. They are also required to carry insurance. Lifeworks runs the driver's check through our insurance provider, if they find something on the employees record they will make a recommendation as to whether the employee should be allowed to drive or not. We will notify you if the recommendation is that the employee should not drive.

When your employees are driving their own vehicles as part of their job they are required to have adequate insurance coverage. If the employee will be driving your vehicle, you will want to let your insurance provider know that a non-family member will be driving. Lifeworks does not carry automobile insurance for either you or your employees.

Training

You are responsible for all the training of the employee

- Review all Policies in the handbook and have the employee sign off on them
- Review job description and specifics on how to work with your family member

Time Card Procedure

Lifeworks employees receive a paycheck every other Friday. All time cards, whether they are faxed, mailed or submitted via Lifeworks on-line portal, are due in the administrative office by 8:00 pm on the Monday prior to the Friday pay date. This schedule, as well as time cards, are available on our website at www.lifeworks.org. Late time cards/on-line portal submission will be processed the following pay period (two weeks.) Lifeworks processes over 2000 time cards and cannot make exceptions for late time cards. You may contact the Customized Support payroll processor at 651-365-3780 to confirm that the time card/on-line portal submission has been received.

Timecards can be submitted four different ways:

On-Line www.lifeworks.org

By fax: 1-877-858-6957

By mail: Lifeworks Services
2965 Lone Oak Drive, Suite 160
Eagan, MN 55121

If you mail timecards, please mail by Friday before Monday payroll.

Drop off: A drop box is available after business hours

Time cards must be signed by both you and the employee. You are responsible to send them to Lifeworks. Your signature verifies that the information on the timecard is correct; it is a federal crime to provide false information for billings for medical assistance payments.

Paychecks will be mailed directly to the employees every two weeks. Direct deposit is available. Direct Deposit takes 2 pay periods to go into effect.

On-going Supervision

Feedback

You are responsible to give on-gong feedback to employees in order for the employee to learn and develop skills necessary to be competent in the essential duties of the job for which you hired them.

Performance Reviews

You are not required to conduct a performance review for your employees. However, it can be beneficial to periodically sit down with each employee to discuss his or her performance. If you would like assistance, contact your Lifeworks coordinator.

Some things you may want to discuss:

- What are his or her strengths? What does he or she do well?
- What are areas for improvement?
- How does he or she feel about the job?
- What training or additional responsibilities would you like to see him or her take on? What interests him or her?

If you would like assistance writing a performance review, contact your Lifeworks coordinator.

Employee Injuries

Under the Agency with Choice Program, Lifeworks provides Workers' Compensation for your employees. If an employee gets hurt on the job:

- You must complete a First Report of Injury Form with the employee. It is available on our website www.lifeworks.org. **See Attachment**
- Fax the completed form to the HR Generalist at Lifeworks, 651-454-3174.
- Call your Lifeworks coordinator to report the injury.
- If the employee needs medical treatment, he or she can go to one of Lifeworks approved clinics or his or her own clinic. If the employee goes to his or her own clinic, the employee should tell the clinic staff it is a Workers Compensation injury and call Lifeworks HR Generalist at 651-365-3709 or toll free at 1-866-454-2732.
- Employees injured on the job must report the injury the same day they were injured.

Ending the Employment Relationship

Your employees are employee at-will. On the signed job description, it states that their hours are not guaranteed and could change at any time.

If you decide to end the employment relationship with the employee you must first call or submit a written explanation to Lifeworks explaining

- Why you believe termination of employment is necessary,
- Discuss the situation with Lifeworks, and receive Lifeworks' approval before taking any action.
- After you have obtained approval from Lifeworks to end the employment,
- You must notify the employee to inform him or her of the decision.
- If you need assistance or have questions regarding this process, call Lifeworks HR Generalist.

Fiscal Support Entity

Fiscal Support Entity (FSE) services are for reimbursement of goods and services within your approved plan. Lifeworks can reimburse only items that have been

approved and that are within the costs identified in your plan. A receipt must be submitted.

If the item is not included in the plan or costs more than the approved amount, Lifeworks must have written approval from your case manager or service coordinator before it can reimburse.

Options for Reimbursement

- **Support Manager pays for item.**

You pay for the item with cash or a credit card and is reimbursed after sending in an expense report and attaching receipts. If the expense report is received by Monday, the check will be mailed on Friday of the same week. Lifeworks processes expense checks weekly. Most individuals submit expense reports monthly. You may access a copy of a reimbursement form through lifeworks website at www.lifeworks.org or request one be mailed to you.

- **Employee submits expense sheet.**

You can give employees an expense sheet and ask them to attach receipts for purchases and mileage. You must sign the expense sheet before it is sent in. Or you could give cash to the employee, have them get receipts, and attach the receipts to your expense sheet for reimbursement. A canceled check is not a valid receipt.

- **Lifeworks purchases items.**

Lifeworks can purchase items on your behalf. When we have specific item information (i.e. website, product, etc) we can purchase items for you, have the company bill Lifeworks, and have the item shipped to you. You must give Lifeworks the ordering information. Items are reimbursed up to approved amount only.

Updating Your Plan

When you write your plan for the fiscal year, think about the person's needs for the entire year. Your county will give you information on the process for making changes to your plan. You will need to stay within your yearly allocation when making changes.

Addendums

There are several situations outlined below that may require an addendum:

- **You may want to purchase something that was not in the written community support plan.**

The addendum must include what you are requesting, how it will benefit the person, the costs and where you will be moving the money from, including fees. Attach bids or pictures of the item if possible. You will need to stay within your yearly allocation.

- **You may have information that was not available at the time that you wrote the plan.**

For example, you wanted to purchase a piece of equipment but were unable to research the item. You have now done the research and received a prescription from the doctor.

- **The service or item identified in the plan may no longer be available or is not helpful to the person.**

You may have put money in the plan for speech therapy and it is not available or is not helpful. You decide that you would like to use this money for adaptive equipment, instead. Submit information on the change that you want to make and why.

You Must Wait For Approval before Making The Purchase

The addendum must be sent to your case manager or service coordinator for approval. Once it is approved they will notify Lifeworks of the change. After it is approved you may make the purchase. Changes, such as, hiring different staff, switching hours between staff or other changes that do not result in a change to your budget or services do not require an addendum.

Renewing Your Plan

Each county has a process and timeline for annual renewal of your plan. It is important to follow these timelines to avoid disruption of services. Some counties will terminate services if your plan is not completed at the time required.

Other Services Lifeworks Offers

Communications Services

Lifeworks offers a range of supports in the area of communication. For information on any of the communication services listed below, contact Jennie Delisi, at 651-365-3740 or jdelisi@lifeworks.org.

- **Communication Dictionaries**

For individuals who do not use words to communicate, or who demonstrate behaviors that have a communicative message, Lifeworks can assist with developing a communication dictionary. The dictionary is a tool that helps the

people around the individual consistently respond to his or her communicative message.

- **Boardmaker**

Lifeworks has staff who can provide training on the Boardmaker program or can assist with developing a symbol system.

- **Communication Device Library**

With funding from corporate foundations, Lifeworks developed a lending library with a variety of adaptive and augmentative communication devices. A list of devices is available on our website www.lifeworks.org. Devices are available for loan for \$10 per month.

School-To-Work Transition Services

Lifeworks helps students explore career options and get real-work experience in a variety of industries so they are ready for a job, or already hired, at graduation. Lifeworks helps them identify their skills, interests, and support needs through careful career planning. They learn work skills through job trials, tours of businesses, presentations, and counseling sessions.

Career Development

Most of the adults Lifeworks serves want a job in the community. They come to Lifeworks because of its relationships with major corporations and small businesses. In 2007, 667 individuals earned \$4 million for themselves, with the average hourly wage being \$8.17 per hour.

Lifeworks job coaches provide as much on-the-job support as the person and the employer needs. That support ranges from full-time supervision of a small work group to daily or monthly checks of an individual who is more self-sufficient.

Lifeworks offers training and consultation to the employer, helping coworkers welcome, support and supervise the workers with disabilities.

If you know of an employer that may want information on hiring people with disabilities have them contact sales@lifeworks.org or 651-365-3730.

Social Enrichment

For the people Lifeworks serves who are retired or unable to work, Lifeworks offers opportunities to learn, discover interests, build relationships, volunteer, and connect with their neighbors. We also provide art, music, and movement classes, exercise sessions, and a continuing education curriculum.

Planning

Several individuals at Lifeworks have extensive training and experience in facilitating person-centered planning. Some of the processes are: MAPS, PATH, Essential Lifestyle Planning, Personal Futures Planning and Career Planning. These individuals also tailor pieces of different processes to the person and their situation. Person-centered planning can assist you with thinking about goals and dreams for the future and the steps to getting there.

More About Lifeworks Services, Inc.

Lifeworks Services was founded in 1965 by families of children with special needs. Rejecting the traditional way of caring for people with developmental disabilities, they wanted to educate their children and give them a place in the community.

In the 1970s, Lifeworks, then called the Developmental Learning Center, or DLC, started a home-visiting program for infants, the first in Minnesota.

In 1988, the public schools in Minnesota became responsible for direct service to children and Lifeworks, then known as Dakota, Inc., began to directly serve only adults. Never a sheltered workshop, Lifeworks assisted people with developmental disabilities to find jobs in community businesses and then train and support them on the job.

In 1996, Dakota was renamed Lifeworks Services and started providing school-to-work transition services to students in special education. Some of the young adults Lifeworks is supporting today first came to the DLC when they were infants and toddlers. Students use Lifeworks business contacts to explore career options and get real-work experience in a variety of industries while still in school so they are ready for a job, or already hired, at graduation.

In December of 2000, Lifeworks began providing fiscal support services through its Customized Support department. Lifeworks has contracts with many counties and provides services to over 1000 individuals.