

**Self-Determination and
Consolidated Supports and Services
(CSS)**

(New Waiver renewal approved 10/09-9/14)

**BASIC IDEAS
for CSS planning**

“My Life, My Way”

**Guide for
Individuals with Developmental Disabilities
and their Families**

**Westchester Institute for Human Development
(adapted from the 2006 Finger Lakes Task Force’s Guide)**

October 2009

**Creating ordinary lives for
persons with developmental disabilities
by extraordinary means.**

- **Where do you live?** With parents, in an IRA (Individual Residential Alternative), in your own apartment in your own house? Are you happy with where you live?
- **What do you do during the day?** Are you working, are you in school, are you in a day program? Are you happy with what you do during the day?
- **Who supports or helps you?** Family, friends, programs and/or agencies? Are you happy with the people who help you?
- **Do you and your family need a break from each other?** Do you need or use respite services? Are you happy with those services?
- **What do you do with your free time?** What are your recreational activities, what are your hobbies, what do you do with your leisure time? Are you happy with how you spend your free time?
- **Do you have friends?** Who are your friends? Would you like to make more friends?

If you are not happy with any of the above, or wish to change or control some aspects of your life or the services and supports that you are now receiving, Self Determination/Consolidated Supports and Services may be for you....

What is Self-Determination?

Self-determination (**SD**) is an idea that came from people with developmental disabilities and their families who wanted more control and direction over deciding what services and supports would best serve them to achieve the life they wanted. It allows and encourages persons with developmental disabilities to make their own decisions and choose who will provide supports to them. It encourages individuals to contribute to their community, participate in everyday activities and expand their horizons.

OMRDD provides many ways to do this. These include Consolidated Supports and Services (CSS), Individualized Supports and Services (ISS), and several others.

What are Consolidated Supports and Services?

Consolidated Services and Supports (**CSS**) is a federally funded Medicaid program under the Home and Community Based Service (HCBS) waiver.

CSS is a service option of the New York State Office of Mental Retardation and Developmental Disabilities (OMRDD) which allows you, the person with a developmental disability, to design your own supports and services and to manage your own service budget.

CSS is about personal choice and control. Participants using CSS decide, with the help of their Circle of Support, what they want to do. You identify the supports and services you will need. Together with your Circle of Support, you decide who to interview and hire to assist you, and you arrange for training the staff you hire. You arrange your own service schedules, you manage your own budget, you make your own decisions about

what you do during the day and how you want to spend your time.

Major Components of a CSS Plan

A CSS plan has 6 major components working together to give the person with developmental disabilities greater opportunity to achieve his or her dreams for the future. The plan focuses on ensuring personal rights and freedom, personal choice making, responsibility, and control of most everyday decisions and situations. A high level of responsibility and risk management is a necessary part of this program. A strong and firmly established Circle of Support is required for the person to be successful in the CSS program.

CSS may not be the best choice for those who are not fully committed to this level of personal responsibility. OMRDD offers several alternative program choices with less demand on personal involvement. On the other hand, those wishing more freedom, greater decision making and personal responsibility, will find that the CSS program allows them great flexibility and control.

The six key CSS Plan Components:

1. Identifying information.
2. A Personal Profile, which identifies your goals and outcomes.
3. A well-thought out CSS plan with appropriate services and supports.
4. A Weekly Schedule of activities.
5. Safeguards that ensure your Health and Safety.
6. A Budget to support your CSS plan.

Getting started in the CSS Program

Contact your local OMRDD district office (DDSO) or the NYS Self Advocacy Association (see contact information on the last page). The local DDSO office can direct you to locally based DDSO Self Determination liaisons who will assist to determine your Medicaid and HCBS status and eligibility for this program. The DDSO liaison will know which supports and services you currently receive and will tell you whether you are able to participate in this program.

If you decide that CSS is the right program for you, here are the steps you need to take

1. Hire a Start-up Broker in consultation with your DDSO Self Determination liaison and/or your Medicaid Service Coordinator.
2. Form a Circle of Support
3. Develop a Person-Centered Plan
4. Explore and connect with available Community Resources and Supports.
5. Develop a Weekly Schedule
6. Identify the Staff and Supports you need to help you develop an approved CSS plan and budget.
7. Complete a CSS budget
8. Submit a CSS application
9. Implement your approved CSS plan

STEP 1 Hire a Start-up Broker

Your DDSO liaison and your Medicaid Service Coordinator can give you suggestions for someone to hire as a Start-up Broker. This person can help you to put a successful CSS application in place. (For a more detailed description of the Start-up Broker's function, see page 12 of this booklet). You can also check the website of the Self Advocacy Association of New York State www.sanys.org, for a list of Start-up Brokers in your area.

STEP 2 Form a Circle of Support.

A Circle of Support is made up of people who you trust and can depend on for help. These can be family members, friends, and support staff or others in the community. Circle members are selected by you with your Medicaid Service Coordinator as a required member. A Circle assists with all aspects of your life from helping you to manage your budget to helping you with the daily choices and decisions you need to make in order to put your plan into operation. A Circle of Support serves many of the functions formerly provided by a clinical team if you received services from an agency.

Circle members meet regularly to help with:

- Identification of your personal gifts, strengths, talents as well as the skills you need to develop to help turn your dreams into reality.
- Development and maintenance of your CSS Plan and budget.
- Development of connections in the community.
- Recruiting, hiring and firing (if necessary) of support staff .

- Ensure that risk, responsibilities and consequences are of living in the community are understood and adhered to
- Act as a safeguard, assuring that your health and safety is of primary concern.
- A Circle of Support needs a good Facilitator. He or she ensures that Circle meetings stay effective, productive and stay focused.

And keep in mind:

You must retain a functioning Circle of Support to remain in the CSS program. The Circle needs to stay energized to remain active and function well. You and your circle members need to stay creative, and constantly brainstorm new opportunities and activities to help you be part of your community.

Your Circle is critical for your success.

STEP 3 Develop a Person-Centered Plan

OMRDD has adopted a highly valued method of Person Centered Planning from a nationally recognized expert, Dr. Beth Mount.

Person Centered Planning (PCP) is a planning tool to help you discover your goals and dreams and to help you determine which services and supports you want now or may need in the future. This discovery process includes looking at your present personal skills and strengths and your capabilities. This process also looks to those areas that would require additional training and support for you to live your life as you want it. Often this process maps out a short term and long term action list to help you achieve what you really want. PCP is not rigid and unyielding, instead the Person Centered Plan is a work in progress, you may have to try out different

things. You can implement your plan in small steps, and you may have to revise your plan from time to time.

Your PCP helps you to identify what supports and services you need from OMRDD and what supports and services you need from other sources in the community. Your PCP also needs a back-up plan or a safety net, in case you have problems.

STEP 4 Explore and Connect with Available Community Resources and Supports

Communities provide opportunities for jobs, friendships, recreation, education and connectedness.

Historically, persons with disabilities have been isolated from their local communities. It is important to first examine what natural and generic supports you want from the community. Common supports include: meaningful work and educational opportunities, places to worship, transportation, recreational opportunities and medical services. You may also choose to use some services provided by state and voluntary agencies, in addition to using resources from the community.

STEP 5 Develop a Weekly Schedule that identifies supports and services within your plan

A Weekly Schedule identifies what you are planning to do each day from morning to night. This helps to determine exactly what services and supports you need as well as help you and your Circle to see how you are doing on your journey in self determination. Budgeting your services and supports based on this schedule helps you make the best use of your resources. After you have kept to this schedule for some time it also helps to see what you

have achieved so far and in which directions you may wish to go in the future.

STEP 6 Identify the staff and supports you need to develop an approved CSS plan and Budget

You are in the “Driver’s Seat”, you set the agenda and you lead the Circle of Support meetings, if at all feasible.

Your *Medicaid Service Coordinator* is a mandated member of your circle; who makes sure that your eligibility requirements are met.

Your *Circle of Support* members help you plan and implement your CSS plan. They also make sure that your health and safety is foremost in your plan.

Your *DDSO Self-determination liaison* serves as a coach and resource person and is the connection between you and OMRDD.

Your *Start-up-Broker* helps you complete initial steps for a successful CSS application.

Your *Support Broker* helps to keep your plan going and provides other services you may require. This role can vary considerably and is dependent upon what you want from them.

OMRDD Central Office project staff act as the approval body for your CSS plan. They provide technical assistance to you and your Circle and communicate with local DDSO liaisons.

A *Financial Management Service* oversees expenditures, pays your bills and maintains your budget.

Things to consider in developing a plan:

- **Clear statement of what you want to do**
- **Staff you want to hire**
- **# of hours and pay rate for your staff**
- **Training for your staff**
- **Your transportation needs**
- **Safeguards for your health and safety**

STEP 7 Complete a CSS Budget that supports your CSS plan

A CSS budget has specific requirements. Supports and services can be paid through this budget. The CSS budget can be combined with other sources of funding including personal income, SSI, SSDI, VESID, State Education Department, Office for the Aging and others. The combination of these funding sources provide the funding you have available for the supports and services listed in your CSS plan. Medicaid funding is only provided for services and supports that are habilitative in nature. Fun and recreation activities are not fundable from this source. You have to use personal resources to fund those other activities.

CSS does pay for:

- Hiring and salaries of your own support staff
- Transportation to (only) habilitative activities
- Habilitative Training
- Start up and Support Broker services
- Start up costs to moving to your own residence
- Personal Assistance services

CSS does **not pay for:**

- A business or the cost of starting a business
- Employment
- Purchase of property (e.g. car, home)
- College Education
- Vacations
- Recreation
- Internet Server Connection
- Computers
- Luxury Items
- Clinical Services for Children
- Experimental medical or clinical services

This is not an exhaustive list, and everyone's request for services is reviewed individually. There may be exceptions based on special considerations. Please check with your local DDSO liaison if you have questions.

STEP 8 Submit a CSS Application

In order to be involved in the CSS service option, each person is required to complete the required application process. A Start-up-Broker is available to assist you in this process. You can also use the help of your Circle of Support and your MSC to prepare the application. The application spells out what services and supports you want, how those services and supports were decided upon, and what resources you need to carry out your CSS plan.

STEP 9 Implement your approved CSS Plan

With the help of your Start-up Broker and your Circle of Support you can start putting your plan into operation. It is very important that you meet with them frequently.

You need to bill your plan's expenses to CSS.

CSS is a Medicaid funded Home and Community Based Waiver Service (HCBS). In order for your CSS services to be paid, documentation is required by the participant or his/her designee to the Financial Management Service and to OMRDD on a regular basis. Your DDSO liaison and your support broker can help you do this.

Responsibilities of stakeholders utilizing CSS

There are 8 stakeholders that are required to work together to ensure the success of CSS. The participant, family member(s), the Medicaid Service Coordinator and Circle of Support members each play important roles to fulfill the responsibilities of participating in the CSS Program. The Start-up/Support Broker, Financial Management Service and CSS Liaison also work to ensure that the CSS participant accomplishes the CSS goals and requirements.

When a person makes the choice of participating in CSS they have the responsibility of ensuring that the CSS plan is implemented as they have designed it. If they are unable to do so then they have agreed to designate another person or their COS to be the responsible party for the CSS plan.

CSS is a Home and Community Based Waiver Program, as such has similar documentation requirements as other Medicaid waiver service programs. The difference in CSS is that the other waiver programs are not self directing and the provider agencies assume all of the responsibility for the delivery of the services.

Primary responsibilities for the self directed CSS option include:

- he /she ensures that the services and supports chosen by the individual and other stakeholders are habilitative. That is, the service or support assists the individual to grow and develop skills he or she needs to improve their quality of their life or live as independently as possible.
- he/she ensures that required documentation is completed signed and dated in a timely manner.
- he/she ensures the implementation of his or her CSS plan per Medicaid policies and regulations

- he/she is responsible for their self-hired staff and timely completion and signature of the staff time sheets, travel logs, and performance evaluations
- he/she ensures that their budget is fiscally sound and spent responsibly
- He/she agrees to keep lines of communication open with all stakeholders in the CSS process

Managing a CSS program is a large task especially in those cases where people may not have ever had this level of responsibility prior. Often, family members play a significant role in managing these responsibilities consequently they then encumber this responsibility and must ensure that all program requirements are met. Non-compliance to program requirements can lead to inviting the person to end their participation in the CSS service option. That person must then select services from other HCBS waiver programs and return to agency based traditional model programs.

Participants and Family members interested in CSS are encouraged to review Role and Responsibilities Checklists regarding their respective roles in CSS and must agree to fulfill this responsibility for participating in this program. The local CSS Liaison and the startup and support brokers can assist stakeholders to understand their respective roles and responsibilities to participation in the CSS Program. A listing of CSS Liaisons is found at the end of this booklet.

Some terms that you need to be familiar with: Start-up Brokers, Support Brokers and Financial Management Service

- A ***Start-up Broker*** is a person hired by you to help you to complete your CSS application. The funds for this person's services are created upon approval of a Start up broker contract and reside with the FEA to be paid as services are delivered.

By definition, a Start-up Broker cannot be your Medicaid Service Coordinator. The Start-up Broker should be someone independent from the agencies from which you currently receive services, in order to avoid a potential conflict of interest. A Start-up Broker works for you for a limited amount of time (usually a six-month time period). The purpose of the Start-up Broker function is to help you complete the parts of a successful CSS application.

Start-up Brokers can assist you with forming a Circle of Support and developing your Person-centered plan. They can facilitate initial Circle of Support meetings and explain to Circle members how they can be helpful. They can help you develop objectives and activities that may fit into your CSS plan. They can work with you to develop a realistic budget. They can help you to develop connections in your community so that you can carry out your plan.

- In many instances, your Start-up Broker can continue to work for you as a ***Support Broker***. A Support Broker can help you to put your approved CSS plan into operation. You may need one or more Support brokers. A Support Broker is someone who has a particular expertise in an area of your plan that you want to explore. A Support Broker works for *you*.

This is different from a case manager or a service coordinator. Support brokers are persons who provide expert information and assistance on a *time limited basis* (to help with a specific objective of the plan, such as training, circle maintenance, staff recruitment & hiring, CSS plan revisions and amendments, etc...)

Support Brokers can also help you to

- coordinate a functioning Circle of Support.
- work with you toward realizing your dreams for the future.
- develop job descriptions for the staff that you will hire.
- work with your Fiscal Employer Agent.
- problem solve issues that may arise

- A ***Financial Management Service (FMS)*** is an OMRDD waiver services that bills Medicaid for your services, pays your bills and maintains your budget. It is the legal employer (of record) of the persons you choose to hire. The FMS will assist you with the required budget documentation.

The FMS is responsible for:

- Paying bills on your behalf and keeping track of your budget.
- Issuing monthly statements regarding your budget.
- Keeping monthly records, so they can show Medicaid money has been spent in the appropriate manner.
- Helping with hiring of employees. Putting staff benefit packages together including optional benefits such as health insurance or a pension plan.

- Assisting you to determine salaries and hourly rates for your staff.
- Assuring that mandated fringe benefits are paid, such as FICA, Workman's Compensation, NYS disability, and NYS Unemployment.
- Maintaining a record for each employee.
- Conducting background checks on your potential employees; including criminal background checks, Department of Motor Vehicle checks and proof of insurance if they provide transportation

Here is a success story

Lance lived at home with his family who were very supportive and were great advocates for him. Before he graduated from highschool he had made a plan for himself. He connected with VESID (Vocational and Educational Services for Individuals with Disabilities) for employment options, since he wanted a job in which he could be useful. He wanted a place of his own, but needed a house that would meet his needs. Lance was looking forward to life as a young adult.

What happened:

Lance moved into a SOIRA (State Operated Individual Retirement Alternative) and was told to attend day treatment. This made him very frustrated and unhappy until he heard about the CSS Funding option. He listened to the information, began Person-Centered Planning and began to change his life. He left the day program, joined Americorps and used the Day Habilitation without Walls program. He began to gain control over his life and was much less frustrated.

However: Things began to fall apart. He had to hire four different Medicaid Service Coordinators within a two-year time period, his pursuit of a CSS application stalled and he became frustrated again.

But: Things began to change with the support of other self-advocates. With their help, his Circle began to function much better, and he regained his confidence. He began to explore housing options, hired a Start-up Broker to design his CSS application and his proposal was approved.