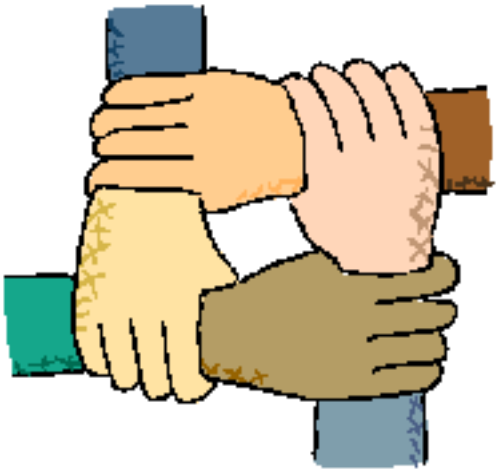
Self-Direct Instructional Manual



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Introduction

So you plan to direct your own personal assistants! Congratulations! Self-direction means that you can hire, train, manage and dismiss your own staff. This means that you have control over your own life. But wait a minute. This also means that you will have a big responsibility. You will now be an employer and will be responsible for handling employment issues with your staff.

The purpose of this manual is to give you information about how to do this. The next page will give you directions on how to begin the process of setting up your own individualized notebooks to use in the process of self-direction. The first half of this manual will focus on how to develop forms for your **"Staff-Hiring and Management" notebook.** The second half will focus on how to develop forms for your **"Staff-Training" notebook.**

What is Self-Directed Personal Assistance Services?
Like I stated earlier Self-direction means that you are now an employer. With this comes the responsibility of handling employment issues. You will be responsible for locating quality employees, maintaining a schedule, assuring that timesheets are accurate, addressing staff issues, and dismissing staff that are not meeting job requirements. These are not simple things to do.

There will also be problems to deal with such as staff quitting without notice, or not completing tasks as directed. You may have difficulty finding someone you want to hire or you may have staff that talk about your business to people outside your home.

This manual contains information to help you handle these issues and guides you in developing your own system for self-direction. Read through this manual and follow the directions for each section that applies to you and your needs. Good Luck!

First, some general information to keep in mind.

Self Direct Law

The Self Direct Law is included as well as definitions of Personal Assistants as listed under the different Home and Community Based Waivers. Self Direct Law definition can be found in the back of this manual under references.
Self Direct Law allows for individuals to appoint another person to assist with or direct their attendant care services for them.

Set up a filing system.

I would suggest that you obtain a file cabinet or file box to keep important records in. This should not be accessible to your staff. Keep it locked or in a secure location. The following is a list of items to keep.

1. File all applications you receive even if you didn't hire the person. Dispose of these after a year.
2. Set up a file for each individual you hire and include their hire date. Add to these files any information concerning these staff persons. IE: copy of pay stubs, information concerning any policies or procedures violated including a copy of "Staff Notification" form, if completed. (see "staff notification" section) Keep these for at least three years following the end of their employment. Include termination date and reason.
3. Keep a supply of forms on hand to enroll new staff with your payroll agent.
4. Keep your "Staff Hiring and Management" notebook and "Staff Training" notebook as well as your training videotape in your file cabinet. (These will be described in this manual.)

Have a back-up plan.

As you work on the hiring process to obtain enough staff to complete all necessary tasks keep in mind that there will be times when your staff will not be able to cover their scheduled shift(s). It is important to have a plan in place and then another back-up plan. For instance, you may want to hire an extra person to be available to work as a substitute for an assistant who is ill. You will also want to have another plan in place in case the substitute is not available. This may include family members or close neighbors who may be able to step in at a moment's notice to help out for short periods of time.

Centers for Independent Living

If you need any assistance with understanding Self Direction or with any part of the processes described in this manual you may contact your local Center for Independent Living (CIL) for ideas and/or support. There is a list of all CILs in the state of Kansas along with addresses and phone numbers.

Selecting a Payroll Agent

When you self-direct your Personal Assistants with Medicaid funding the money that pays for their services flows through an agency which issue the paychecks to your staff. You have the option to select from any of the agencies across the state that provide this service. Contact your local Center for Independent Living for a list of payroll agents. See the back of this manual for the phone number to your local CIL (Center for Independent Living).

- Call the CILs that you are considering using and obtain information. If you want to compare between agencies you may use the form on the next page to make this easier. *Below is a list of some things to consider when making a decision.*

1. **Location** Many individuals prefer to use the agency near their home because of convenience.
2. **Salary** Ask what the salary range is for the staff you will be hiring.
3. **Benefits** Ask if your staff will receive any benefits.
4. **Pay dates** Find out how often pay checks are issued and on what day.
5. **Friendly staff** As you are talking to the staff of the payroll provider agency make a note of whether they seem friendly and accommodating.

You may also consider asking how they handle issues such as timesheets turned in late.

Payroll Agents

Name and location of CIL	Salary range	Benefits	Pay dates	Friendly staff?

Ideas

- Hang a bulletin board for use in communicating with your staff. You can post notices to your staff on this board and request that they initial and date indicating they have read it.

- Keep a spiral notebook in your home for your staff to write notes in for information that other staff may need to know. *For example: "Laundry is completed except for the load in the dryer which needs to be folded and put away."*

- Purchase a large calendar to hang in a location accessible to you. Use to keep track of appointments and important dates.

- Make a list of important phone numbers and hang near your phone.

- Purchase a file cabinet to keep important forms and paperwork. These usually come with keys so you can lock them.

- Purchase a lockbox to keep your cash, checks and other valuables. *It is a very unfortunate but realistic fact that if you have staff working in your home you are susceptible to theft and other types of abuse and exploitation.* ***(See the section "Abuse, Neglect and Exploitation" in your "Staff Training" notebook.)*** I would recommend that you **never** borrow from or loan money to your staff!

- Purchase an "atomic clock." These clocks typically display the time, date and day of the week and receive a satellite signal to maintain accurate information at all times. These can be purchased at your local discount store. These clocks are wonderful devices for assisting with organization as they always display the accurate date and time.

How to Set up Your Notebooks

This manual is a guide to assist *self-direct* employers with hiring and managing their Personal Assistants. The program is designed with the idea that the *self-direct* employer will develop *two separate notebooks:*

- The *first* one will guide you in hiring and managing your staff. **"Staff Hiring and Management" notebook**
- The *second* will guide you in training your staff which will be given to the new staff to read. **"Staff Training" notebook**

- **To begin this process you will need to purchase the following:** ***(You may have received all of the materials needed with this manual.)***
  - Two 1 or 1 ½ inch 3-ring notebooks.
  - Three packages of page dividers (8 tabs).
  - A blank videotape if you have tasks that you plan to teach your Personal Assistants, i.e. Range of motion exercises, transferring, equipment use such as lifts, TTY etc. (See **"Staff Training Videotape"** instruction in **"Staff Duties"** section)
  - One large plastic ring binder pocket to put videotape in.

- Read through this manual and follow the directions for each section to develop your own personal **"Staff Hiring and Management"** and **"Staff Training"** notebooks.
- The forms with this symbol ★ in the upper right corner are the "guide forms" you will personalize to fit your needs/wants and include in your own notebooks.

- You will want to make multiple copies of the following forms:
  - Interview schedule
  - Interview notes
  - Interview checklist
  - Calling former employers
  - Staff notification
  - New Hire
  - Staff schedule form

Staff Hiring and Management Notebook

First, you will develop your **"Staff Hiring and Management Notebook"** to help you with the hiring process and with managing your staff after hire. The first half of this instructional manual will assist you in developing this notebook. Just read through the pages and follow the instructions. When you are done you will have your own personalized guide for hiring and managing your staff.
The following is a list of topics included in this first half:

1. Advertising
2. Scheduling Interviews
3. Preparing for Interviews
4. Applications
5. Conducting Interviews
6. Applicant Information
7. Selecting a Person to Hire
8. Offering Job
9. Completing New Hire Paperwork
10. Staff Management
11. Staff Notification
12. Unemployment Issues

- Label the tabs of your page dividers with these titles.

Advertising

Now, you may already know someone you plan to hire to work for you. If you don't have someone in mind, however, you will have to locate someone. There are many ways to advertise for help. Some may be more productive than others. You will have to try some out and see what works best in your area. Typically the classified ads section of the local newspaper tends to generate the most responses, however there are other possibilities.

The following are some suggestions:

1. Place an ad in your local newspaper or free weekly advertising guide.
2. Contact your local Center for Independent Living or Case Manager.
3. Talk to others who use Personal Assistants. They may know of a person who is looking for a job.
4. You could post a notice on the bulletin board of a local college. If the college has a social services department such as nursing or social work you may want to call and talk to the head of this department.
5. Contact local churches.
6. You may contact your local employment office, job service center or employment agency. Your local Chamber of Commerce office will be able to tell you how to contact these agencies.

I would not recommend that you hire the first person you meet that expresses an interest in the position you are hiring for. It would be best if you had at least several people to choose from. The more people you have to choose from, the better your chances are of obtaining a good employee.
If you have placed an ad and have received little or no responses, try again. Sometimes a second attempt a week or two later will produce better results.

If you need help immediately you may consider finding someone temporarily such as a friend or family member to assist.

Placing an ad

- If you decide to place an ad in your local paper refer to the guide sheet on the next page (with the star in the upper right corner) for step-by-step instructions.
- Make changes to this form to fit your needs if necessary and fill in the blanks with the information requested.
- The guide sheet is now ready for you to use. **Add this guide sheet to your notebook titled "Staff Hiring and Management" Advertising** section. Just follow the steps when you want to place an ad in the paper.

<u>Some sample ads:</u>

- Individual with a disability needs a Personal Assistant to help with meals and housecleaning. Please call_____.
- Woman with a disability needs Personal Assistants and Night Support. Please call_____.
- Person needs a Personal Assistant. Call _____ between 11:00 am and 6:00 pm.

Keep in mind that newspapers typically charge by the word or line. Be brief, to the point; yet include all basic information necessary.

Some newspapers will allow you to submit your ad by phone and then send you a bill. Others will not run an ad until they have received payment. Check with your newspaper about billing procedures. Include the appropriate steps on your guide sheet.

To Place An Ad In The Paper

1. Call _____ .
(name and phone number of local newspaper)

2. Ask for "Classified."

3. Give them your name, phone number and address.

4. They will ask you to tell them what to type in the ad.

Typical ad: Individual with disability needs personal assistants (and/or night support staff).
Please call _____.
(first name and phone number)

You will tell them to run the ad for _____ days.
(number)
You may consider including a Sunday if possible.

5. They will tell you how much the ad will cost.

6. Send a check to: Classified Ads

_____
(name of newspaper)

_____
(street address)

_____
(city, state and zip code)

Scheduling Interviews

It is *extremely* important to interview and screen the people who are interested in working as your Personal Assistant. You will want to make sure that the person you have coming into your home is someone you can trust, depend on and train. You will want this person to respect you and follow your instructions. You will also want to be free from fear of abuse, neglect and exploitation. Unfortunately you are a target for people looking to take advantage of others. Follow the instructions in the next few sections to learn how to set up a system to schedule and conduct interviews and then how to select someone for the job.

The pages in *this* section will assist you in scheduling interviews.

Interview Schedule Form

- You will need multiple copies of the form on the next page. Place thse in the "Scheduling Interviews" section of your "Staff Hiring" notebook.
- As soon as you have placed your ad decide on days and times you would like to complete interviews.
- Using one of the "Interview Schedule" forms, fill in the "day" and "time" section of the "**Interview Schedule"**.
- Allow about 30 minutes for each interview. If you allow too much time you may be tempted to share personal information that you may regret later.
- Place form(s) next to your phone so you will be ready when you receive calls from people responding to your ad. You may want to include a blank form for those who call that cannot meet at any of the times you have listed.

Interview Schedule

I DAY_____ TIME_____

NAME_____PHONE_____

II DAY_____ TIME_____

NAME_____PHONE_____

III DAY_____TIME_____

NAME_____PHONE_____

IV DAY_____ TIME_____

NAME_____PHONE_____

How to Schedule Interviews

Using your **"Interview Schedule"** form it will now be easy to set up times to meet with the people who are interested in the job. Just follow the steps below.

- When someone calls about the ad, tell the person you would like to schedule a time for an interview. They may begin asking a lot of questions about the job. Tell them that you will give them this information in the interview.

- Refer to your **"Interview Schedule"** for times you have determined. Ask them if they would come at a time you have listed on the form.

- Write their name and phone number on the form under the day and time agreed upon.

- If they are unable to come at any time you have listed, ask *them* for a time which will work. If this time is convenient for you, write it on the *blank* form.

- Remember to give them your address.

- If you have difficulty with any of these steps you may request assistance from your local Center for Independent Living (see a list in the reference section of this manual).

Preparing for Interviews

Conducting an interview will be the most important part of the hiring process. Your challenge is to learn enough about the person interested in the job to know if you want them in your home working with you. This section contains four guide forms to assist you with this process. These forms have a star in the upper right hand corner.

1. **Interview Questions**
2. **Interview Information**
3. **Interview Notes**
4. **Interview Checklist**

The best way to learn about a person is to get them to talk. If you ask the right questions you may learn all you need to know. The best questions to ask are open-ended. This means that the answer is not simply yes or no. Determine what information you want to obtain from the applicants you are interviewing and then develop questions to obtain this information. Included in this section is a list of sample questions you may use for ideas. Also included is a list of questions that are not legal to ask. Review these before forming your questions.

- **Before proceeding I would like you to take some time to think about what type of person you would like to work for you.** What characteristics, attitude, and abilities do you expect? Some questions to ask yourself:
  1. What kinds of people do I get along with best?
  2. What kinds of people irritate me?
  3. What duties will I be requesting of my staff?
  4. What qualifications will be important to the job? IE Lifting, cooking skills, etc
  5. What hours/days will they need to be available?
  6. Is reliable transportation important to the job? Will they be expected to provide transportation? Will they be expected to run errands?
  7. Is it important that they have phone service?
  8. Is it important to you that the person you hire has previous experience as a Personal Assistant or in working with someone with a disability?

- **Jot down some things that you feel are important to you.** Now it is time to come up with some questions to ask each person you interview, which will address the things that are important to you and the job you expect them to do. On the next page you will find some *sample* interview questions you may consider. Remember to ask the questions that will give you useful information as related to your expectations and their job duties.

Sample Interview Questions

- Have you worked with a person with a disability before?
  If so, tell me about this experience.
  If not, tell me why you want this job.
- Tell me what a previous (or current) employer might say about the kind of employee you are?
- Tell me how you would handle a situation where you might disagree with your employer.
- What would you do if you thought I was doing something in an unsafe manner?
- What do you consider your positive traits? What areas do you feel you need to improve?
- Define "good communication."
- How do you handle conflict with an employer?

You may want to ask a question concerning specific job duties such as:

- **Can you perform the following duties?**
  A. Cooking.
  B. Housekeeping and laundry.
  C. **Personal care such as toileting, dressing etc.**

You may want to ask questions concerning:

- *Transportation.* If you want to know if they will be able to get to work regularly ask: "Do you have access to reliable transportation? (Do not ask if the person can drive or has a license - this is illegal) If a part of the job is to provide transportation *then* you may legally ask if the person has a valid drivers license.
- *Phone.* You may want to know if you will be able to reach them if you need to. This is a legitimate question. "Do you have a working phone?"

There are numerous books available with information on hiring including ideas for interview questions. Check your local library or center for independent living.

Questions you cannot legally ask!

◊ **Do Not** ask a person if they are married or if they have children.

◊ **Do Not** ask a person how old they are, what year they were born or when they graduated.
◊ **Instead:** tell them how old they must be in order to work for you and ask if they meet this qualification. (i.e. must be 18 yrs old to be employed)

◊ **Do Not** ask for a woman's maiden name.
◊ **Instead:** ask if the person has used other names besides what's listed on the application.

◊ **Do Not** ask about the person's religious preferences.

◊ **Do Not** ask any questions concerning a person's race, national origin or ethnic group.

◊ **Do Not** ask if a person has a disability or lift restriction. **Instead:** give a list of duties to be performed and ask them if they are able to complete these duties.

***See the back of this manual for more information. (Acceptable Pre-employment Inquiries in the reference section)**

If you would like more information about what you can legally ask in an interview contact your local Center for Independent Living or Case Manager.

NOTE: **Do Not** use sexist terms such as 'babe' or 'doll'. This may be considered sexual harassment, which is illegal.

Interview Questions Form

- Using the **"Interview Questions"** form on the next page list the questions you have selected to ask your candidates for hire. I would suggest selecting just a few good questions to ask.
- Number 4 on this form has a place to post a sticky note listing the hours you are currently hiring for. Write the hours you need a PA for on a sticky note and place in the box.
- Number 5 on this form is a place you can list some tasks you will be asking your staff to complete for you or assist you with. I would suggest that you list the ones that are important to you. You will want to ask if they are willing to complete these duties. This would be a good time to include any lifting that would be required. You cannot ask if a person has weight lifting restrictions. *Instead* tell the person how much weight they will be required to lift and ask if they can fulfill this part of the job. *I.E. "I weigh 160 lbs. You will be responsible to transfer me to my shower chair. I bear weight and do pivot transfers."*
- You now have your own personalized "interview questions" form to use each time you interview someone. Add this form to your **"Staff Hiring"** notebook **"Preparing for Interviews Section"**.

Interview Questions

1.

2.

3.

4. Can you work the following hours?

(listed on sticky note here)

5.

Interview Information Form

The next task to complete prior to beginning interviews is to develop your own **"Interview Information"** form. It may be helpful to prepare specific information about the job to share with applicants. You can explain what self-direct is, how much pay to expect, hours, and job duties. I have included a *sample* "interview information form." **Be sure to edit this form to meet your needs.**

- Read through the information on the form and make the necessary changes to it. You now have a personalized **"Interview Information Form."**
- Add this to your **"staff hiring"** notebook **"Preparing for Interviews**" section.
- I have also included a second **"Interview Information"** form. You may choose to use this form also. If so, review it, make changes if desired and add to your notebook with the first **"Interview Information"** form.

INTERVIEW INFORMATION #1

I self-direct my own Personal Assistants and night support staff. This means that I select, train, manage and dismiss my staff. I may receive some assistance with this process from family members or training from an Independent Living Trainer but I am the employer.

_____is the acting payroll agent. This
(name of payroll agent)
means that the paychecks are issued from this agency. They are sent to me to give to my staff. You are not employed by this agency. You are employed by me.

NIGHT SUPPORT

My Night Support staff work from _____ to _____.
(start time) (end time)
Duties may include: assisting me with preparing for bed and getting into bed. I typically sleep through the night and generally require no assistance once I am in bed. I have a spare bedroom and a bed for my night support staff.

PERSONAL ASSISTANTS

My Personal Assistants work the following hours:

_____

_____
(list days and times)

My Personal Assistants are paid an hourly rate. Duties may include, but not limited to the following: helping me with dressing, toileting, preparing meals, laundry, housecleaning, "range of motion" exercises, reminding me to take my medications, taking me to appointments, shopping and some social activities.

Interview Information #2

I require assistance to perform many of my day-to-day tasks and cannot complete them without the help of Personal Assistants. It is **important** that my staff be reliable. If you are unable to work your scheduled shift you are responsible for contacting another staff person to work. If your shift is not covered you can be terminated.

I cannot stress enough how important it is for my quality of life to have reliable, dependable and honest staff.

I also request that my staff give me notice if they plan to quit. A two-week notice would be appreciated so that I can make arrangements to hire a replacement.

If you cannot meet these requests let me know now so we can end the interview, otherwise I will assume you understand my expectations and are able to meet them.

Interview Notes Form

The form on the next page is used to write down the answers to the questions you ask at the interview. Then after the interview is done and the person has left write down something that will help you remember this person in the square provided at the bottom of the form. After you have done a few interviews it will be difficult to remember each person you met. You may write something they said, something they wore, or a particular characteristic about them that stood out.

- Add numerous copies of this form to your **"Staff Hiring"** notebook **"Preparing for Interviews"** section.

INTERVIEW NOTES

NAME OF APPLICANT_____ DATE_____

Write answers to your interview questions here.

1.

2.

3.

4.

5.

Immediately following the interview write any notes here that will help you remember this person.

Complete the "Interview Checklist" immediately following the interview.

Interview Checklist Form

The form on the next page can be used to document your impressions of the people you interviewed. Complete this form directly following the interview, after the person has left.

- Take a look at the **"Interview Checklist"** form on the next page. Delete and/or add any items you want.
- You now have a personalized Interview Checklist. Add multiple copies to your **"Staff Hiring"** notebook **"Preparing for Interview"** section.

INTERVIEW CHECKLIST

NAME OF APPLICANT_____ DATE_____

	☹				☺
1. a. Spoke directly to me instead of my helper.	1	2	3	4	5
b. <u>If not</u>, corrected this when pointed out.	1	2	3	4	5
2. Listened to me and tried to understand me.	1	2	3	4	5
3. Seemed comfortable with me.	1	2	3	4	5
4. Looked neat and clean.	1	2	3	4	5

5. Has own phone? YES NO

6. Reliable transportation? YES NO

7. Talks too much? YES NO

8. I would hire this person. **YES** **NO**

Applications

It is important to collect information about the person you interview. One of the best ways to begin this process is to have the person complete an application, which you will keep in the **"Applicant Information"** section of your notebook.

- In this section you will keep a supply of applications that will be given to interviewees when they arrive for the interview.

- You may use the generic application included in this manual or one that you may obtain from another source.

OR

- You may receive applications from your payroll agent along with other paperwork to be completed when you hire new staff.

- When you run low on applications call your payroll agent and request more or make copies of the one in this manual.

_____.

(name and phone number of payroll agent)

APPLICATION FOR EMPLOYMENT FOR:_____

(Employer Name)

(Answer all questions – please print in ink**)**

To Applicant: I deeply appreciate your interest and assure you that I am sincerely interested in your qualifications. A clear understanding of your background and work history will aid me in placing you in the position.

Name_____
(First) (Middle) (Last)

Social Security #_____ Telephone #_____

Present Address_____
(Number) (Street) (City, State, Zip Code)

Do you have a valid Drivers License? Yes_____ No_____

Drivers License No._____ State_____

Date Available_____ Number of hours available_____

Are you known by another name? Yes____ No____ If yes, by what name?_____

Have you ever been convicted of a felony? Yes____ No____ If yes please explain:

_____

Are you: Under 18_____ Over 18 years of age_____

Special training skills_____

May your present employer be contacted for a reference?
Yes___ No___

EMPLOYMENT HISTORY

List each job, starting with your most recent (include Military Service). If you attach a resume, please complete the information not included on your resume.

Employer		Dates From To	Work Performed
Address		Starting Pay Last Pay	
City, State	Phone	Job Title	
Supervisor		Reason for leaving	

Employer		Dates From To	Work Performed
Address		Starting Pay Last Pay	
City, State	Phone	Job Title	
Supervisor		Reason for leaving	

REFERENCES

Give the name of three persons not related to you, whom you have known at least one year.

Name	Address	Business	Years Acquainted

I certify that the information contained in this application for employment is correct to the best of my knowledge and understand that falsification of this information is grounds for refusal to hire, or if hired, dismissal.

I authorized investigation of all statements contained herein. I also authorize the references above to give you all information concerning my previous employment and any pertinent information, personal or otherwise, they may have. Except as may be noted in regard to my current employer. I authorize other sources to provide you all information concerning my background. I release all parties from liability for any damage that may result from furnishing same to you.

In consideration for employment, if hired I agree to conform to the rules and regulations of my employer, payroll agent, and H.B. 2012. I acknowledge that those rules may be changed, interpreted, withdrawn or added at any time without prior notice to me. I acknowledge that my employment status is that of an employee-at-will and may be terminated at any time.

I understand that if I am hired no policy or rule, written or oral changes my status as an employee-at-will.

Signature of Applicant_____Date_____

Conducting Interviews

You may consider asking someone to sit in on the interview with you for several reasons. **1.** The person can complete information on the "Interview Notes" form while you ask the questions. **2**. It is helpful to have a second set of ears and eyes. A helper may notice something about the person that you overlook. **3.** It is also a good idea to have another person around when you are inviting strangers into your home, for safety reasons.

- **Prepare for interviews about 30 minutes before the first scheduled appointment time.**

1. Obtain from your **"Staff Hiring"** notebook the following forms:
   - An application (in the application section)
   - Interview Question form
   - Interview Information form
   - Interview Notes form
   - Interview Checklist

2. On the **"Interview Question"** form attach a sticky note listing the days and hours you are hiring for.

3. Obtain a pen and something the person can use to write on, like a magazine, if there is no table nearby.

- **When the person arrives, introduce yourself, invite them in and direct them to a chair to sit in.**

1. Ask the person to complete the application. While you wait you may want to review your **"Interview Questions**".

2. Have the **"Interview Notes"** form ready to write down answers to the questions you will ask.

3. If you have a helper to write for you, give them the **"Interview Notes"** form.

4. After the person has completed the application, review it. If you have a helper you may ask them to help you with this. You may see something on the application you want to ask about.

5. At this time you will want to begin asking the questions you have on your **"Interview Questions"** form. You will want to begin quickly before they begin asking you questions. If they do, tell them that you will be giving them information about the job after you ask your questions. *Observe how the person interacts with you and how they act as you visit. Do you feel comfortable with them? Do they have a pleasant personality?*

6. Write down their answers to the questions you ask or have your helper do this for you.

7. When you have asked all questions, read the **"Interview Information"** form to them.

8. At this time ask them if they have any questions about the job. Give information about the job itself only. ***DO NOT GIVE PERSONAL INFORMATION ABOUT YOURSELF.***

9. After you have answered their questions, give them a date you will call them to let them know about the position.

10. When the interview is done, escort or direct the person to the door.

11. After the person has left complete the bottom of the **"Interview Notes"** and the **"Interview Checklist."**

Applicant Information

In this section of your **"Staff Hiring and Management"** notebook you will keep all of the information from the interviews.

- Application
- Interview notes (completed at the interview)
- Interview checklist (completed following the interview)
- Resume (if you received one)

Selecting a Person to Hire

Once you have completed all of your interviews it is time to select someone to hire.

- **To select a new Personal Assistant or Night Support staff, follow the steps listed:**

1. Open your **"Hiring"** notebook to the **"Applicant Information"** section.

2. Look through the **"Interview Checklist"** forms for each person interviewed.

3. Look at # 8 on this form. For all **"no"** votes remove paperwork.

4. If you are not satisfied with any of them you may want to consider placing another ad and beginning the interviewing process again.

5. Obtain **"Calling Former Employer"** forms from the **"Select/Offer Job"** section.

6. For all **"yes"** applicants complete the following steps.
   - Call former employers listed on the application
   - Ask the following questions:
     a) Can you tell me if this person was a good employee?
     b) Would you rehire this person?
   - Verify the information on the application.
   - Use the **"Calling Former Employers"** form to record the information you obtain OR have your helper record the information for you.

Calling Former Employers

Call the phone number listed on the application for former employer(s). Ask the following questions and write the answers on this form.
You may want to say something like, ***"My name is _____ and I have interviewed _____ for a Personal***
(applicant's name)
Assistant position and would like to ask you a few questions about her/his employment with you."

Name of Employer_____.

1. Can you tell me if _____was a good
(applicant's name)
employee?

2. Would you rehire this person?

3. Information on the application correct? (Ask the employer about dates the person worked for them and reason for leaving.)

Offering Job

After you have called the former employers of the people you are interested in hiring and completed the **"Calling Former Employers"** form you are ready to make a decision!

- Review the applications and the answers on all of the **"Interview Notes," "Interview Checklists"** and **"Calling Former Employers"** forms and decide which person(s) you would like to work for you.

- **Complete the following steps:**

1. Call the person you want to hire.

2. Ask if they are still interested in the job.

3. If so, tell them the date you would like them to start.

4. Ask them to come to your home and pick up a packet of forms to sign up as your Personal Assistant/Night Support staff.

5. If the person declines the offer, return back to the forms described at the beginning of this page and select another person you would be willing to hire.

6. If you call all of the people that you have information on and no one accepts your offer of employment it is time to begin the advertising process again.

7. **Do not** hire someone that you are not comfortable with.

8. If you need someone immediately but have no individuals you want to hire as a permanent employee you may consider hiring a temporary staff person. Make sure this person understands that this position is temporary only.

Completing "New Hire" Paperwork

After you have offered a Personal Assistant/Night Support job to a new person and they accept, all of the necessary paperwork must be completed before they can begin work.

- You will need to obtain the forms to complete from your payroll agent.

_____
(name and phone number of payroll agent)

- You may want to keep some extra "New Hire" forms from your payroll agent in this section.

- When your new staff person arrives to pick up a "New Hire" packet, have them complete their part of the paperwork. You will be responsible for completing some of the paperwork yourself. This packet of information will need to be sent or taken to the payroll agent. They will also request proper identification (as indicated on the I-9 form).

- You may also decide to have a "records check" completed on this person. Contact your payroll agent representative to assist you with this process and to determine if there will be any fees. Upon request the payroll agent will contact Social and Rehabilitation Services (SRS) and the Kansas Bureau of Investigation (KBI) for a "records check". If people have committed certain crimes their name can possibly show up on a list kept by SRS and KBI. Having a check completed will enable you to learn more about this person and whether to hire or continue their employment.
    - If you decide to hire someone before the results of the records check are completed be sure to tell them that their continued employment will be conditional based on the results of the checks.

Staff Management

After hiring your staff you will, of course, want to train them. The 2nd half of this manual will instruct you in developing a training program. After your staff have been trained *this* section will assist you in **managing** your staff. As explained in the first part of this manual, this will be no easy task. It will be helpful, however, if you have a plan in place before you have staff on board. It is probable though that you already have assistants in place. Either way this section should be useful for dealing with issues concerning your staff.

The best plan you can have is to prevent problems **before** they arise. If you have a good training program set up, written policies and procedures and a system in place for scheduling, and backup PA's you should be able to prevent a lot problems for yourself. The second half of this manual will guide you in the process of developing a good **written** plan and to set up a system that will work for you. Now I will share some tools for managing your Personal Assistants.

Management Tools

- **Communication, Communication, Communication**

This is probably the single most important tool you can use to prevent and address any problems with your Personal Assistants. First, you will have all policies, procedures and duties in writing for your staff to read on their first day of employment. (See "Staff Training" section) You will refer staff back to this notebook to read again if needed.
Always maintain verbal and/or written communication with your staff. Notify them in advance of any changes in scheduling, policies/procedures, duties etc. Talk to them immediately if there are problems or if there is something you want them to do differently. I describe how to do this under the title "Handling Problems" later in this chapter.

- **Respect**

The employee/employer relationship is a two-way street. You will expect your staff to treat you with respect. You must treat them with the same respect. Work with your staff and listen to them, as you would like them to do with you. Remember the "golden rule." *Treat others as you would like them to treat you.*

- **Organization**

The first step to becoming organized is to follow the suggestions in this manual and develop notebooks for **"staff hiring and management" and "staff training"** and use them as instructed. Next, set up a filing system as I referred to in the introduction section of this manual. Document everything and file all paperwork. If in doubt, *don't* throw it out. File it!

Now, we know that even with a wonderful plan in place there will be times when issues will arise that you, as an employer, will have to handle. The following steps will provide a guide for you in handling situations with your staff in which you desire a change in their behavior.

Handling Problems

- **Verbal "Staff Notification"**

If a PA is not following a policy/procedure or completing their job as you have requested the first step is for you to talk to them about it. You will want to do this as soon as it is convenient for both you and your PA. Follow these steps:

1. Speak to the person immediately if possible. Sometimes it is more convenient to talk at the beginning of a shift or at the end of a shift. Select a time that will be most comfortable but don't delay until the next day if this can be avoided.

2. If they are working on something ask them to stop for a moment.
3. Make sure you have their attention and they know you want to tell them something important. You may say something like, "Joe, I need to talk to you about something."
4. In order to prevent the person from becoming defensive avoid starting your sentence with "you". For example say, "I would prefer that you speak to me before trading shifts with another PA" instead of "You are always trading shifts without telling me."
5. State what you want from the person in as few words as possible to avoid becoming negative. Keep your voice calm and talk in the same tone as you normally do but be sure to be firm if needed. Refer them to the "Staff Training" notebook if appropriate.
6. Ask them if they have any questions.
7. This process should take only a few minutes. After all is said move on and don't mention it again unless the problem arises again.
8. Make a note of this conversation including the date(s), which the problem occurred, and the date in which you spoke to them about it. Place this in the file you have set up for them.
9. Do not "nitpick." If you are overly critical about everything your staff does you will have problems keeping a PA.

If you would like support with any part of this process you may contact your Case Manager or local Center for Independent Living. (see list in the back of this manual)

The following are examples of situations you may choose to handle in the way I have just described.

1. Tardiness, excessive absenteeism or not following any other written policies or procedures.
2. Not completing tasks in a manner that you would like.
3. Receives excessive number of personal calls at your home.
4. Forgetting to complete part of their duties.

❖ Written "Staff Notification"

If you have spoken to your staff about a particular issue and it continues to be a problem OR the problem is a little more serious in nature you may want to move to the next stage and complete a written "Staff Notification" as directed on the following page.

Some examples of more serious situations in which you may want to use a 'written notification' as a first step are:

1. No-show, no-call. If your PA did not show up for a shift and made no attempt to call you or find a replacement.
2. You find out that your PA shared personal information about you to someone outside your home.

❖ Immediate Dismissal

If you are aware of illegal activity by your staff or you experience ***abuse, neglect or exploitation*** by your staff you should terminate their employment **immediately**. For abuse, neglect and exploitation call the SRS toll free number to report. **1-800-922-5330**
See the section titled "Abuse, Neglect and Exploitation" for more information.
Examples of activity, which warrants immediate dismissal:

1. Stealing from you, money or property.
2. Working under the influence of alcohol or drugs.

It may be difficult to determine what action to take for particular situations. The previous suggestions are only guidelines to follow. All situations will have to be assessed individually to determine the best action to take.
If you find it difficult to make decisions about how to handle situations with your staff contact your local Center for Independent Living for support and/or training. See the list in the back of this manual.

Staff Notification

Include in your notebook a written notification form that you can complete and give to staff for any noncompliance of your policies or procedures. (refer to the "Policies and Procedures" section of this manual) You may also use this if you desire some improvement in their job duties. It is a way of letting staff know that you want them to change something about the way they are doing their job. *For example: You have an Assistant who has been tardy three times in two weeks. You asked them to start coming to work on time. They show up for work 15 minutes late again.* You may want to complete a **"Staff Notification"** form.

Giving your staff *written* notice of changes you want to see is useful for these reasons:

- It is clear to them exactly what you want changed and when this change is expected.
- You have documentation of any changes you have requested of your staff in case you need to take further action.
- If you decide to terminate them you will have documentation that you notified them of your expectations. If the person files for unemployment, that department may request this documentation in order to make a determination of benefits.

  - Use the **"Staff Notification"** form.
  - Write the first and last name of the staff person you want to notify.
  - Write the date you are completing this form.
  - Write the "Notification number." If this is the first time that you are completing a **"Staff Notification"** form with this particular staff person you will give this a number one. If this is the second time you will give this a number two, etc.
  - "Reason for notification" - Write the *specific* problem you are having with the person or the *specific* policy they are violating. *For example: You were late for work on May 3, May 7, May 9 and May 12.*
  - "Desired Changes" - Write the changes you want to see the Assistant make. *For example: Arrive to work at the scheduled time beginning the date of this notice, May 19.*

- "Consequences"-Describe what will happen if the person does not make the requested changes. *For example: Arriving to work late more than once per month will result in termination.*
- "Action taken by employer at this time" - Check one of the three listed on the left hand column.
    - Written warning only.
    - Suspension—if marked, include number of days and date of expected return to work
    - Termination—if marked, write the date of termination. (You may want to make this effective immediately.)

  You may want to give a written warning prior to a suspension or termination in most situations. Exceptions to this would include illegal activities by your staff or actions resulting in an abuse, neglect or exploitation situation. If this occurs refer to the section on abuse, neglect and exploitation to learn what to do.
- Meet with the Assistant and ask them to read the form you have completed.
- Ask them to sign and date. This signature acknowledges only that they have read the form, not necessarily agree to it.
- Schedule to meet with the staff person for follow-up. If you have a date listed under "desired changes" this would be a good time to meet.
- You will sign and date also. File this form in your **"Staff Hiring and Management"** notebook for future reference.

Follow-up

It is important to have a follow-up meeting with your staff to review progress. Schedule this meeting at a time appropriate for changes. *For example: If the person has been consistently late and you have requested they begin arriving on time you will want to schedule a follow-up meeting after they have enough time to demonstrate to you whether or not they have made changes. If the person works 5 days per week, after two weeks you will know if they are arriving to work on time regularly.*

STAFF NOTIFICATION

Staff name_____ Date_____

Notification #_____

Reason for notification:
(i.e. problems or specific policy/procedure violated)

Desired Changes:
(ie; arrive to work at scheduled time, wash dishes daily, etc) Include date these changes are to take place if appropriate.

Consequences: (What will happen if the problem continues.)

Action taken by employer at this time:
___Written warning only
___Suspension ____#days _____Date of return to work
___Termination _____Date

I acknowledge reading this notification. I also understand this is a Staff Notification only, not a contract of employment. (Signature acknowledges only that this has been read not agreed to.)

_____ _____
Employee Signature/date **Employer Signature/date**

Unemployment Issues

As an employer you may from time to time receive a notice from the Unemployment Insurance Office. If a Personal Assistant leaves your employment they may file for unemployment benefits on your account. If someone files on your account you will receive a notice requesting information concerning their employment with you. This is one reason for keeping written documentation. They will want to know the date of hire, termination date and reason for termination and any other pertinent information. It is important for you to complete the information requested and submit with any written documentation that you have concerning the person's termination including copies of any possible written policies or procedures that were violated if you terminated them for a violation. **Keep good documentation.** If you have followed the steps in this manual you will have this information in a file folder in your file cabinet. The Unemployment Office will want this information completed and returned to them by a deadline listed in the notice. Make sure you respond by the date indicated.

Staff Training Notebook

You will develop your own **"Staff Training"** notebook to share with your Personal Assistant/Night Support staff. The notebook you develop will assist you in training your staff to complete their job in a manner that you desire. It should include policies, procedures and a job description. This instructional manual will help you develop an individualized **"Staff Training"** notebook specific to your own needs and situation. The manual has forms divided into sections. The following are a list of sections included in this manual:

1. Staff Training Videotape
2. Introduction (to staff training manual)
3. Policies and Procedures
4. Daily Routine
5. Staff Duties
6. Staff Schedule
7. Timesheets
8. Medical Information
9. Abuse, Neglect and Exploitation
10. Medicaid Fraud

- In each of these sections are forms.
- Review each form carefully.
- Select the forms that most closely meet your needs/wants.
- Make changes as necessary so each form fits your needs.
- Add to your **"Staff Training"** notebook.

This manual is intended to be a guide in helping you develop your own forms. Use it to teach your staff what you want them to know about the job. Each person has his or her own specific needs and wants. These forms are to be used as guides only. Use them to assist in the process of developing your own **"Staff Training"** notebook. You may choose to use these forms as they are or use only *parts* of some of these forms to include in your manual OR you may choose to write your own forms entirely.

❖ Before you begin reading this portion of the manual take some time to think about what expectations you have of the people coming into your home to assist you with tasks. The following is a list of things to consider:

1. What tasks are listed on the Plan of Care developed by you and your case manager?
2. What is your daily schedule?
3. What times of the day do you plan to have your staff work and how important is it to you that staff arrive at a *specific* time for their shift?
4. What do you want staff to do if they are sick and can't work their shift?
5. What do you want staff to do if they plan to trade shifts?

Staff Training Videotape

If you have personal care needs that you plan to receive assistance with, you may consider making a videotape for your staff to view in order for them to learn the way you want them to assist. Sometimes it is difficult to verbally direct someone through a task involving hands-on assistance. Some of the tasks you may consider making a videotape for may include:

- Range of motion exercises.
- Transfers.
- Lift equipment operation.
- Other durable medical equipment operation.
- Health Maintenance Activities. *(I.E. assisting with g-tube feedings)*

You may contact your *Case Manager* or local *Center for Independent Living* for assistance in making your own personal **"Staff Training Videotape."**

- Decide what tasks you would like on the tape.
- Have someone run the camcorder while you have an assistant performing the task to be videotaped.
- As the assistant is performing the task for the taping it is also helpful for you or them to explain what they are doing. *i.e. When moving the lever to lower the lift she/he may say, "The lever to lower the lift is on the left side. It must be pressed down until the sling is at the same level as the bed."*
- After completing the taping of all desired tasks label the tape **"Staff Training Video."** You may consider covering the videotape case with brightly colored contact paper so that it will be easy to find if it is stored with other videotapes in your home.
- It would be advisable to store this completed tape in your **"Staff Training Notebook."** You can purchase a large plastic zipper ring binder pocket at your local office supply or discount store.

Introduction

In the "Introduction" section of your **"Staff Training"** notebook you will inform your staff that they are required to read the information in it. I would recommend that you give a time limit for your staff to read the notebook and include a form that your staff will sign indicating that they read and understand the information included in it. This is written documentation that you have provided your staff information of what you expect from them.

- Read thru the guide forms (with the stars) in this section. Select the ones you want to include in your own **"Staff Training"** notebook. Make any changes to the forms you desire. Then add them to the "introduction" section of your personalized notebook.

New Hire

- All new staff are required to read the information in this **"Staff Training"** notebook within one week of hire date.
- This notebook is to remain in my apartment. You may read it here 30 minutes before your first shift.
- Please sign and date this form after you have read it.

I,_____ have read and
(PA/NS name)
understand the information in the **"Staff Training"** notebook.

_____Signature

_____Date

New Hire

- All new staff are required to read the information in this **"Staff Training" notebook** and view the **staff training video tape** within one week of hire date.
- This notebook and video are to remain in my apartment. You may complete these tasks prior to the start of your first shift.
- Please sign and date this form after you have read the notebook and viewed the video.

I,_____ have read
(PA/NS name)
the **"Staff Training"** notebook and viewed the **staff training video** and understand all information in both.

_____Signature

_____Date

Policies

It is important to have written policies for your staff to read when they are first hired for several reasons.

1. It is clear from the first day they work what is expected of them.
2. You can refer to these anytime there is a question about what you want from your staff.
3. If you discharge someone and they file a claim for unemployment, the department will contact you by letter and request a copy of the written policy that was violated.

You will want to determine what you will expect from your staff. Before beginning this section think about your expectations. How important is it to you that staff arrive at a specific time? What do you want them to do when they are late or sick? Take some time now to determine what your expectations are and jot down notes. These expectations will become policies and procedures that you will include in this manual.

- The following pages are sample policy forms you may use for your **"Staff Training"** notebook.

- ***Read each form carefully before adding to your notebook.***

- Make changes to these forms to meet the expectations you have of your staff. *For example*: If you do not plan to enforce a specific time that your staff need to arrive at your home delete number one on the "Policy Concerning: Absence and Tardiness."

- Add your personalized policies to your own **"Staff Training"** notebook.

- **Include only those policies you agree with and are willing to enforce. Do not include any policies that are 1. Not important to the job. 2. You do not like or agree with. OR 3. You do not plan to enforce by following through with consequences.**

POLICIES CONCERNING: ABSENCE AND TARDINESS

TARDINESS – If Personal Assistant or Night Support is going to be more than 15 minutes late getting to employer's home they must call and let the employer know. Times must be reflected correctly on time sheets. Excessive tardiness may be grounds for termination.

ILLNESS – If Personal Assistant or Night Support is ill the day they are scheduled to work they must notify the employer immediately and call another Personal Assistant or Night Support to cover their shift. If a Personal Attendant is unable to locate a replacement they need to make every attempt to work a partial shift until coverage can be found. Please be aware that Personal Assistants and Night Support are a necessity. Without these services the employer cannot live independently.

ABSENCES – Two uncovered absences without notification will be grounds for termination. *Excessive* absences may be grounds for termination.

TRADING SHIFTS – If shifts are traded between Personal Assistants and/or Night Support, in order to assure coverage, the shift that staff agrees to cover then becomes their responsibility. If that staff person cannot cover for some reason they need to find coverage. It does not default back to the original staff on schedule. In order to assure that everyone is aware of the change be sure to notify the employer.

THE EMPLOYER KEEPS TIMESHEETS.

EACH PERSONAL ASSISTANT AND NIGHT SUPPORT SIGNS IN ON EACH SHIFT AND SIGNS OUT AT THE END OF EACH SHIFT IN THE PRESENCE OF THE EMPLOYER

Other Policies I

1. All staff are expected to arrive at my home prepared to work at least by the time their shift begins.

2. Staff should **not** bring with them to work: friends, boyfriends, girlfriends, spouses or other relation. You are here to work for me and I expect your individual attention. On occasion your child(ren) may accompany you to work only under the following conditions:
   a. You have no options for day care
   b. You have notified me prior to bringing them
   c. If they become a problem you must make other arrangements immediately or contact another staff person to work your shift.

3. Times on timesheets must reflect actual hours worked. Any intentional discrepancy is considered **Medicaid Fraud.**

4. Smoking is **not** permitted in my home. You may smoke outside. Please dispose of your cigarette butts in the can provided outside the front door.

5. Meals are **not** provided. If you would like to bring your dinner you may keep it in the refrigerator and warm it in the microwave or oven. I can provide water to drink. If you prefer something else to drink please bring it with you. Please take any food with you that belongs to you at the end of your shift.

6. When going out for entertainment I will pay for the assistant if there is an **admission fee.** For example: the movies, the river festival etc.

Procedures

1. Record daily activities on your shift in my staff log notebook.

2. Please keep timesheets here. Post on my staff board. Complete before and after your shift in my presence.

3. Ask me before using my phone for personal calls. These are allowed on a limited basis. You may receive personal calls on a limited basis also. If the calls interfere with your duties they need to stop. **ABSOLUTELY NO LONG DISTANCE CALLS ON MY PHONE. THIS IS GROUNDS FOR IMMEDIATE TERMINATION.**

4. You may not use my washer and dryer for your personal use. This is grounds for termination.

5. You are not to borrow money from me. This is grounds for termination. It is also recommended not to loan me money or have me write checks to you should you pick something up for me. If you are picking something up at the store for me it is best to have me write a check to the store. Any checks on my account written to my staff can be **suspect** if SRS or any other agency should become involved for any reason.

CONFIDENTIALITY

All issues regarding the employer are to be handled in a confidential manner. Do not discuss employer's affairs with anyone without the employer's consent. Personal Assistants and Night Support may share with each other only that information needed to carry out specific duties and training activities. Share information on a need-to-know basis. Staff logs need to be restricted to information necessary for consistent services. Keep logs positive, objective and do not include negative comments concerning the employer or other staff.

Breaking confidentiality may be grounds for termination.

Daily Routine

This section of the notebook will not be useful to everyone using self-direct Personal Assistant services

If you would like a ***consistent daily routine*** and you want your staff to be aware of this routine you may consider including information in this section. If not you can skip this section.

- For more *general* routine information use the **"Daily Routine I"** form.
- For more *specific* routine information use the **"Daily Routine II"** form.

- Select the form(s) that will meet your needs and include the information about your daily routine that you want your staff to know about.

- Include the day or days of the week on the line at the top of the form that this routine corresponds with. For each day that your routine is different you will need to complete a separate form(s).

- Add these forms to your **"Staff Training Notebook,"** "Daily Routine" section.

- You may want to include a note to staff like this one: **Please keep in mind that this is a general schedule of my routine. This schedule is not "set in stone." I expect my staff to be flexible and ask me before assuming what my activities are for the day.**

See sample form on next page.

Daily Routine *Monday thru Friday* .
(day or days of the week)

Morning
In this section list your morning routine.
Some examples of information may include the following:
- *Time you begin breakfast.*
- *Time you leave for work or school.*
- *Time of any scheduled activities.*

Afternoon
In this section include your afternoon activities.
Some examples may include the following:
- *Time you eat lunch.*
- *Time of any scheduled activities.*

Evening
In this section include your evening activities.
Some examples may include the following:
- *Time you eat supper.*
- *Time of any scheduled activities.*
- *Time you begin preparing for bed.*

Other information
In this section include misc information or information for Night Support staff.

- *For more general routine information use the **"Daily Routine I"** form.*
- *For more specific routine information use the **"Daily routine II"** forms.*

Sample

Daily Routine I _____.

(day or days of the week)

Morning

Afternoon

Evening

Other information

Daily Routine II _____.

(day or days of the week)

Morning

Daily Routine II _____.

(day or days of the week)

Afternoon

Daily Routine II _____.

(day or days of the week)

Evening

Staff Duties

This section is important for the following reasons:

- So that your staff will have a clear picture of the duties that you expect them to perform and how you want them completed.
- You will have written documentation of your expectations of staff if you need to complete a **"Staff Notification"** form. (See this form and instructions in your **"Staff Management"** notebook.)

If you are receiving services on a Home and Community Based Waiver you should have a form with your *Plan of Care* listing the duties to be performed by your Personal Assistant. Use this as a guide. Your Personal Assistant and Night Support staff can be paid only for the duties listed on this form. *If you do not have a copy of this form contact your Case Manager and request a copy.*

➢ Make a list of all of the duties you expect your staff to perform.
Some duties to include in your list may be:

- Personal hygiene you need assistance with such as bathing/showering, toileting, shaving.
- Assistance with dressing.
- Assistance with walking/mobility or transfers.
- Meal planning/preparation/eating.
- Assistance with shopping.
- Laundry/housekeeping.
- Help with medications.

- You will develop a **"Staff Duties"** schedule similar to your **"Daily Routine"** using the forms in this section.

- Decide which **"Staff Duties"** form(s) that will meet your needs.
  - For more *general* information use the **"Staff Duties I"** form.
  - For more *specific* information use the **"Staff Duties II"** form.

- Copy the duties you have listed onto the **"Staff Duties"** form corresponding to the day(s) you expect these duties to be performed. You may choose to also list specific times.

- Describe specific instructions on how you want them completed.

  Some things you may want to include:
  - Day of the week for trash pick up. (If you have a physical disability contact the department that removes your trash for pick up at your home rather than at the curb.)
  - Where your cleaning supplies are stored.

See sample form.

Staff Duties II *mondays* .
(day or days of the week)

Morning

7:30am to 9:00am Help me out of bed onto the shower chair.
Assist me with bathing, dressing and hair care.
Ask me what I want for breakfast.
Prepare my breakfast and serve.
Remind me to take my medications.

11:00am to 1:00pm Ask me what I want for lunch.
Assist me with bathroom transfer.
Prepare lunch and serve.
Fix my hair and do my makeup if I request.
Ask me what I want for supper.
Lay out frozen meat if nec.
Begin supper if nec (crockpot meal)
Vacuum the carpets.

5:00pm to 9:00pm Ask me what I want for supper.
If already prepared (crockpot), serve.
If not, prepare and serve.
Assist with bathroom transfer.
Do laundry.

Sample

Staff Duties I _____.

(day or days of the week)

Morning

Afternoon

Evening

Other information

Staff Duties II _____.

(day or days of the week)

Morning

Staff Duties II _____.

(day or days of the week)

Afternoon

Staff Duties II _____.

(day or days of the week)

Evening

Staff Duties II _____.

(day or days of the week)

Overnight

Staff Schedule

You may use one of the following calendars to keep track of your Personal Assistant schedule. You may want to include your own notes at the bottom of the calendar for your staff.

In the far left column list the hours that your staff are scheduled to work.

- You may want to make copies of this calendar before adding names.
- You can then write in the name of the staff person expected to work for each time period for each day of the week.
- As your Personal Assistant schedule changes you will complete a new calendar to reflect these changes OR you may laminate your calendar and use a dry-erase marker to fill in the schedule.
- Included is a form to assist you with making a list of your staff and their phone numbers (include any subs you may have). Post this list near your schedule.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun

	Mon	Tue	Wed	Thu	Fri	Sat	Sun

Attention all staff: Record actual hours worked on your timesheet. Only one person can submit hours for any time period. Employer must be with you for hours that are recorded on the timesheet. **Any incorrect recording of hours constitutes Medicaid fraud and can be prosecuted by the State of KS.**

Personal Assistants/Night Support Staff

Name	Phone number	PA or NS

Timesheets

In this section you can include a sample timesheet so that your staff will know how to complete them properly. You will obtain timesheets from your payroll agent when you enroll.

- Complete one of the timesheets as a sample for your staff to see.
- Include this sample in your **"Staff Training"** notebook.
- If you use Night Support staff you may want to include a sample timesheet for their use also.
- You may also consider including more information for your staff using the **"**Timesheet Information**"** form on the next page. Make changes to this form to fit your needs and add to your **"Staff Training"** notebook, "Timesheet" section along with the sample timesheet.

Timesheet Information

- All timesheets are to be kept in my home.
- You must sign in when you arrive and sign out when you complete your shift with the **accurate** time. The times listed on the time sheet must reflect the actual time that you begin work and the actual time you end your work.
- The employer must witness the sign in and sign out.

Recording inaccurate times and/or dates is <u>Medicaid fraud.</u> The State of KS can and may prosecute if they are aware. This can include fines and/or imprisonment.

Medical Information

This section is for individuals who have medical information they want to share with their staff. The following is a suggested list of information you may choose to include.

- Medical doctors: Name, address, and phone number.
- Medications: Include dosages and frequency taken. You can also obtain from your physician or pharmacist a description of your medication and side effects. This usually comes with the prescription.
- Seizure activity.
- Allergies.
- Any other pertinent medical information.

For *specific* medical conditions such as seizures, diabetes, heart conditions, contact your physician and obtain detailed information to include in this section. Include the following:

- Description of the medical condition.
- Symptoms.
- When staff need to respond and action they need to take.
- When to call the doctor, or go to the emergency room.

Abuse, Neglect, Exploitation

If you feel that you have been abused, neglected or exploited (see definitions on next page) contact your local SRS office or call this toll-free number immediately. **1-800-922-5330**

- Read the information on the following page and include in your **"Staff Training"** notebook.

- Call your local SRS office and request a copy of their brochure describing their *Adult Protective Services* in more detail. You can include this in your **"Staff Training"** notebook.

- If you find it difficult to avoid harmful situations to protect yourself, you may consider learning about *assertiveness*. Contact your local Center for Independent Living for more information.

Abuse, Neglect, Exploitation

The *Kansas Department of Social and Rehabilitation Services (SRS)* has services available to protect "vulnerable" adults. This service is called *Adult Protective Services.*

SRS Definitions:

- **Vulnerable adults** are persons 18 years of age or older who are unable to protect their own interests and who are harmed or threatened with harm through action or inaction by themselves or others. Typically, this includes the elderly, physically disabled, mentally ill and developmentally disabled individuals.

- **Abuse** Any act or failure to act performed intentionally or recklessly that causes or is likely to cause harm, including: infliction of physical or mental injury; sexual abuse; unreasonable use of physical or chemical restraint, isolation or medication; threat or menacing conduct; fiduciary abuse; and omission or deprivation by a caretaker or another person of goods or services which are necessary to avoid physical or mental harm or illness.

- **Neglect** Failure or omission by one's self, caretaker, or another person to provide goods or services, which are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness.

- **Exploitation** Misappropriation of an adult's property or intentionally taking unfair advantage of an adult's physical or financial resources.

- **Fiduciary abuse** A situation in which a person who is the caretaker of, or who stands in a position of trust to, an adult, takes, secretes, or appropriates their money or property for any use or purpose not in the due and lawful execution of the adult's trust.

Any *vulnerable adult* is protected from any type of abuse, neglect or exploitation by the Department of SRS.
Staff who work for adults considered vulnerable who are suspected of abuse, neglect or exploitation can be investigated by SRS. The names of confirmed perpetrators of abuse, neglect and exploitation are entered on a central registry that is available to community service providers, mental health centers, independent living agencies and home health agencies doing background checks for employment purposes. If a criminal act has occurred or appears to have occurred SRS is required to immediately notify the appropriate law enforcement agency.

The number to call to report any *suspected* abuse, neglect or exploitation is 1-800-922-5330.

Medicaid Fraud

Medicaid Fraud

It is important for you to know that as an employer you are responsible to assure that the hours the Personal Assistants list on the timesheets is accurate. You will be required to sign the timesheets. Your signature is verification that the times are correct. ***Signing a timesheet that you know to be inaccurate is Medicaid Fraud. This is a serious offense. If this activity is reported, the Attorney General's Office will conduct an investigation. If you are found guilty of fraud you maybe subject to loss of your Medicaid eligibility, fines and/or imprisonment.***

If you believe that the information on a timesheet is not accurate do not sign it. Ask the person to complete the timesheet correctly and you will then sign it. If you experience problems with this or are uncomfortable confronting the person you may contact your payroll provider and/or an Independent Living Specialist at your local Center for Independent Living, CIL. (See the back of this manual for list of CILs.)

One way to reduce the possibility of your staff entering times inaccurately is to keep all timesheets in your home and have your staff "sign in" by entering their time as they arrive and depart in your presence.

- Include in your **"Staff-Training"** notebook a copy of the next page to inform your staff of what Medicaid Fraud is and the possible consequences of committing this act.

Medicaid Fraud

It is important for you to complete timesheets accurately. You must enter the **actual** time that you arrive to work and the **actual** time that you finish working. If you intentionally complete a timesheet with inaccurate times this is considered **Medicaid Fraud.** Your employer has the right and responsibility to deny signing a timesheet that is incorrect. If Medicaid pays for services not provided and you are found guilty of Medicaid fraud you may be subject to fines and/or imprisonment. This is a very serious offense and the State of Kansas does investigate suspected cases and they do prosecute.

CENTERS FOR INDEPENDENT LIVING IN KANSAS

1. **LINK, Inc.**
   2401 East 13th Street
   Hays, KS 67601
   785-625-6942 (V/TDD) or 1-800-569-5926
   785-625-2334 (FAX)

2. **Independent Connection**
   1710 W. Schilling Road
   Salina, KS 67401
   785-827-9383 (V/TDD)
   or 1-800-526-9731 785-823-2015 (FAX

3. **Three Rivers IL Resource Center**
   PO Box 408, 408 Lincoln Ave.
   Wamego, KS 66547-0408
   785-456-9915 (V/TDD) or 1-800-555-3994
   785-456-9923 (FAX)

4. **Independent Living Center of NE Kansas**
   521 Commercial Suite C
   Atchison, KS 66002
   913-367-1830 (V/TDD) 1-888-845-2879
   913-367-1430 (FAX)

5. **Topeka IL Resource Center**
   501 SW Jackson, Suite 100
   Topeka, KS 66603
   785-233-4572 (V/TDD) or 1-800-443-2207
   785-233-1561 (FAX)

6. **Independence, Inc**
   2001 Haskell Avenue
   Lawrence, KS 66046
   785-841-0333 (V) 785-841-1046 (TDD)
   785-841-1094 (FAX) 1-888-824-7277

7. **Coalition for Independence**
   4911 State Ave
   Kansas City, KS 66102
   913-321-5140 (V) or 1-866-201-3829
   913-321-5182 (FAX) 913-321-5216 (TDD)

8. **The Whole Person, Inc.**
   7301 Mission Rd. Suite 135
   Prairie Village, KS 66208
   913-262-1294 (V) 816-931-2205 (TDD)
   913-262-2392 (FAX)
   1-877-767-8896

9. **Resource Center for Independent Living**
   1137 Laing PO Box 257
   Osage City, KS 66523
   1-800-580-7245 – or 785-528-3105 (V)
   785-528-3665 (FAX) 785-528-3106 (TDD)

10. **Independent Living Resource Center**
    3033 W. 2nd St.
    Wichita, KS 67203-5321
    316-942-6300 (V/TDD) or 1-800-479-6861
    316-942-2078 (FAX)

11. **Southeast Kansas Independent Living (SKIL)**
    PO Box 957 – 1801 Main
    Parsons, KS 67357
    620-421-5502 (Voice) 620-421-0983 (TDD)
    620-421-3705 (FAX) 1-800-688-5616

12. **Prairie Independent Living Resource Center**
    17 South Main
    Hutchinson, KS 67501
    620-663-3989 (Voice) 620-663-9920 (TDD)
    620-663-4711 (-FAX) 1-888-715-6818

13. **Center for IL for Southwest Kansas**
    111 Grant Avenue
    Garden City, KS 67846
    620-276-1900 (V/TDD) or 1-800-736-9443
    620-271-0200 (FAX)

Self Direct Law

K.S.A. 65-6201

Chapter 65.--PUBLIC HEALTH
Article 62.--MISCELLANEOUS PROVISIONS

65-6201. Individuals in need of in-home care; definitions. As used in this act:

(a) "Attendant care services" means those basic and ancillary services which enable an individual in need of in-home care to live in the individual's home and community rather than in an institution and to carry out functions of daily living, self-care and mobility.

(b) "Basic services" shall include, but not be limited to:

(1) Getting in and out of bed, wheelchair or motor vehicle, or both;

(2) assistance with routine bodily functions including, but not limited to:

(A) Health maintenance activities;

(B) bathing and personal hygiene;

(C) dressing and grooming; and

(D) feeding, including preparation and cleanup.

(c) "Ancillary services" means services ancillary to the basic services provided to an individual in need of in-home care who needs one or more of the basic services, and include the following:

(1) Homemaker-type services, including but not limited to, shopping, laundry, cleaning and seasonal chores;

(2) companion-type services including but not limited to, transportation, letter writing, reading mail and escort; and

(3) assistance with cognitive tasks including, but not limited to, managing finances, planning activities and making decisions.

(d) "Health maintenance activities" include, but are not limited to, catheter irrigation; administration of medications, enemas and suppositories; and wound care, if such activities in the opinion of the attending physician or licensed professional nurse may be performed by the individual if the individual were physically capable, and the procedure may be safely performed in the home.

(e) "Individual in need of in-home care" means any functionally disabled individual in need of attendant care services because of impairment who requires assistance to complete functions of daily living, self-care and mobility, including, but not limited to, those functions included in the definition of attendant care services.

(f) "Physician" means a person licensed to practice medicine and surgery.

History: L. 1989, ch. 191, § 1; L. 1990, ch. 233, § 5; April 26.

Kansas HCBS Waivers Personal Assistant Definitions

⌘ HCBS MRDD Waiver

Supportive Home Care (SHC) – available to waiver consumers who **live with their birth or adoptive parents.** This service provides necessary assistance for eligible consumers in order to meet their daily living situation needs.

Supportive Home Care provides direct assistance to waiver recipients in daily living and personal adjustment, attendant care, assistance with medications that are ordinarily self-administered and accessing medical care, supervision, reporting changes in the recipient's condition and needs, extension of therapy services, ambulation and exercise, household services essential to health care at home or **performed in conjunction with assistance** in daily living (e.g. shopping, meal preparation, clean-up after meals, bathing, using appliances, dressing, feeding, bed making, laundry and cleaning the bathroom and kitchen) and household maintenance **related to the recipient.** The supportive home care worker can accompany or transport the consumer to accomplish any of the tasks listed above or to provide supervision or support for community activities.

A self-direct option may be chosen for respite care by the individual or, if the person is incapable of providing self-direction, by the individual's guardian or parent acting on their behalf.

⌘ HCBS PD (Physical Disability) Waiver

Self-direction is an option for Personal Services (attendant care services) in the HCBS/PD waiver program. It allows an individual in need of attendant care services to live in the least restrictive environment and direct the attendant care services that have been determined by the consumer and the Independent Living Counselor (case manager) to the essential activities of daily living (ADLs) and instrumental activities of daily living (IADLs).

Personal services means one or more persons assisting another person with a disability with tasks which the disabled individual would typically do for themselves in the absence of a disability. Such services may include, but are not limited to, assisting consumers in accomplishing an Activity of Daily Living (ADL) or an Instrumental Activity of Daily Living (IADL) associated with the consumer's normal rhythms of the day.

Consumers have the right to choose any enrolled provider of services who operates in their area.

The consumer must exercise responsibility for making choices about attendant care services, understand the impact of the choices made and assume responsibility for the results of their choices**. By choosing self-direction, the consumer assumes the responsibility of hiring, training, monitoring and terminating their personal care assistants.** The consumer must also ensure that the Personal Care Attendant's work time follows the approved Plan of Care and all services stated on the Attendant Care Worksheet developed by the consumer and Independent Living Counselor (case manager).

⌘ HCBS HI (Head Injury) Waiver

Self-direction is an option for Personal Services (attendant care services) under the HCBS/HI waiver that allows an individual in need of care to live in a home environment and direct the attendant care services that are essential to the maintenance of the individual's health and safety as determined by the Plan of Care development.

Personal services means one or more persons assisting another person with a disability with tasks which the disabled individual would typically do for themselves in the absence of a disability. Such services may include, but are not limited to, assisting consumers in accomplishing daily routines and lifestyle choices. Examples include combinations of assistance to get ready for work or school; to clean house; to shop; or get ready for bed; transportation; bathing; grooming; toileting; transferring; feeding; mobility; accompanying to obtain necessary medical services; house cleaning; meal preparation; laundry; and life management.

The consumer must exercise responsibility for making choices about attendant care services, understand the impact of the choices. **By choosing self-direction, the consumer assumes the responsibility of hiring, training, monitoring and terminating their personal care assistants.** The consumer must also ensure that the PCAs work time follows the approved Plan of Care and all services stated on the Attendant Care Worksheet developed by the consumer and the case manager.

ACCEPTABLE PRE-EMPLOYMENT INQUIRIES
UNDER EEOC GUIDELINES

Issued on August of 1981. They have not been formally updated since. The following is updated to reflect the subsequent passage of federal legislation. Also, follow the footnote references for more current information.[1]

Subject Area	Acceptable	Unacceptable
Name	For access purposes, whether applicant work records are under another name.	To ask if a woman is a Miss, Mrs. Or Ms., or to ask for maiden name.
Residence	a) Place and length of current and previous address. b) Applicant's phone number or how applicant can be reached.	None.
Age	None. *After hiring,* proof of age by birth certificate.	a) Age or age group of applicant b) Birth certificate or baptismal record before hiring.
National Origin/Ancestry	None.	a) Birthplace of applicant, parents, grandparents or spouse. b) Any other inquiry into national origin.

[1] Recognize that individual states may have Pre-employment Inquiry Guidelines, like California has through the Department of Fair Employment and Housing.

Race	None. Inquiry of race for affirmative action plan statistics, *after hiring*.	Any inquiry that would indicate race or color.
Sex	None. Inquiry for affirmative action plan statistics, *after hiring.*	Any inquiry that would indicate sex unless job-related.
Religion or Creed	None.	a) Birthplace of applicant, parents, grandparents or spouse. b) Recommendations or references from church officials.
Citizenship	a) If U.S. residence is legal. b) Required proof of citizenship, *after hiring.* "If hired, can you show proof of authorization to work in the United States?"	a) If native-born or naturalized. b) Proof of citizenship before hiring. c) Whether parents or spouse native-born or naturalized. d) Date of Citizenship.
Marital Status	None. After hiring: a) Status (only married or single) for insurance and tax purposes. b) Number and ages of dependents and age of spouse for insurance and tax purposes.	a) To ask marital status before hiring. b) To ask the number and age of children, who cares for them and if applicant plans to have children.

Military Service	a) Service in the U.S. Armed Forces, including branch and rank attained. b) Any job-related experience. c) Military discharge certification only *after hiring.*	a) Military service records. b) Military Service for any country other than U.S. c) Type of discharge.
Education[2]	a) Academic, professional, or vocational schools attended. b) Language skills, such as reading and writing foreign languages.	a) Nationality, racial or religious affiliation of schools attended. b) How foreign language ability was acquired.
Criminal Record	Listing of convictions other than Misdemeanors.	Arrest record.
References	General and work references not relating to race, color, religion, sex, national origin or ancestry.	References specifically from clergy or any other person who might reflect race, color, religion, sex, national origin, or ancestry.
Organizations	a) Organizational membership – professional, social, etc., so long as affiliation is not used to discriminate on the basis of race, sex, national origin, or ancestry. b) Offices held, if any	Listing *of all* clubs applicant belongs to or has belonged to.
Photographs	None. May be required *after hiring* for identification purposes.	a) Request photograph before hiring.

[2] Asking graduation dates is permissible for checking on an applicant's educational background but it is susceptible to an age discrimination challenge. Be sure to have a good business reason that is relevant to the job application process if you ask for dates In the context of high school, it is safer to ask "Did you graduate from high school?"

		b) To take pictures of applicants during interview.
Work Schedule	a) Willingness to work required work schedule. b) Whether applicant has military reservist obligations.	Willingness to work any particular religious holidays.
Physical Data	a) Require applicant to prove ability to do manual labor, lifting and other physical requirements related to essential functions of the job, if any. b) Require a physical examination after a job offer is made.	To ask if the applicant has a disability that would interfere with the ability to perform the job.
Disability[3]	If the applicant can perform the essential functions of the job with or without reasonable accommodation.	To exclude disabled applicants as a class on the basis of their disability. Each case must be determined individually.
Other Qualifications	Any area that has a direct reflection on the job applied for.	Any non-job-related inquiry that may present unlawful discrimination.

[3] Be careful of the application of the Americans with Disabilities Act. The ADA has changed the questions that employers may ask job applicants. For example, medical inquiries of job applicants before extending employment offers are prohibited. Also medical examinations can be conducted only post-offer. Also there should be no inquiries about an applicant's workers' compensation history before a job offer.

Source

Understanding the Fundamentals of Personnel Law, Council on Education in Management, 1996.