



# Department of Health

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**ADMINISTRATIVE DIRECTIVE**

**TRANSMITTAL:** 21 OHIP ADM-04

**TO:** Commissioners of Social Services

**DIVISION:** Long Term Care

**DATE:** December 13, 2021

**SUBJECT:** Regulatory Changes to PCS and CDPAP Effective November 8, 2021

**SUGGESTED DISTRIBUTION:**

Director of Social Services  
Medicaid Staff  
Home Care Staff  
Fair Hearing Staff

**CONTACT PERSON:**

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**ATTACHMENTS:**

Attachment 1: Consumer Directed Personal Assistance Program Agreement Between the Consumer/Designated Representative and the Local Department of Social Services  
Template 1: One FI-LDSS to Consumer Template  
Template 2: LDSS Choosing One FI Template

**FILING REFERENCES**

Previous Ref. ADMs/INFs	Releases Cancelled	Dept. Regs. Law	Soc. Serv. & Other	Manual Ref	Misc.
11 ADM-06	None	18 NYCRR 505.14 18 NYCRR 505.28		None	None

## **I. PURPOSE**

The purpose of this Administrative Directive Memorandum (ADM) is to provide guidance and instruction to Local Departments of Social Services (LDSS) regarding regulatory changes impacting Personal Care Services (PCS) and Consumer Directed Personal Assistance Services (CDPAS) that were **effective November 8, 2021**. These changes are the result of various statutory, regulatory and administrative reforms included in the enacted State Fiscal Year 2020-21 New York State Budget and regulatory amendments to 18 NYCRR §§ 505.14 & 505.28 published in the September 8, 2021 New York State Register.

## **II. BACKGROUND**

This OHIP ADM offers guidance and instruction to the LDSS pertaining to several aspects of the regulatory changes effective November 8, 2021, including:

- A. Eliminating the LDSS Requirement to Annually Notify Home Care Recipients about Consumer Directed Personal Assistance Services (CDPAS);
- B. Requiring Consumers/Designated Representatives to Work with Only One Fiscal Intermediary (FI) at a Time;
- C. Defining Additional Responsibilities of Designated Representatives;
- D. Changing Routine Reassessment Timeframe;
- E. Ordering Practitioners for Personal Care (PCS) and Consumer Directed Personal Assistance Services (CDPAS);
- F. Codifying Supervision and Cueing; and
- G. Updates to the Requirements for the Continuation, Denial, Reduction or Discontinuation of Services.

To conform with changes to the CDPAP as outlined in A-C, the Department has also revised the agreement template between the LDSS and the consumer/designated representative.

NOTE: This ADM does not implement any aspects of the Independent Assessment process, nor the minimum eligibility criteria. 18 NYCRR §§ 505.14(b)(8) & 505.28(m) allow the Department to permit the current assessment process to continue until such time as the Independent Assessor has been implemented.

## **III. PROGRAM IMPLICATIONS AND REQUIRED ACTIONS**

### **A. Elimination of the LDSS requirement to annually notify home care recipients about Consumer Directed Personal Assistance Services (CDPAS)**

18 NYCRR § 505.28(i)(1), previously § 505.28(h)(1), has been revised to remove the clause requiring the LDSS to annually notify recipients of personal care services, long term home health care program services, AIDS home care program services or private duty nursing services of the availability of consumer directed personal assistance services (CDPAS).

While this requirement has been removed, it is expected that if a recipient of personal care, long term home health care program, AIDS home care program or private duty nursing services does inquire about CDPAS, the LDSS will inform them about the program, give them the opportunity to apply, and inform them of the FIs in the LDSS network. In addition, if during the development

of a person-centered care plan it appears that CDPAS may address some or all the individual's personal care needs, the LDSS should provide information about the program to the individual.

## **B. Requiring consumers/designated representatives to work with only one FI at a time**

18 NYCRR §§ 505.28(e)(1)(v) & 505.28 (h)(3) prohibit consumers or their designated representative from working with more than one FI at a time. While a consumer can still hire as many personal assistants (PAs) as may be necessary under their plan of care, those PAs will have to use the one FI with which the consumer, or their designated representative, has chosen to work.

Should an LDSS become aware that a consumer or their designated representative is working with more than one FI, either on their own or through an FI that alerts the LDSS, the LDSS must work with the consumer or their designated representative to reduce the number of FIs to one. The FI they choose to work with, however, remains the consumer's/designated representative's choice.

As of the date of this ADM, the LDSS has 60 days to contact all current consumers for whom they have authorized CDPAS under more than one FI. Going forward, the LDSS has 30 days to contact a consumer if they become aware they are working with more than one FI. The LDSS must use the template included as Template 1 to communicate with each consumer identified as having more than one FI.

From the point of contact, the consumer has 60 days to choose one FI and have all their personal assistants onboarded to that one FI. The LDSS must close all other authorizations.

If a consumer does not choose an FI within the allowed 60-day timeframe, the LDSS is required to choose one of the FIs the consumer is working with to continue and inform the consumer of this choice in writing using the template included as Template 2. The LDSS must choose one of the FIs that the consumer is currently working with, and it should be, where possible, the FI that would cause the least disruption to the consumer's schedule. For example, if a consumer has four personal assistants and three of those are working for one FI while the fourth works for a second FI, the LDSS should choose the FI that is making payment to the three FIs.

The LDSS will only provide authorization to the one FI that either the consumer has chosen or the LDSS has chosen for the consumer.

This requirement does not constitute a discontinuation, suspension, reduction, or restriction of CDPAS and, therefore, does not give rise to Fair Hearing rights. However, the written notices should provide appropriate contact information for the district so that the consumer or designated representative may contact them with any relevant questions or complaints. There are no exceptions to this requirement.

This requirement only applies to the consumer/designated representative. Personal assistants may work with multiple FIs if they are working for multiple consumers who have each chosen their own singular FI.

Please note, the requirement for a CDPAP consumer to have only one FI pertains only to the Department of Health's CDPAP and not fiscal intermediary services or programs at other

agencies, e.g., OPWDD. A consumer may work with an FI at another agency in addition to the one FI for the Department of Health CDPAP.

### **C. Additional Designated Representative Responsibilities**

18 NYCRR § 505.28(h)(2) has been added to require a Designated Representative (DR) to acknowledge in the consumer agreements with the LDSS and FI that they will:

- Make themselves available to ensure the consumer responsibilities are carried out without delay; and
- For non self-directing consumers, make themselves available and be present with the consumer for any scheduled assessment or visit by the independent assessor, examining medical professional or LDSS.

### **D. Timeframes for PCS and CDPAS Routine Reassessments**

18 NYCRR §§ 505.14(b)(4)(vii) & 505.28(e)(5) have expanded the timeframe for routine reassessments from six (6) to twelve (12) months, effective November 8, 2021. On and after November 8, 2021, any individual assessed through the Community Health Assessment (CHA) in the UAS-NY for PCS and/or CDPAS will have a routine reassessment date in the UAS-NY calculated for 12 months from the date the last assessment was conducted.

Individuals who were last assessed before November 8, 2021 should still receive their next assessment within six months of the prior assessment. For example, an individual who was assessed on September 5, 2021 should have their next assessment on or before March 5, 2022. Once an individual receives an assessment after November 8, 2021, their next assessment should be scheduled within the next 12 months.

Note that the Department has not substantively amended the requirement to align the duration of service authorization with the assessed needs of the individual. This requirement is retained, although the duration of authorization may be extended up to 12 months based on the results of the assessment. This means it remains the responsibility of the LDSS to consider the general health and circumstances of the individual and seek more frequent non-routine reassessments, if necessary, to reasonably maintain their health and safety in the community, as well as whenever there is a change in condition that may affect the amount, duration and scope of services, or upon an individual's request for an assessment.

Additionally, other programs and services that address long term care needs require more frequent reassessment, including but not limited to:

- Assisted Living Programs (ALP) – at least every six months
- Adult Day Health Centers (ADHC) – at least every six months
- Programs of All-Inclusive Care for the Elderly (PACE) – at least every six months

### **E. Ordering Practitioners for Personal Care and Consumer Directed Personal Assistance Services**

18 NYCRR §§ 505.14(b)(2)(ii)(g) & 505.28(d)(2)(vii) expand the titles of practitioners now able to sign the DOH-4359 and HCSP-M11Q forms to include the following, as defined in State Education Law:

- Medical Doctor (MD)

- Doctor of Osteopathy (DO)
- Nurse Practitioner (NP)
- Physician Assistant (PA)
- Specialist Assistant

The practitioners listed above are able to complete the medical exam and sign the order forms without an MD or DO co-signing.

All other aspects of ordering for PCS and CDPAS remain in place until the announced implementation of the Independent Assessor, which has not yet occurred.

## **F. Codifying Supervision and Cueing**

18 NYCRR § 505.14(a)(5)(iii) codifies supervision and cueing as forms of assistance with PCS. The Department had most recently addressed supervision and cueing in [GIS 03 MA/003](#) which outlines that supervision and cueing are forms of assistance with personal care functions (Level 2 services).

This ADM supersedes GIS 03 MA/003 in that it expands allowable supervision and cueing to include assistance with Nutritional and Environmental support functions (Level 1 services), as well.

However, consistent with GIS 03 MA/003, supervision and cueing cannot be authorized by the LDSS or reimbursed unless provided as a means of assistance with a recognized Level 1 or 2 service. Safety monitoring is not a recognized state plan service. For instance, someone may be authorized for four hours a week of assistance with shopping, meal preparation and laundry and these tasks may be provided through hands-on assistance, supervision or cueing, but the individual may not be authorized for supervision and cueing that is not associated with the authorization for shopping, meal preparation and/or laundry.

For example, the aide may do the shopping or accompany the individual to the market to ensure that they purchase adequate and appropriate food. The aide may supervise meal preparation to make sure the individual practices safe food handling, turns off appliances and puts everything away. In addition, the aide may provide cues to ensure that the individual properly completes their laundry (placing the sheets in the washer, putting them in the dryer, bringing them to the bedroom so the individual can make their bed later). However, the aide may not remain in the home to make sure the individual doesn't wander or turn on the stove after the cooking task is completed.

NOTE: For those who only need Nutritional and Environmental supports, services remain capped at 8 hours per week. By extension, this service limit applies to the authorization of supervision and cueing, as well.

## **G. Updates to the Requirements for the Continuation, Denial, Reduction or Discontinuation of Services**

1. 18 NYCRR §§ 505.14(b)(1)(viii)(c)(1) & 505.28(i)(4)(i) now specify that the LDSS must identify in the Notice and Plan of Care, for actions based on Medical Necessity, the factors that demonstrate why services are not, or are no longer, medically necessary.

The LDSS must include a clinical rationale that:

- Shows a review of the individual's specific clinical data and medical condition
  - If applicable, includes the basis on which the individual's needs do not meet specific benefit coverage criteria and
  - Is sufficiently clear and understandable to enable review of the action on appeal.
2. 18 NYCRR §§ 505.14(b)(4)(viii)(c)(2) & (3), & 505.28(i)(4)(ii) & (ii) have been modified to update and add examples of already appropriate reasons and notice language for use when denying or reducing services.

As a reminder, the lists included in the regulations are NOT new reasons, not are the lists exhaustive. Rather, the lists are illustrative and provide examples of reasons that the Department considers as independently permissible. Other reasons that are not on the list *may* apply, such as additional statutory or regulatory requirements for the provision of services. The list of reasons is included to assist/guide the LDSS toward permissible reasons for denying or reducing services.

- a. 18 NYCRR §§ 505.14(b)(4)(viii)(c)(2)(i), (3)(i) & 505.28(i)(4)(ii)(a), (iii)(a) have updated the health and safety rationale to align with previous guidance. The update has included the term “reasonably”. When denying or reducing services, the LDSS must determine that the individual's health and safety cannot be reasonably assured with the provision of PCS or CDPAS.

Authorization of services does not require the LDSS to eliminate all doubt as to whether PCS or CDPAS, in conjunction with other formal or informal services and supports, will maintain the individual's health and safety.

- b. 18 NYCRR §§ 505.14(b)(4)(viii)(c)(2)(vi), (3)(iv) & 505.28(i)(4)(ii)(e), (iii)(d) have been revised to update the rationale for denying or reducing services when the use of technology or devices may meet some or all the identified needs.

Updates also include that applicable technologies incorporate the use of telehealth services or assistive devices. Some examples include telemonitoring, assistive devices such as a microwave to eliminate the need to stand at a stove to prepare home delivered meals, and medication dispensers or pill pak, provided:

- the service or device is readily available to the individual, and
- the LDSS documents that the device reduces the individual's service needs, e.g., by indicating in the notice and plan of care which Level 1 or Level 2 task(s) the technology is being used to address.

It should be noted that there is a difference in wording between (2)(vi) and (3)(iv). The additional requirement added to (2)(vi) regarding availability was made in response to public comments received and should be applied to both PCS and CDPAS, and to reductions as well as initial denials.

- c. 18 NYCRR §§ 505.14(b)(4)(viii)(c)(2)(vii) & (3)(v) update the rationale for denying or reducing services for residents of facilities where the facility is responsible for providing care.

In using this rationale, the LDSS should have determined, and must indicate in the notice, that either:

- the individual is not seeking to transition to a less restrictive setting, or
- the individual's health and safety cannot be reasonably assured in a less restrictive setting.

The Department notes a drafting error which occurred in the notice of adoption where that the equivalent rationale at 18 NYCRR § 505.28(i)(4)(ii)(f) was removed. Despite this, the Department views the rationales regarding residents of facilities as being applicable to both PCS and CDPAS.

- d. 18 NYCRR §§ 505.14(b)(4)(viii)(c)(2)(ix) and (3)(i), & 505.28(i)(4)(ii)(h) and (iii)(a) have been added to instruct the LDSS that voluntary informal supports can be a rationale for denying or reducing services, where the available informal supports, or other supports or services, can meet the individual's needs.

When using this rationale, the LDSS must document the alternative services (e.g., informal supports) and what needs in the plan of care the alternative services meet.

These provisions are based on existing provisions that prohibit the authorization of services when voluntary assistance, other forms or supports, or adaptive or specialized equipment are available, cost-effective and meet the consumer's needs.

#### **IV. UPDATES TO THE CDPAP CONSUMER AGREEMENT**

Individuals participating in CDPAP are required to sign the "Consumer Directed Personal Assistance Program Agreement Between the Consumer/Designated Representative and the Local Department of Social Services". This agreement outlines the responsibilities of the consumer, designated representative and LDSS. By signing this agreement, all parties acknowledge and agree to their responsibilities under the CDPAP.

To effectuate the changes to rules and regulations, the Department has updated the agreement template that must be used between consumers, designated representatives (if applicable), and the LDSS. The Department updated this agreement on December 10, 2021 and it replaces, in whole, the agreement template the Department issued in 2011 as Attachment 5 to 11 OHIP/ADM-6. The LDSS should no longer use the previous version of this agreement and Attachment 5 has been removed from the Department's website. This new agreement applies to consumers who are currently authorized for services and for new authorizations.

The revised version of the CDPAP Consumer Agreement has been included in Attachment 1 and is also posted to the Department's website [here](#), and includes the following updates:

- Removes LDSS responsibility to notify members about CDPAS
- Adds LDSS responsibility to only authorize CDPAS provided through one FI
- Adds or revises consumer responsibilities to include:
  - Working with only one FI

- Ensuring PAs adhere to Electronic Visit Verification (EVV) requirements as outlined in the Department's [EVV Program Guidelines and Requirements](#)
- Adds specific Designated Representative responsibilities section as outlined in Section C. above

A new consumer agreement must be signed when CDPAS is authorized, when a change is required (such as having to appoint a new or different designated representative) and on an annual basis. The LDSS will provide the consumer and/or designated representative a copy of the signed agreement as well as retaining a copy in the consumer's file.

**The LDSS is required to use the revised consumer agreement, as provided in Attachment 1, when a new consumer agreement is needed as outlined above; it is not required to be updated outside that cadence. However, the LDSS, consumer and designated representative are required to fulfill all responsibilities as outlined in 18 NYCRR §§ 505.28(e), (h) and (i), which include the revisions as described above and ensures statewide programmatic consistency.**

#### **IV. EFFECTIVE DATE**

The provisions in this ADM are effective November 8, 2021.



**21 OHIP ADM/04**

**ATTACHMENT 1**

**CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM AGREEMENT  
BETWEEN THE CONSUMER/DESIGNATED REPRESENTATIVE AND THE LOCAL  
DEPARTMENT OF SOCIAL SERVICES**

**CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM AGREEMENT  
BETWEEN THE CONSUMER/DESIGNATED REPRESENTATIVE AND THE LOCAL  
DEPARTMENT OF SOCIAL SERVICES**

**Consumer Name:** \_\_\_\_\_

**Designated Representative Name (if applicable):** \_\_\_\_\_

**Local Department of Social Services (LDSS):** \_\_\_\_\_

**I. CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM (CDPAP)  
AGREEMENT**

The Consumer Directed Personal Assistance Program (the “Program”) is a program for Medicaid recipients (“Consumers”) who need home care services, including help with personal care and certain home health and skilled nursing services. The Program gives Consumers more flexibility and freedom of choice by letting them direct their own care, including choosing their own personal assistants in accordance with their Local Department of Social Services’ (“LDSS”) authorization.

To participate in the Program, Consumers must be able to direct their own care and understand and fulfill the Consumer’s responsibilities within the Program or have a Designated Representative that will do this for them. The Consumer or Designated Representative must also understand the roles and responsibilities of the LDSS and the Fiscal Intermediaries under the Program.

As used throughout this agreement the term “Consumer” also includes the Consumer’s Designated Representative when applicable, unless otherwise specified. As used throughout this agreement the terms “I” and “my” will refer to the Consumer or alternatively to the Consumer’s Designated Representative when applicable and depending on context.

This agreement outlines the roles and responsibilities of the Consumer and the LDSS under the Program. The Consumer must enter into this agreement to acknowledge that they understand the roles and responsibilities and to participate in the Program. The Consumer must also enter into a separate agreement with their chosen Fiscal Intermediary (FI), which will outline the roles and responsibilities of the Consumer and FI.

**II. RESPONSIBILITIES OF THE CONSUMER/DESIGNATED REPRESENTATIVE:**

As a Consumer participating in the Program, I will:

1. Read and understand this agreement and the roles and responsibilities of the LDSS, FI, and Consumer under the Program.

**CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM AGREEMENT  
BETWEEN THE CONSUMER/DESIGNATED REPRESENTATIVE AND THE LOCAL  
DEPARTMENT OF SOCIAL SERVICES**

2. Only work with one FI. I understand that I can change my FI at any time, but I will work with only one at a time. If I am working with more than one FI, I must choose just one FI to continue working with.
3. Manage my plan of care.
4. Be responsible for recruiting, hiring, training, supervising, and scheduling a sufficient number of qualified individuals of my choosing to serve as my personal assistant(s) in accordance with my LDSS's authorization.
5. Maintain a back-up plan for substitute coverage when a personal assistant is temporarily unavailable for any reason.
6. Maintain an appropriate home environment.
7. Review the plan of care with each personal assistant outlining their responsibilities.
8. Ensure my personal assistant(s) safely and competently performs only the tasks identified in the plan of care during authorized hours.
9. Comply with labor laws, providing equal employment opportunities as specified in the Consumer's agreement with the CDPAP FI.
10. Inform the LDSS and FI within 5 business days of any change in status or condition, including but not limited to hospitalizations, address and telephone number changes and vacations.
11. Terminate a personal assistant's employment, if necessary.
12. Notify the FI of any changes in the employment status of a personal assistant.
13. Ensure my personal assistant's required documents are submitted to the CDPAP FI including annual worker health assessments and required employment documents.
14. Ensure my personal assistant(s) adhere to EVV requirements, including those outlined by the [EVV Program Guidelines and Requirements](#).
15. Attest to the accuracy of the hours my personal assistant(s) worked either through the EVV data system or by signing the personal assistant's time sheet.
16. Distribute paychecks to each personal assistant, if applicable.

**CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM AGREEMENT  
BETWEEN THE CONSUMER/DESIGNATED REPRESENTATIVE AND THE LOCAL  
DEPARTMENT OF SOCIAL SERVICES**

17. Comply with Program eligibility requirements including participating, as needed, in the required assessment and reassessment processes.

**III. ADDITIONAL RESPONSIBILITIES OF THE DESIGNATED REPRESENTATIVE ONLY:**

In addition to responsibilities listed above that I, as Designated Representative, must perform on behalf of the Consumer, I will:

1. Make myself available to ensure the consumer responsibilities are carried out without delay.
2. Be available and present for any scheduled assessment or visit by the independent assessor, examining medical professional or LDSS when the member is not self-directing.

**IV. RESPONSIBILITIES OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES:**

The LDSS must provide the Consumer with written educational materials outlining the roles and responsibilities of the Consumer to ensure they are making an educated, informed choice to receive Program services and will:

1. Determine Medicaid eligibility prior to the authorization of services.
2. Determine if the Consumer (not including the Designated Representative) is eligible for the Program and whether home care or personal care services should be authorized.
3. Determine if the Consumer is able and willing to assume all responsibilities associated with participating in the CDPAP or has a Designated Representative able and willing to act on the Consumer's behalf.
4. Discuss and document that the Consumer's or Designated Representative's plan to assure adequate supports are available to meet the Consumer's needs.
5. Develop a plan of care with the Consumer or Designated Representative, outlining the tasks to be completed by the personal assistant.
6. Maintain a copy of the plan of care in the Consumer's file and give a copy to both the Consumer and Designated Representative.
7. Authorize the type/amount of services and number of hours required.

**CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM AGREEMENT  
BETWEEN THE CONSUMER/DESIGNATED REPRESENTATIVE AND THE LOCAL  
DEPARTMENT OF SOCIAL SERVICES**

8. Only authorize Program services provided through one FI and work with the Consumer or Designated Representative to select just one FI should the LDSS become aware that services are being provided by more than one FI.
9. Evaluate on an ongoing basis whether the Consumer requires personal care, home health care, or some other level of service.
10. Notify the Consumer and Designated Representative that Program services are being decreased or discontinued if the LDSS determines such services are no longer appropriate and, if applicable, refer the Consumer to other appropriate programs.
11. Provide the Consumer and Designated Representative with the appropriate fair hearing notice.

ALL PARTIES ACCEPT THE ROLES AND RESPONSIBILITIES TO PARTICIPATE IN THE CDPAP AS EXPLAINED ABOVE. FULFILLING THE CONSUMER'S ROLES AND RESPONSIBILITIES IS A REQUIREMENT OF PARTICIPATION IN THE PROGRAM. FAILURE TO FULFILL THE CONSUMER'S ROLES AND RESPONSIBILITIES MAY RESULT IN DISCONTINUANCE OF PROGRAM SERVICES.

**Signatures**

\_\_\_\_\_  
Consumer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Designated Representative (if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Local Department of Social Services

\_\_\_\_\_  
Date

# TEMPLATE 1

[Click here to enter date](#)

[Click here to enter LDSS/MCO name](#)

[Click here to enter LDSS/MCO street address](#)

[Click here to enter LDSS/MCO city, state zip](#)

Dear [Click here to enter Consumer's name](#),

This letter is to tell you of a change to the Consumer Directed Personal Assistance Program (CDPAP). All CDPAP consumers can now only work with one (1) fiscal intermediary (FI) at a time. Your FI processes your personal assistant's wages and benefits and maintains their records. You must still manage your plan of care and hire enough personal assistants to cover your authorized hours, but you must do this using only one FI for all your CDPAP hours.

[Click here to enter LDSS/MCO name](#) records show you are currently using more than one FI. Please let us know which current FI you want to continue to work with so we can help with the transition process. Or, if you prefer, you can select an entirely different FI from the attached list.

**Within 60 days of the date on this letter you need to let us know your choice of FI by contacting [Click here to enter name, email, telephone, TTY](#).**

Once you have told us which FI you picked, you also need to do the following within 15 days after that:

- Provide your affected personal assistants the name and contact information of the FI you picked.
- Tell your affected personal assistants they will need to provide Attachment 2, Consent to Transfer Necessary Personal Assistant Medical Documentation, to their current FI to transfer their health status records to the FI you picked.
- Tell your affected personal assistants they may need to have new employment forms (I-9, W-4, IT-2104) completed by you or the new single FI.
- Give permission (consent) to the FI(s) not picked to release and move your service authorization records to the single FI. You can use Attachment 3, Consent to Transfer Consumer Service Authorization Records, to have your records moved.

FIs should be able to transfer records within five (5) business days of receiving written consent.

# TEMPLATE 1

We will work closely with you to move your affected personal assistants to the one FI you picked. If you have any questions concerning this letter, please contact [Click here to enter name, email, telephone, TTY](#).

Sincerely,

[Click here to enter LDSS/MCO name](#)

## Attachments

1. List of FIs and their contact information
2. [Consent to Transfer Necessary Personal Assistant Medical Documentation](#)
3. [Consent to Transfer Consumer Service Authorization Records](#)

## TEMPLATE 2

[Click here to enter date](#)

[Click here to enter LDSS/MCO name](#)

[Click here to enter LDSS/MCO street address](#)

[Click here to enter LDSS/MCO city, state zip](#)

Dear [Click here to enter Consumer's name](#),

On [Click here to enter date](#) we sent a letter to tell you about a change to the Consumer Directed Personal Assistance Program (CDPAP). After November 8, 2021 all CDPAP consumers may only work with one (1) fiscal intermediary (FI) at a time. In the letter, we asked you to pick a single FI within 60 days.

[Click here to enter LDSS/MCO name](#) records show you did not respond to the letter and are still using more than one FI. Since you did not pick a single FI to continue working with, [Click here to enter LDSS/MCO name](#) has picked one for you.

The single FI that will continue to pay your personal assistants and provide FI services to you is [Click here to enter FI name](#).

This change will go into effect on [Click here to enter date](#). If you want to pick a different FI, please contact us **as soon as possible** to avoid any disruption to your services. You can contact us at [Click here to enter name, email, telephone, TTY](#).

To make sure there is no delay with your personal assistants being paid, it is important that you do the following:

- Provide your affected personal assistants the name and contact information of the single FI.
- Tell your affected personal assistants they will need to provide Attachment 2, Consent to Transfer Necessary Personal Assistant Medical Documentation, to their current FI to transfer their health status records to the new single FI.
- Tell your affected personal assistants they may need to have new employment forms (I-9, W-4, IT-2104) completed by you or the new single FI.
- Give permission (consent) to the FI(s) not picked to release and move your service authorization records to the single FI. You can use Attachment 3, Consent to Transfer Consumer Service Authorization Records, to have your records moved.

FIs should be able to transfer records within five (5) business days of receiving written consent.



## TEMPLATE 2

We will work closely with you to move your affected PA(s) to the single FI.

If you have any questions concerning this letter, please contact [Click here to enter name, email, telephone, TTY.](#)

Sincerely,

[Click here to enter LDSS/MCO name](#)

### Attachments

1. List of FIs and their contact information
2. [Consent to Transfer Necessary Personal Assistant Medical Documentation](#)
3. [Consent to Transfer Consumer Service Authorization Records](#)