

Qualifying Relative DCW Questionnaire

Member Name		Member ID		
DCW Name		Relationship to Member		
#1 – Is the direct care worker (DCW) the member’s legal guardian? *Legal guardian is defined as spouse, conservator, guardian, power of attorney, representative payee for Social Security benefits.			Yes	No
If the answer to question #1 is “yes”, STOP HERE . This individual is <u>not</u> eligible to provide services under the new waiver criteria or the Appendix K flexibilities. If “no”, continue to the below questions.				
#2 - Is the direct care staff <u>not</u> a legal guardian, but still related to the member by blood or marriage?			Yes	No
If the answer to question #2 is “yes”, check the below criteria to determine if the DCW can continue to work under the new waiver criteria effective 7/1/23. If “no”, then normal DCW qualifications/criteria apply and no change is needed.				
#3 - Is the direct care staff qualified to provide service as specified in the CMS approved Waiver, Appendix C-1/C-3?			Yes	No
#4 - Is the participant or another designated representative available to sign verifying that services were rendered by the selected relative?			Yes	No
#5 - Does the selected relative agree to render services in accordance with the scope, limitations, and professional requirements of the service during their designated hours?			Yes	No
If the answer to questions #3-5 are “yes”, STOP HERE . The individual meets the criteria to provide services under the new waiver effective 7/1/23. DOM recommends annual review of these requirements to ensure continued compliance.				
If the answer to any of questions #3-5 are “no”, then follow the below criteria based on the Dates of Service:				
<ul style="list-style-type: none"> • <u>For DOS 7/1/2023-11/10/2023</u>, document the need for flexibility and the plan for full compliance by 11/10/2023 in the member’s file. DOM recommends use of the “Documentation for Exception to Relatives as Direct Care Worker (DCW) Requirements” form. This non-qualifying relative is eligible to work under the COVID Appendix K flexibility through its expiration on 11/10/2023. • <u>For DOS 11/11/2023 forward</u>, this DCW is ineligible to render waiver services to their relative. Any claims for services submitted to DOM will be denied or recouped upon audit. 				

Documentation for Exception to Relatives as Direct Care Worker (DCW) Requirements

COVID Appendix K Flexibility

This section to be completed by Provider Administrator and maintained in Member file.			
Provider Agency Name		Medicaid Provider ID	
Member Name		Member ID	
DCW Name		Relationship to Member	
Which of the criteria (#3-5) on the Qualifying Relative DCW Questionnaire does the current DCW not meet?			
What recruitment efforts have been made to hire a DCW that meets the updated qualifications effective 7/1/2023?			
If the Appendix K flexibility is being exercised, what is your plan and timeline for achieving full compliance and retaining a qualifying DCW for this member by 11/10/2023?			

Reminders:

- In instances where the Appendix K flexibility is exercised by the provider agency, provider supervisors will be required to do both bi-weekly supervisory visits in person.
- Members have freedom of choice of qualifying providers and direct care workers. A member's refusal to receive services from a qualifying DCW is not sufficient justification for an exception.
- **Full compliance without exception must be implemented by 11/10/2023. Any care rendered by non-qualifying DCWs after 11/10/2023 and reimbursed by DOM will be recouped upon audit.**