



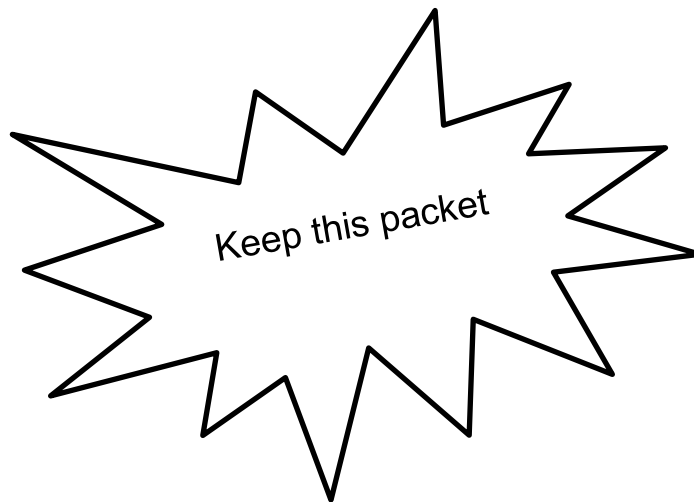
DSP Policies and Information Packet
Participant Directed Services
Fiscal Employer Agent Services

Mains'l Consumer/Participant Directed Services Team Contact Information

Mailing Address:
Mains'l Services, Inc.
7000 78th Ave N
Brooklyn Park MN 55445

Phone: 763-494-4553
800-441-6525 (toll-free)

Web: www.mainsl.com/fms-mn/



NEW EMPLOYEE POLICIES AND INFORMATION

Keep and use this packet to find information on payroll policies, time off, how to submit your timesheet. You will also find important information on preventing fraud, waste, and abuse; how to recognize maltreatment; and how to keep clients and their personal information safe.

- Introduction to Consumer Directed Services Keep
- Payroll Policy and Procedures Keep
- Paid Time Off Policy & Procedure Keep
- Income Tax Exclusion Information Keep
 - Keep this information and consult a tax professional if this may apply to you
- Mileage Reimbursement Policy and Procedure Keep if applicable
 - Check with your managing party to find out if mileage reimbursement is included in the program budget.
 - Read and use as a reference to complete reimbursements (if applicable).
- Mileage Reimbursement Request Form Keep if applicable
 - If you are approved to receive mileage reimbursement, use this form to document your mileage. Make copies of this form and submit one per month.
- Preventing Fraud, Abuse, and Waste of Medicaid and other Insurances Keep
 - Read
- Responding to and Reporting Maltreatment Keep
 - Read
- Guide to Control of Infection and Communicable Diseases (OSHA) Keep
 - Read
- Data Privacy Policy and Protected Health Information/HIPAA Policy Keep
 - Read
- Notice of Health Insurance Marketplace Coverage Options Keep
 - Read and use as a resource if you plan to use the Health Insurance Marketplace
- Mains'l Portal Employee User Guide Keep
 - Use as a reference when entering your time or to look up resources and forms
- Payroll Calendar Keep
 - Use as a reference when entering your time worked



Introduction to Consumer Directed Services

Congratulations - you have been asked to do very important work! Here is some information explaining the work you are being asked to do, and a little bit of information about Mains' I.

1. You are a Direct Support Professional.

Your job title is Direct Support Professional or Direct Support Worker. However, depending on the actual work you do, you may be called a CDCS staff, housekeeping staff, driver, among other titles. We often hear people refer to their employees or themselves as PCAs, but you are not a PCA in this program. PCA is a specific program.

2. The person you have been asked to work with is or will be using consumer directed services.

What are Consumer Directed Services?

Consumer directed services allow people to determine what types of supports and services works best for them. They are meant to give the person receiving the services more responsibility, flexibility, and control. They are also referred to as participant or self-directed services. If a person is not able to manage services on their own, they can have a family member take on the role of managing party.

With consumer directed services, the person has a budget amount and they decide, within program rules, how to use the funds to meet their home and community based service needs by writing a Community Support Plan. When someone chooses to self-direct their services, the state requires that they hire a Fiscal Support Entity.

Consumer directed services means that participants, or their representatives if applicable, have decision-making authority over certain services and take direct responsibility to manage their services with the assistance of a system of available supports.

3. The person you are working with has chosen Mains' I to be his or her Financial Management Service.

What is a Financial Management Service? A Financial Management Service (FMS) is an agency that provides financial management services and systems to:

- ✓ Process payments for good and services that are approved in the person's plan
- ✓ Bill Medicaid or other funding source for the services a person receives
- ✓ Provide a monthly statement to track budget usage within the approved plan
- ✓ Protect and safeguard consumer/participant directed programs

An FMS is kind of like "the bank" and is required if a person chooses a Medicaid or State funded consumer directed program. A person can also choose to purchase FMS services with our private pay option.

4. The person you are working with has also chosen Mains' I to be his or her Fiscal Employer Agent.

What is a Fiscal Employer Agent (F/EA)? In addition to using the services of an FMS, the individual receiving services also chooses an agency to provide assistance with employer responsibilities. There are different options for how much assistance they receive.

The person receiving services or their representative/managing party is the employer in this program. You report to the managing party as your supervisor. Mains' I provides assistance with setting the person up as a household employer and processes payroll, taxes, and W-2 forms on their behalf. F/EA is sometimes called Payroll Agent.

Fiscal Employer Agent Roles

Responsibility	Participant Employer/Managing Party	Mains'I
1. Hires and fires employees	X	
2. Providing on the job training	X	
3. Determining the employee's schedule	X	
4. Determine employee job related tasks	X	
5. Review and approve timesheets	X	
6. Processes payroll and taxes and sends W-2 forms		X
7. Coordinates work comp insurance coverage		X
8. Provides education and information to the person to manage their services		X
9. Provides education and assistance to ensure Department of Labor and other employment requirements are followed		X

Who Is Mains'I and What We Do?

Mains'I is named after the mains'l (contraction for mainsail), the nautical term for the principle sail on a boat. Just as the mains'l is the driving force moving the boat, the supports offered by Mains'I assists people to move their life in the direction they choose. Our mission is to "offer innovative supports to people, responding to their hopes and dreams." Since 1989 Mains'I has provided a wide range of supports to people who need assistance to live successfully in their homes and communities. We work in Minnesota, as well as offer services in Florida, California, Alaska, and Kentucky.

We feel it is important for everyone we work with to know what we value, and hope you use them to guide the work you do. Our core values are:

We believe in honesty and truthfulness. We uphold the highest ethical standards, acting with integrity in all we do.

We believe that all people are valuable and are able to make meaningful contributions to society. We celebrate every individual's unique attributes, treating each person with respect and affording them a life filled with dignity.

We believe in collaboration and partnerships. We believe the people we support, their families, our employees, and other professionals and community members are our partners. We collaborate with them to create and sustain the best supports possible.

We believe in putting the needs of others before our own. We respond first to the dreams, desires, and needs of those we support and our stakeholders, before considering our own needs or dreams.

We are committed to excellence. We are committed to exceeding our customers' expectations in all we do, offering the best of ourselves and our work, so that people experience meaningful and fulfilling lives.

Wondering Where You Can Find Out More Information?

Hopefully, most of your questions will be answered as you read through your new employee paperwork and have discussions with your managing party.

If you want to find out more about Mains'I, please check out our website at www.mainsl.com or contact us at 763-494-4553.

Our Vision: "Changing the world and making it a better place, one person at a time."

Our Mission: "Offering innovative supports to people, responding to their hopes and dreams."



PAYROLL IN PARTICIPANT DIRECTED SERVICES POLICY

Mains'l pays employees in participant directed programs within all state and federal laws and the rules and regulations of the services we offer. The Human Resources Department is responsible for ensuring all state and federal laws related to payroll are communicated to Mains'l employees.

Violations of this policy may result in disciplinary action, up to and including termination of employment. Mains'l does not tolerate or allow any form of retaliation against a person who reports suspected violations of this policy, or who cooperates in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

PAYROLL IN PARTICIPANT DIRECTED SERVICES PROCEDURES

All employees who work in a participant directed program are classified as non-exempt from the Fair Labor Standards Act. This means participant directed employees are paid for each hour worked based on hours reported on a timesheet.

Pay Periods: Each pay period is made up of two (2) weeks for a total of fourteen (14) days. Each week starts on Sunday at 12:01 a.m. and ends the following Saturday at 12:00 a.m.

Paydays: Employees are paid every other Friday by an electronic direct deposit to a bank, credit union, or pay card of your choice. Employees may choose to be paid by check mailed to their home. If a regularly scheduled payday falls on a holiday that the Federal Reserve is closed, employees will receive their pay before the regularly scheduled payday as coordinated by the payroll department. Advances of payroll are not made for any reason.

Mains'l is not responsible for any delays in mail service or electronic deposits in your bank account. Errors in electronic deposits resulting in funds not being deposited will be re-issued after verification has been received from the bank that the funds have been returned to Mains'l.

Review your pay advice: Before pay day, a document called a pay advice is mailed or e-mailed to each employee who reported work time for that pay period. Each payroll advice includes year to date earnings, amounts withheld for taxes, garnishments, and other deductions or reimbursements.

You indicate to Mains'l how you want to receive your pay advice on the Payroll Direct Deposit Authorization Form. Please review your pay advice each time you receive one to ensure that you are paid properly and that no improper deductions are made.

- Check that the hours are correct
- Check that deductions seem accurate
- If you see something that does not look right, contact payroll immediately

Ask if you have a question or concern about your pay: Mains'l makes every effort to ensure employees are paid correctly. Occasionally mistakes happen. When mistakes occur Mains'l will promptly make any corrections necessary to provide you with the pay you were entitled. If



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

you believe a mistake has occurred or if you have any questions, please use the following procedure:

- If you have questions about your pay (over or under payment) or any deduction from your pay, immediately contact your employer or the Mains'l manager. If the Mains'l manager is unavailable, you may contact the Payroll Department at (763-416-9125) or to your PDS manager.
- Mains'l will assess your report by reviewing appropriate time and payroll records.
 - If you have been paid incorrectly, or if Mains'l determines that a deduction was improperly made, Mains'l will reimburse you as promptly as possible; which will be no later than one pay period from the time you report the suspected problem.
 - If you have been overpaid, you are required to return all funds to Mains'l immediately upon discovery of the error. Mains'l will then reissue to you the corrected amount.

Understand payroll deductions: Your income tax withholding is determined when you fill out a W-4 upon being hired. You claim the number of exemptions you want, and that amount is used to determine how much should be deducted from each check for the Federal and State governments.

State, Federal, Social Security and Medicare taxes are deducted automatically per State and Federal regulations. No other deductions are made unless required or allowed by law or prior authorization. Your gross pay is your wage multiplied by the hours you worked. Your net pay (the amount of money you receive) is your gross pay minus your payroll deductions. At any time, you can fill out a new W-4 to change your deductions. The form is located in the portal under resources and forms.

Understand and prevent timesheet fraud: It is a violation of policy and state and federal laws for any person to:

- Falsify or lie on a timesheet
- Alter another employee's timesheet
- Instruct an employee to incorrectly or falsely report hours worked or alter another employee's timesheet

If anyone instructs you to falsify or lie on a timesheet or instructs someone else to falsify or lie on a timesheet you must report the situation immediately to the Director of Human Resources. Timesheet fraud will not be tolerated.

Certain edits may be made to an employee's timesheet by Mains'l that does not constitute a violation of this policy or state and federal laws. Allowable edits are limited to:

- Correcting the Department or Participant Number when it is certain that you have the wrong number
- Correcting the pay code when it is certain you have the wrong pay code



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

Any employee who fails to report or inaccurately reports hours worked will be subject to disciplinary action, up to and including termination.

Keep your information up to date: Inform the payroll department as soon as possible of any changes to:

- Bank account information
- Your address
- Your phone number(s)
- Your e-mail that pay advices are sent to

Notification of changes to your direct deposit information must be submitted to the payroll department on a Payroll Direct Deposit Authorization Form no later than one week before payday. If an employee fails to request a change one week before payroll, the payroll deposits will be made to the account on file. If no account is on file a paper check will be issued.

Holidays: As part of a collective bargaining agreement, employees are entitled to holiday pay of their regular rate plus one half for specific holidays. These holidays are: New Year’s Day, Martin Luther King Jr Day, Memorial Day, Labor Day and Thanksgiving Day. All employees who work on these days will automatically receive pay at their holiday rate. Participants may choose to pay employees a holiday pay date for additional holidays. Holiday pay for additional holidays must be included in the approved plan for the participant..

Recording Your Work:

It is your responsibility to submit an accurate and complete record of each time you have worked. We offer three ways to do so using the online time tracking at:

<http://dataplus.solanapro.com>

Mains’l expects employees to enter time as it is worked. When it is not possible to enter your time at the start and end of each shift, you're responsibly to enter your time soon as possible.

Many of the services that Mains’l provides are billed in 15 minute units. So, our timesheet system requires time to be entered in 15 minute units. Start and end times must be rounded to the nearest fifteen (15) minutes using the 7 minute rule. It is important to start and end your shifts on time.

<u>Clock time</u>	<u>Round to</u>
:00 - :07	:00
:08 - :22	:15
:23 - :37	:30
:38 - :52	:45
:53 - :60	:00

Reviewing and approving timesheets: You are responsible for making sure the information you enter on your timesheet is accurate and entered on time. A user guide is provided to teach you how enter timesheets. You can also request an in person demonstration at the Mains’l corporate office. A payroll calendar is provided for each employee to ensure you know important dates. The payroll calendar provides:

- The dates included in each pay period
- The dates and time your timesheet must be accurately completed by to ensure you are paid on time.
- The pay dates



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

Your managing party is responsible for reviewing and approving your timesheet before it is sent to payroll. You will be paid on time if your timesheet is entered accurately, on time, and it is approved.

Fixing timesheet errors: We understand that mistakes can happen. However, it is critical that if there is an error on your timesheet, it gets fixed right away. Your timesheet is used to pay you and is also used to bill for the services you provided. If your timesheet is submitted with errors, it can cause billing and payroll errors.

You may not be paid on time if one of the following errors is made:

- You do not provide the required information to create your timesheet
- The information you provide is not complete, is not accurate, or overlaps with another employees' time
- You do not enter your time worked by the timesheet due date and time
- Your managing party does not approve your timesheet by the payroll processing deadline

If you make an error, it is your responsibility to correct any information that is not accurate. Once your timesheet is entered accurately and approved, it will be processed on the next timesheet due date and paid with the next pay date.

If your managing party makes an error, it is his or her responsibility to work with the Mains'l manager and payroll department to issue your pay correctly. If there is a system error, Mains'l will work to correct the error as soon as possible.

Unapproved work time: Participant directed employees are expected to only perform work as instructed by their managing party. It is your responsibility to ensure you work within the timeframe of your shift and/or assigned hours per week. You should not work any time that is not scheduled or requested of you unless you are given permission by your managing party before doing the work. Unapproved work can result in disciplinary action.

Unapproved work time includes:

- Starting work before your scheduled time
- Stopping work after your scheduled time
- Overtime that is not pre-approved by your managing party
- Working more than your allotted or assigned hours
- Doing work that is not based on the service needs of the person receiving services
- Working when you have been instructed not to by the managing party or by Mains'l

Overtime: No overtime may be worked without prior approval from the managing party. Non-exempt employees are paid overtime at the rate of one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Based on the Department of Human Services regulations, parents of minors and paid spouses cannot be paid time and one half and cannot work overtime (more than 40 hours per week).



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

Overtime pay is based on actual hours worked. PTO, Sick, or any leave of absence is not considered hours worked for purposes of calculating overtime. Overtime is not paid more than once for the same hours worked. Overtime is calculated to the nearest fifteen (15) minutes.

Internal Controls:

- The human resources department is responsible for researching and staying current on all federal and state rules and regulations regarding fair pay, timekeeping, and payroll including Fair Labor Standards and the Department of Labor.
- The payroll department is responsible for researching and staying current on all federal and state taxes and IRS rules and regulations related to fair pay, timekeeping, and payroll.
- The senior manager is responsible for researching and staying current on all program rules and regulations related to fair pay, timekeeping, and payroll.



PAID TIME OFF (PTO) POLICY AND PROCEDURE FOR PARTICIPANT DIRECTED SERVICES

Paid time off (PTO) is available to all employees working in CDCS and CSG based on the collective bargaining agreement established between SEIU (the union) and the State of Minnesota.

How Do I Earn PTO? All CDCS and CSG employees shall accrue one (1) hour of PTO for every forty (40) hours worked.

How much is earned?

- A person working 40 each week for a full year would earn 52 hours of PTO for the year.
- A person working 20 each week for a full year would earn 26 hours of PTO for the year.

How Can I Request Supervisor Approval of PTO? You can request PTO by notifying the managing party of the individual you support. You should work with managing party to determine the best time off based on the needs of everyone involved. We recommend that PTO is requested with as much advance notice as possible.

How Is PTO Recorded and Approved?

When submitting your timesheet, PTO time must be recorded in the timesheet system. Use the pay type of "NonWorked Time" and the task of "PTO" for each PTO shift. PTO time should be entered by the timesheet deadline each pay period just as you would for regular time. Your managing party will approve the PTO as they would for time you work. More detailed instructions for recording PTO are included in the Time Tracking User Guide

Are There Any Limitations On Use?

- In order to use PTO, an employee must have worked at least six hundred (600) hours in eligible programs after July 1, 2015 or worked for 6 months.
- Employees may carry over up to eighty (80) hours of PTO each state fiscal year. (A year begins on July 1 and ends June 30).
- PTO hours do not count toward any overtime calculations. Only hours actually worked over forty (40) apply toward overtime payments.

What Happens If I Leave Mains'l? Employees who have accrued PTO will be paid for their accrued hours up to eighty (80) hours. If an employee has not reached 600 hours worked no PTO is paid out. Accrued PTO is only paid when earned in the CDCS and CSG programs.

Waiving PTO

An employee may choose to waive their right to earn PTO. An employee choosing to waive PTO should complete a PTO waiver form to make this choice in writing to Mains'l. An employee who chooses to waive earning PTO is not able to choose to earn PTO again until the next service plan year of the person they support.



INCOME TAX EXCLUSION INFORMATION

The IRS has issued their Notice 2014-7 determining that certain payments made to providers for care under a Medicaid waiver program are Difficulty of Care payments and are excludable from federal income tax. This exclusion may apply to you. If this exclusion does apply, your pay from working in this program may not count as income for federal tax purposes. In addition, Minnesota may recognize the same exclusions in regard to state income tax.

Since this affects each employee's own personal income taxes differently, it is the employee's responsibility to determine if this exclusion applies to their situation. Please use the information below to consult with your personal tax advisor to determine if this exclusion applies to you.

Does this exclusion apply to me?

- Do you provide care under a Medicaid Home and Community-Based Services waiver program?

- Do you live in the same home as the waiver recipient that you are providing care for?
 - You must live full time in the same residence as the person you provide care for
 - You perform the regular routines of your private life in this same home such as shared meals and holiday observances with family.
 - You may not have another home that you live in part time on weekends or when you are not working (i.e. a lake home where you spend time away from the recipient or your own apartment that you go to sometimes)
 -

- If you answered yes to both of these questions, this exclusion may apply to you. If you believe this exclusion applies to you, you may be eligible for a refund of the income taxes that are withheld from your paycheck when you file your tax return the next year.

On the back of this page is information from the IRS on how to obtain a refund of your taxes when you file your return. In addition, information is provided on where to find more information on IRS Notice 2014-7. **Save this information for future use when filing your tax return.**

Mains'l can not advise you on if IRS Notice 2014-7 applies to you. We are able to provide you with resources and information and suggest that you contact a tax professional for advice.



INCOME TAX EXCLUSION INFORMATION

Resources:

IRS Notice 2014-7:

<https://www.irs.gov/pub/irs-drop/n-14-07.pdf>

IRS Questions & Answers:

<https://www.irs.gov/individuals/certain-medicaid-waiver-payments-may-be-excludable-from-income>

Instructions from the IRS to report excludable income:

Using your Form W-2, you should include the full amount of the payments reported in box 1 of Form W-2 as wages on line 7 of Form 1040. You should then subtract the excludable portion of the amount in box 1 on line 21 "Other income," of Form 1040. If you have other income reportable on line 21, you should enter the net amount after subtracting the amount excludable from gross income under Notice 2014-7 from the other amounts reportable on line 21. You may need to enter a negative amount on line 21 if you have no other income reportable on line 21, or if the amount of other income you must report on line 21 is less than the amount excludable from gross income. You should write "Notice 2014-7" on the dotted line for line 21 if you file a paper return, or enter "Notice 2014-7" on line 21 for an electronically filed return.

Please note: Only income for performing direct service to the waiver recipient is eligible to be excluded. If you are paid any PTO throughout the year, these wages are still taxed. You must subtract the PTO amount before reporting the excludable amount. The amount of PTO you were paid can be found on your last check stub of the year.



MILEAGE REIMBURSEMENT POLICY

The individual receiving services/managing party determines during their planning process under what circumstances mileage reimbursement will be allowable.

Mileage reimbursement cannot be paid through Mains'l Services for transportation to any type of medical or dental appointment when the funding source is medical assistance. These expenses can be directly reimbursed through medical assistance.

Only those employees who can operate a moving vehicle legally i.e., current driver's license and automobile insurance will be eligible for reimbursement. The transportation must be provided in the employee's own vehicle for reimbursement to be claimed.

The reimbursement rate cannot exceed the State of Minnesota maximum allowable mileage rate.

Guidelines for use, number of miles, and the reimbursement rate will be included in the Community Support Plan or Individual Service Plan and approved by the county or managed care organization.

Mains'l Service must be in receipt of the county or managed care issued service agreement before reimbursement of mileage expenses will be paid.

Once the dollars allocated for mileage reimbursement have been used, no additional mileage expense can be reimbursed until the managing party pursues an adjustment to the Community Support Plan or Individual Service Plan allocating additional dollars to mileage. Mains'l Services cannot reimburse additional mileage until the revised plan has been approved by the county or managed care organization and the accompanying service agreement received.

MILEAGE REIMBURSEMENT PROCEDURE

Mileage will be recorded on a mileage log. The log must include the date, start and stop odometer reading, where the employee is providing transportation for the participant from and to and total miles driven, per trip. One log is completed per month.

The employee will forward the completed mileage log at the end of each calendar month to the managing party for approval. The managing party will indicate approval by signing the mileage log. The mileage log will then be sent to the assigned CDO manager per the reimbursement calendar timelines. If a mileage log is being done through email, the employee will copy the managing party on the email. The managing party will review the mileage log and communicate with the CDO manager if there are any issues.

The managing party is responsible for verifying the information on the mileage log is consistent with the Community Support Plan or Individual Support Plan and that the number of miles driven is appropriate and within the remaining allocation for mileage.

The CDO manager will verify the reimbursement amount is within the mileage allocation and will forward the mileage log onto the payroll department who will process the reimbursement



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

along with the employee's payroll.

If the dollars allocated for mileage reimbursement have been exhausted, the reimbursement log will be returned to the employee with notification that the managing party will need to work with the county or managed care entity to adjust the plan to add resources to the mileage allocation.

Once the Community Support Plan has been revised and the accompanying service agreement has been received by Mains'l Services, the managing party will be able to resubmit the request for mileage reimbursement.

References:

Employee Mileage Reimbursement Form

PREVENTING FRAUD, ABUSE, AND WASTE OF MEDICAID AND OTHER INSURANCES POLICY

Most of the services Mains'l provides are funded by Medicaid. You play a vital role in protecting the integrity of the Medicaid Program. To reduce waste, abuse, and fraud you need to know what to watch for and when to report if you suspect that waste, abuse, or fraud is occurring.

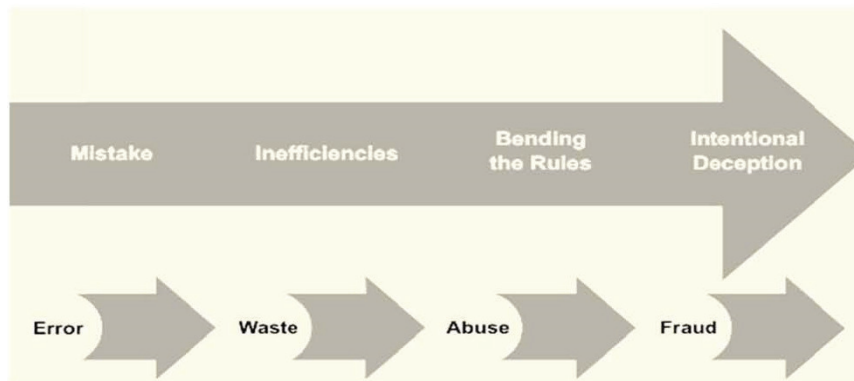
Although the terms Medicaid and Medicare fraud and abuse have slightly different meanings, depending on individual state law, they generally mean the same thing: any violations of the state and federal requirements related to the delivery of services to Medicaid or Medicare recipients.

Waste is a broad term that refers to care that is not effective or that is not delivered efficiently.

Abuse is when a provider does not follow good medical practices, resulting in unnecessary costs, improper payment, or services that are not medically necessary.

Fraud is when Medicaid or other insurance is billed for services or supplies a client never received. It is when a person knowingly cheats or is dishonest. The dishonesty results in a benefit such as payment or coverage that the person would not have been entitled to otherwise.

Examples of Fraud, Abuse and Waste include but are not limited to:



Errors:

Using the wrong billing code.

Waste:

Buying too many goods or supplies occasionally.

Abuse:

Providing more services than a person needs.

Buying excessive goods or supplies that aren't needed or used on a regular basis.

Fraud:

Submitting a timesheet for time that you did not work.

Using or taking goods or services from the intended recipient.

Returning items and keeping the money.



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

Multiple state and federal laws make it illegal for a person to bill Medicaid, Medicare or other insurance providers for goods or services that he or she knows are false.

Any person, who submits a claim to Mains'l that he or she knows, or should know, is false will be held responsible and his or her action may be punishable by law.

Suspected fraud, abuse, and violations of this policy must be immediately reported. Any report of fraud or abuse, received by Mains'l will be investigated. Suspected waste should also be reported to reduce or prevent waste from continuing.

Failure of an employee to report suspected fraud, abuse or a violation of this policy will result in employee discipline, up to and including termination.

PREVENTING FRAUD, ABUSE, AND WASTE OF MEDICAID AND OTHER INSURANCES PROCEDURES

Any suspicions of fraud, abuse, and waste should be directly reported to our Public Funds Compliance Officer, the Vice President of Administration.

The Public Funds Compliance Officer will conduct an internal investigation. In the event that our Public Funds Compliance Officer, the Vice President of Administration is suspected or alleged to be involved in fraud, the Director of Human Resources will complete the investigation. The investigation will include at least the following:

- Whether fraud, abuse, or waste occurred
- Whether written policies and procedures were adequate
- Whether written policies and procedures were followed
- Whether there is a need for additional staff training
- Whether there is a need for external reporting

If it is determined after a thorough investigation that any employee has committed fraud, their employment will be terminated immediately.

If it is determined that a vendor, person receiving services, or other business partner has committed fraud, Mains'l reserves the right to end the relationship.

While Mains'l prefers that reports of suspected fraud and abuse are made internally, you have the right to report suspicions of Medicaid abuse or fraud to a state agency.

In Minnesota: Department of Human Services Provider Fraud: 800-657-3750 Recipient Fraud: 800-627-9977 <http://mn.gov/dhs/general-public/licensing/report-fraud/index.jsp>

Mains'l will not discharge, discipline, threaten, or discriminate against, or penalize an employee, who in good faith reports or participates in an investigation of fraud, abuse, or waste internally or externally. However, failure to report suspicions of fraud, abuse, and waste will result in disciplinary action, up to and including termination.

RESPONDING TO AND REPORTING MALTREATMENT

This document explains your legal responsibilities as a mandated reporter to respond to and report suspected maltreatment. It is important that you read the entire document and ask the Mains'l manager if you have any questions about the requirements placed upon you by the State of Minnesota in regards to reporting maltreatment.

It is the **policy** of Mains'l to protect individuals who receive services from maltreatment in accordance with Minnesota Statutes (laws):

Minnesota has multiple laws about the maltreatment of vulnerable adults and minors:

1. Minnesota Statute 245A.65 Maltreatment of Vulnerable Adults;
2. Minnesota Statute 245A.66: Maltreatment of Minors;
3. Minnesota Statute 626.556: Mandatory Reporting of Maltreatment of Minors;
4. Minnesota Statute 626.557 Mandatory Reporting of maltreatment of Vulnerable Adults.

To view Minnesota statutes please go to <https://www.revisor.leg.state.mn.us/statutes>.

If you suspect maltreatment of a vulnerable adult or a child respond immediately!

- ✓ Immediately call 911 if you observe or are aware of a physical or sexual assault in progress;
- ✓ Immediately contact the Minnesota Adult Abuse Reporting Center (for adults) or the local child welfare agency (for children) if you suspect maltreatment;
- ✓ We also ask but cannot require that you immediately leave a voicemail or send an email to the assigned Mains'l manager who will contact the case manager and legal guardian (if there is one). The Mains'l manager does not release identifying information about the mandated reporter unless given permission by the mandated reporter. Only information about the suspected maltreatment or injury is reported.

For Adults: Call 1-844-880-1574 or

Go to: <http://mn.gov/dhs/reportadultabuse/> to report

For Children: Contact law enforcement or locate the local child welfare agency phone number by going to:

<http://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/contact-us/index.jsp>



Suspected maltreatment must be reported.
You do not need to have proof that maltreatment has occurred.



Here is information to learn the Who, What, Why, and How of responding to and reporting maltreatment.

Who is considered a vulnerable individual? In general, any person who needs assistance to adequately care for him or herself, and is therefore at a greater risk of maltreatment is considered a vulnerable individual. Based on Minnesota laws, any person receiving services from Mains'l is considered either a vulnerable adult or child.

The definition of a child for maltreatment reporting is:

- An individual from 0 years old to 17 years old and
- A person in foster care who is 18 years old to 21 years old only if that person is:
 - Completing secondary education or a program leading to an equivalent credential;
 - Enrolled in an institution that provides post-secondary or vocational education;
 - Participating in a program or activity designed to promote or remove barriers to employment;
 - Employed for at least 80 hours per month; or
 - Incapable of doing any of the activities described in clauses 1-4 due to a medical condition.

Who is considered a caregiver? A person who has responsibility for any of the care of a vulnerable individual is considered a caregiver. Caregivers may or may not be paid for their caregiver responsibilities. Caregivers can include family, friends, hired employees, contracted service providers, and volunteers.

What is maltreatment?

- For vulnerable adults, maltreatment is defined as abuse, neglect, or financial exploitation.
- For children, maltreatment is defined as physical abuse, sexual abuse, and neglect.

Definitions of each type of maltreatment are provided below in the definitions section. For complete definitions, please see the Minnesota Statutes.

For children, if you know or have reason to believe a child is being or has been neglected; or physically or sexually abused within the **past three years**, you must immediately make a report to the child protection unit of the local social service agency.

Who is required to report maltreatment? Many people are required to report, including you. A complete list of who is required to report can be found in the Responding to and Reporting Maltreatment policy and procedure and in the statutes listed above. Some professionals who are mandated reporters include:

- Care of vulnerable adults or minor children; including relatives and other paid and unpaid caregivers
- Healing arts



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

- Social services
- Hospitals, medical clinics, and nursing homes
 - Psychological or psychiatric treatment
 - Child care and education
 - Law enforcement and corrections
 - Vocational rehabilitation
 - Medical examiner or coroner

**IF YOU SEE SOMETHING...
SAY SOMETHING!**

What is required to be reported? Suspected maltreatment and any injury that cannot be explained must be reported. Definitions of maltreatment are listed in this document.

Who do I report to? For the suspected maltreatment of an adult, report to the Minnesota Adult Abuse Reporting Center (MAARC). For suspected maltreatment of a child, report to law enforcement or the local child welfare agency.

What is the Minnesota Adult Abuse Reporting Center? The Minnesota Adult Abuse Reporting Center was established on 7/1/15 to replace the county based Common Entry Point system. MAARC is the central location for receiving reports of adult maltreatment.

What are local child welfare agencies? Each county in the state has a local child protection/welfare agency responsible for taking reports and investigating. The number for your local child welfare agencies can be found online and is included in orientation materials.

How much time does a mandated reporter have to make a report? No longer than 24 hours from the time initial knowledge that the incident occurred has been received.

Any person making a good faith report in a timely manner is protected from any civil or criminal liability that might otherwise result from their actions.

What happens if I do not report suspected maltreatment? There are many things that can happen if you do not report including:

- the continuation of maltreatment to the vulnerable individual
- you being removed from your caregiver responsibilities
- you may be found guilty of a misdemeanor and liable for damages caused by the failure
- you may not clear a background study required for many jobs

If you are asked to not report something, you can explain to the person that you are required by law to report.

Also, any person who intentionally makes a false report may be found liable in a civil suit for any actual damages suffered by the reported facility, person or persons and any punitive damages up to \$10,000.00 and attorney's fees.

What is therapeutic conduct? Some of the definitions reference therapeutic conduct. It refers to services and caregiver responsibilities that are provided in good faith and in the interests of the vulnerable individual.



What is considered an accident? This is a sudden, unforeseen, and unexpected occurrence or event which is not likely to occur, and which could not have been prevented by exercise of due care. It is also considered an accident if the occurrence or event happens when an employee or the person providing services is in compliance with the laws and rules relevant to the occurrence or event.

What is considered serious harm? An injury that requires medical treatment that cannot be immediately provided by the present caregiver may be considered serious harm. The act of going to the doctor when no medical treatment is received is not considered serious harm.

How do I know how to protect the person receiving services? Before you perform any caregiver responsibilities, you should review the Health and Safety Plan or Individual Abuse Prevention Plan that was written specifically for the person receiving services. The managing party develops the Health and Safety Plan or Individual Abuse Prevention Plan to address the vulnerable individual's susceptibility to abuse, neglect, and financial exploitation, as well as other vulnerabilities before services are provided.

The individual receiving service must participate in the development of the plan to the fullest extent possible. The managing party reviews and, if necessary, revises the plan at least annually. If after reading the plan you have questions, ask the managing party or the individual receiving services.

MALTREATMENT DEFINITIONS FOR ADULTS

See MN Statutes for complete definitions and additional information.

Abuse: Abuse can be physical, emotional, verbal, or sexual.

- An act against a vulnerable individual that is a violation of, an attempt to violate, or aiding and abetting a violation of:
 - Assault
 - The use of drugs to injure or facilitate crime
 - The solicitation, inducement, and promotion of prostitution
 - Criminal sexual conduct

- Conduct which is not an accident or therapeutic, which produces or could reasonably be expected to produce physical pain, injury, or emotional distress, including, but not limited to the following:
 - Hitting, slapping, kicking, pinching, biting, or corporal punishment
 - Use of repeated or malicious oral, written, or gestured language or the treatment of a vulnerable individual which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing or threatening
 - Use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable individual from other persons against their will

- Sexual contact or penetration between a person providing services and a vulnerable individual. NOTE: It is not considered abuse when a vulnerable adult, who is not



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impaired in judgment or capacity by mental or emotional dysfunction or undue influence, engages in consensual sexual contact with a person providing services, when a consensual sexual relationship exists

- Forcing, compelling, coercing or enticing a vulnerable individual against his or her will to perform services for the advantage of another

Neglect: Occurs when an individual's health and safety needs are not being met. This includes:

- Failure to supply a vulnerable individual with care or services, including but not limited to food, clothing, shelter, health care, or supervision, which is reasonable and necessary to obtain or maintain the person's physical or mental health or safety, and is not the result of an accident or therapeutic conduct.
- Absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable individual which a reasonable person would deem essential to obtain or maintain the person's health, safety, or comfort.

Financial Exploitation/Abuse: Occurs when a person misuses funds, assets, or property of a vulnerable individual. This includes but is not limited to:

- Failure to use the vulnerable individual's financial resources to provide food, clothing, shelter, health care, therapeutic conduct or supervision for the vulnerable individual, and the failure results in or is likely to result in detriment to the vulnerable individual;
- Willfully using, withholding, or disposing of funds or property of a vulnerable individual without legal authority;
- Obtaining performance of services by a third person for the wrongful profit or advantage of the actor or another to the detriment of the vulnerable individual;
- Acquiring possession of, control of, or an interest in, funds or property of a vulnerable individual through the use of undue influence, harassment, duress, deception, or fraud;
- Forcing, compelling, coercing, or enticing a vulnerable adult against his or her will to perform services for the profit or advantage of another.

MALTREATMENT DEFINITIONS FOR CHILDREN

Physical Abuse: Any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized under section 121A.67 or 245.825.



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Abuse does not include:

- Reasonable and moderate physical discipline of a child administered by a parent or guardian which does not result in injury. Unintentional injury resulting from physical discipline is physical abuse.
- The use of reasonable force by a teacher, principal, or school employee as allowed in section 121A.582.

Actions which are not reasonable and moderate (NOT allowed) include, but are not limited to any of the following that are done in anger or without regard to the safety of the child:

- Throwing, kicking, burning, biting, or cutting a child
- Striking a child with a closed fist
- Shaking a child under age three
- Striking or other actions which result in any non-accidental injury to a child under 18 months of age
- Unreasonable interference with a child's breathing
- Threatening a child with a weapon
- Striking a child under age one on the face or head;
- Purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child; or other substances that substantially affect the child's behavior, motor coordination, or judgment, or that results in sickness or internal injury, or subjects the child to medical procedures that would be unnecessary if the child were not exposed to the substances
- Unreasonable physical confinement or restraint, including but not limited to tying, caging, or chaining; or
- In a school facility or school zone, an act by a person responsible for the child's care that is a violation under section 121A.58. Which states corporal punishment is not allowed including:
 - Hitting or spanking a person with or without an object; or
 - Unreasonable physical force that causes bodily harm or substantial emotional harm

Sexual Abuse: Is when a person who has a significant relationship to the child or is in a position of authority controls or forces a child into any act considered by law to be criminal sexual conduct. Sexual abuse also includes any act which involves a minor which constitutes a violation of prostitution offenses. Sexual abuse also includes threatened sexual abuse. Sexual contact includes fondling, touching intimate parts and sexual intercourse.

Neglect: Occurs when a child's health and safety needs are not being met. This includes:

- Failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health, medical or other care required for the child's physical or mental health when reasonably able to do so

- Failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect
- Failure to provide for necessary supervision or child care arrangements appropriate for a child considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in their care
- Failure to ensure that the child is educated
- This does not include a parent's refusal to provide the parent's child with sympathomimetic medication
- Nothing in this section shall be construed to mean that a child is neglected solely because the child's parents, guardian, or other persons responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of the disease or remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of medical care may cause serious danger to the child's health. This section does not impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter, education, or medical care, a duty to provide that care
- Prenatal exposure to a controlled substance
- "Medical neglect" as defined in section 260C.007, subdivision 6, clause (5);
- Chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety
- Emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Remember.... If you suspect maltreatment of a vulnerable adult or a child respond immediately!

- Immediately call 911 if you observe or are aware of a physical or sexual assault in progress;
- Immediately contact the Minnesota Adult Abuse Reporting Center for maltreatment of a vulnerable adult at 1-844-880-1574 or go to: <http://mn.gov/dhs/reportadultabuse/> to report
- Immediately contact the local child welfare agency for maltreatment of a child. The numbers can be found <http://mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/contact-us/index.jsp>

Minnesota Child Protection Agencies

County	Phone Number
Aitkin County Human Services	218-927-7200
Anoka County Human Services	763-422-7125
Becker County Human Services	218-847-5628
Beltrami County Human Services	218-333-4223
Benton County Human Services	320-968-5087
Big Stone County Family Services	320-839-2555
Blue Earth County Human Services	507-304-4444
Brown County Family Services	507-359-6500
Carlton County Human Services	218-879-4583
Carver County Social Services	952-361-1600
Cass County Human Services	218-547-1340
Chippewa County Family Services	320-269-6401
Chisago County Human Services	651-213-5600 or 651-213-5672
Clay County Social Services	218-299-5200
Clearwater County Human Services	218-694-6164
Cook County Social Services	218-387-3620
Cottonwood County Family Services (Des Moines Valley HHS)	507-831-1891
Crow Wing County Social Services	218-824-1140
Dakota County Social Services	952-891-7459
Dodge County Human Services (MN Prairie)	507-635-6170
Douglas County Human Services	320-762-2302
Faribault County Human Services	507-526-3265
Fillmore County Social Services	507-765-2175
Freeborn County Human Services	507-377-5400
Goodhue County Social Services	651-385-3232
Grant County Social Services (contract with Traverse)	218-685-8200
Hennepin County Family Services	612-348-3552
Houston County Human Services	507-725-5811
Hubbard County Social Services	218-732-1451
Isanti County Family Services	763-689-1711

County	Phone Number
Martin County Human Services	507-238-4757
McLeod County Social Services	320-864-3144
Meeker County Social Services	320-693-5300
Mille Lacs County Family Services	320-983-8208
Morrison County Social Services	320-632-2951
Mower County Social Services	507-437-9700
Murray County Social Services (Southwest HHS)	507-836-6144
Nicollet County Social Services	507-934-8559
Nobles County Family Services	507-295-5213
Norman County Social Services	218-784-5400
Olmsted Community Services	507-328-6400
Otter Tail County Human Services	218-998-8150
Pennington Human Services	218-681-2880
Pine County Human Services	800-450-7463 or 320-629-5728 (Intake worker)
Pipestone County Family Services (Southwest HHS)	507-825-6720
Polk County Social Services	218-281-3127
Pope County Family Services	320-634-7774
Ramsey County Human Services	651-266-4500
Red Lake County Social Services	218-253-4131
Redwood County Human Services (Southwest HHS)	507-637-4050
Renville County Human Services	320-523-2202
Rice County Social Services	507-332-6115
Rock County Family Services (Southwest HHS)	507-283-5070
Roseau County Social Services	218-463-2411
Scott County Human Services	952-445-7751
Sherburne County Social Services	763-765-4000
Sibley County Human Services	507-444-7500
St. Louis County Social Services	218-726-2012 or VA 218-471- 7128
Stearns County Social Services	320-656-6225
Steele County Human Services (MN Prairie)	507-431-5600

Minnesota Child Protection Agencies

County	Phone Number	County	Phone Number
Itasca County Family Services	218-327-2941	Stevens County Human Services	320-208-6600
Jackson County Human Services (Des Moines Valley HHS)	507-847-4000	Swift County Human Services	320-843-3160
Kanabec County Family Services	320-679-6350	Todd County Social Services	320-732-4500
Kandiyohi County Family Services	320-231-7800	Traverse County Social Services	218-685-8200
Kittson County Welfare Department	218-843-2689	Wabasha County Social Services	651-565-3351
Koochiching Community Services	218-283-7000	Wadena County Social Services	218-631-7605
Lac qui Parle Family Services	320-598-7594	Waseca County Human Services (MN Prairie)	507-835-0560
Lake County Human Services	218-834-8400	Washington Community Services	651-430-6457 or 651-291-6795 (after hours and on weekends)
Lake of the Woods Social Services	218-634-2642	Watonwan County Human Services	507-375-3294
Leech Lake Child Welfare Department	218-335-8270	White Earth Indian Child Welfare	218-983-4647
LeSueur County Human Services	507-357-2251	Wilken County Family Services	218-643-8013
Lincoln County Human Services (Southwest HHS)	507-694-1452	Winona County Community Services	507-457-6500
Lyon County Human Services (Southwest HHS)	507-537-6747	Wright County Human Services	763-682-7400
Mahnomen County Human Services	218-935-2568	Yellow Medicine County Human Services	320-564-2211
Marshall County Social Services	218-745-5124		



Guide for Control of Infection and Communicable Diseases

This guide has information to help you understand your role in preventing the spread of infection and disease at work. At some point in time, you may be exposed to a person's blood or body fluids accidentally. If this happens, don't panic. Even when there is an accidental exposure, the chances of acquiring a serious blood borne infectious disease are small.

If you are accidentally exposed to blood or to body fluids that might contain blood:

1. Wash your hands and the contaminated area thoroughly with soap and water.
2. If the blood or body fluid gets into your eyes or inside your mouth or nose, flush with water only.
3. Contact your doctor for further instructions.

Preventing Infection

You are expected to take an active role in staying safe and healthy at work.

A common risk that people in our industry face is possible infection. This isn't surprising since many of the people we are working with need help with basic needs. **Preventing the spread of germs that can make you sick is called infection control.** Infection and disease are different things.

Infection occurs when certain types of germs enter your body and begin to multiply. Bacteria, viruses, fungi and parasites are some of the organisms that can cause infection. **Disease** occurs when cells in your body become damaged because of an infection. Infectious diseases are illnesses that spread from one source to another. By working to prevent infection, you are helping to prevent disease.

By following simple precautions, you can protect yourself and others by preventing the spread of **infection**.

Some examples of common infectious diseases are:

Hepatitis Influenza HIV

Measles Chicken Pox Whooping cough

Germs are a fact of life. They are everywhere and live on almost every surface. You are exposed to a wide range of germs through your everyday activities. You can't avoid all germs and there's no reason to try to! Most germs won't harm you. Your body's immune system protects you from becoming sick. However, some germs are dangerous because they are stronger than your immune system's defenses.

Infection can be spread through:

1. **Direct contact with a person or an animal-** Person to person contact is the most common way that infectious diseases are spread. They can also be spread through contact with infected animals.

Microorganisms are germs that are so small that they can't be seen without a microscope.

Microorganisms that cause infection can be transferred to another person through:

- Blood or body fluids that are contaminated with blood.
- Coughing, sneezing, saliva and nasal secretions.
- Vomit, urine or feces.
- Open cuts or sores.
- Sexual contact.

“Blood borne pathogens” are germs that cause infectious disease and are transmitted through:

- Blood.
- Body fluids that contain visible signs of blood.
- Semen.
- Vaginal secretions.

Two serious blood borne pathogens that caregivers should be aware of are HIV (Human Immunodeficiency Virus). And Hepatitis B Virus (HBV).

“Standard precautions” should be used any time that you are exposed or may be exposed to blood borne pathogens. You will learn about Standard Precautions later in this guide.

Not all body fluids contain blood borne pathogens. However, every body fluid has the potential to carry infectious microorganisms, including:

- Saliva
- Sputum, the substance that comes from your lungs when you cough or clear your throat
- Feces and urine
- Nasal secretions
- Vomit
- Tears

Use standard precautions when you come in contact with or may come in contact with any of these body fluids, even if no blood is visible.

- 2. Indirect contact** - Bacteria, viruses, and other types of germs that cause infection also can be passed indirectly. This occurs when someone who has an infection transfers the germs onto a surface, such as a doorknob or faucet. These germs can then be picked up by anyone that touches the surface. A person can become ill if the germs find a way to enter their system. This can happen if the person touches their eyes, nose or mouth before washing their hands.
- 3. Other Forms of Transmission-** Infections also can be transmitted through insect bites, such as mosquitoes or ticks; by food and water that is contaminated with bacteria; by parasites, fungi and other organisms that live in dirt, human and animal feces, and other places.

The Infectious Process

Specific elements are needed in order for an infection to spread. This is called the chain of infection. If any link in the chain is blocked or missing, the infection cannot spread.

1. Invading Organism- This is the organism that causes an infection. It can be a virus, bacteria, fungus or parasite.

2. A Host- This is the person or thing that carries the organism and transmits it to another person or thing. A person may be showing symptoms of infection or carrying the infection without showing any symptoms.

3. Method of Escape- The organism needs a way to leave the host. This can happen through:

- **Coughing or sneezing.** This is how influenza, the common cold and chicken pox are spread.
- **Feces, urine or vomit.** This is how Hepatitis A and eColi are spread.
- **Semen or vaginal secretions.** This is how sexually transmitted diseases are spread.
- **Blood or specific body fluids.** This is how Hepatitis B and AIDS are spread.

4. A Susceptible Person- This is the person who is exposed to the organism after it leaves the host. If this second person is vulnerable in some way, they are more likely to become infected. For example, people with weakened or suppressed immune systems are more likely to become ill when exposed to an infectious organism.

5. A Way for the Infection to Enter a New Host- This can occur when you breathe in, swallow, or touch something that contains an organism, such as a virus, bacteria, fungus, or parasite.

Controlling Infections with Standard Precautions

There are many ways to control exposure to infectious substances in a home. When infection control procedures are done properly and consistently, they can greatly reduce the spread of illness by interrupting the chain of infection. The most effective way to prevent the spread of infectious germs is to take special precautions every time you may be exposed to another person's blood or body fluids.

These procedures are called **Standard Precautions**. Standard Precautions include:

1. Proper hand hygiene, including hand washing and hand sanitizing.
2. Using protective barriers, such as bandages, and gloves.
3. Disinfecting and maintaining a clean environment.

The type of precautions that you use will depend on two things: The situation and the type of exposure you are likely to encounter.

1. Proper Hand Hygiene- Your safety, and the safety of those around you, is literally in your hands. Washing your hands frequently, thoroughly, and properly is by far the most effective way to protect yourself and those around you. This also breaks the chain of infection.

In general, you should thoroughly wash your hands each time your hands come in contact with someone who is ill or come in contact with an object that has been or might have been contaminated. You should also encourage the person you are caring for to wash their hands regularly. If this is difficult for them to do independently, offer to assist them.

Always wash your hands:

- Immediately after coming in contact with any blood or body fluids.
- Before putting on and after removing protective equipment, such as gloves, gowns or masks.
- After using the restroom, assisting someone else to use the restroom or handling items containing urine or feces.
- Before and after administering medication.
- After touching an object that an ill person has touched, such as used tissues or dishes.
- Before, during and after meal preparation.
- Before eating.
- Before emptying the dishwasher or setting the table.

Hand sanitizers are a good way to supplement – not replace – thorough hand washing.

2. Protective Barriers- Protective equipment, such as bandages, gloves, gowns, masks, and sharps containers are other important ways to control the spread of infection.

a. Bandages- Cover all open cuts, scrapes, or any other breaks in the skin that are exposed. This applies to you, as well as the person you are caring for.

b. Gloves- Use **disposable gloves** when you might come in contact with any blood, body fluids or other infectious materials. This includes:

- ✓ Cleaning contaminated areas or objects.
- ✓ Cleaning surfaces that have or may have been contaminated with blood or other body fluids.
- ✓ Handling laundry.
- ✓ Cleaning up vomit, feces or urine.
- ✓ Disposing of used tissues.

If the work you do requires regular contact with body fluids, you will typically use either vinyl or latex gloves. Be sure to find out if you or the person you are caring for is sensitive to latex before using a latex glove or other latex health care product. Latex allergies can be very severe. In some cases, an allergic reaction to latex can be life threatening.

Some things to know about using gloves to prevent the spread of infection are to:

- Change gloves each time you have direct contact with an individual.
- Use a new pair of gloves if you are working with more than one person.
- Only use a pair of gloves once. **Never** wash or re-use them.
- Remove and replace gloves if they tear, are punctured or cracked while you are wearing them.
- Remove contaminated gloves as soon as possible and dispose of them properly. **Never** let them touch another surface. This will spread contamination.

c. Gowns and Masks- Additional protective barriers should be used if there is a risk that blood or other body fluids might spurt or splash on you, such as during medical or dental procedures. These additional barriers include:

- Protective goggles or a face shield.
- A mask that covers your mouth and nose. Like gloves, a mask should never be reused.
- A gown.
- A CPR mask.

d. Sharps Containers- Sharps containers should be used to dispose of used needles, lancets and other sharp medical supplies. Never replace the safety caps on a needle or remove needles from syringes. There is a high risk that you may accidentally stick yourself.

3. Cleaning and Disinfecting

It's not surprising that maintaining a clean environment is an important way of controlling the spread of infection. Keeping your workplace clean and free of unnecessary clutter, tripping hazards, etc. also help to create a safe workplace. Usually, a regular housekeeping routine is adequate. This routine should include both cleaning and disinfecting.

If you know that an area is contaminated, clean and disinfect it as soon as possible to break the chain of infection. Always use two sets of disposable gloves, worn at the same time, when cleaning contaminated surfaces.

We hope this guide will help you in ensuring your health and safety at work and the health and safety of the person you work with. If you have any questions or concerns about infection control procedures, please check with your employer.



DATA PRIVACY AND PRIVACY OF PROTECTED HEALTH INFORMATION/HIPAA POLICY

Mains'l respects and protects the data we receive and retain to promote service recipient rights. Access, release and duplication of private information is in accordance with federal and state statutes.

DATA PRIVACY AND PRIVACY OF PROTECTED HEALTH INFORMATION/HIPAA PROCEDURE

Private data includes all information on persons that Mains'l has gathered for the purpose of offering supports.

Notice of Privacy Rights

1. On the day services begin, and annually thereafter, the manager gives the Notice of Privacy Practices for Persons Receiving Service document to the person/legal representative and has the person/legal representative sign the Notice of Privacy Practices Acknowledgment of Receipt.
2. The manager files this in the legal/consent section of the person's Support Plan.

Sharing Information: Mains'l employees are allowed to share information with only the following persons or entities without a release:

- Person receiving services
- The person's legal representative
- Mains'l employees and consultants on a need-to-know basis:
- Representatives of responsible federal, state, and local agencies; i.e. case managers, licensors, state or federal investigators.
- Representatives of responsible contracting agencies such as managed care organizations

A person receiving services or their legal representative has a right to access and review the individual record and may request copies of pages in their record.

Besides the person receiving services and their legal representative, the people identified above do not automatically have access to private data about a person receiving services or about other staff or agency employees. Need-to-know basis means that the person must have a specific work reason requiring access to the information. Private data about a person is available only to those employees whose work assignments reasonably require access to the data; or who are authorized by law to have access to the data.

Any written or verbal exchanges about a person's private information by staff with other staff or any other persons will be done in such a way as to preserve confidentiality, protect data privacy, and respect the dignity of the person whose private data is being shared. As a general rule, if a person is unsure about sharing information regarding a person, they should contact



their supervisor or reference this policy and procedure.

Sharing Information with Other Parties

Information regarding a person receiving service from Mains'l may be released to outside persons/agencies only after the person or their legal representative authorizes the release by signing the Consent to Exchange Information.

Obtaining Informed Consent and Authorization for Release of Information

Upon starting services and annually after that, the Mains'l manager or their designee will obtain informed consent and authorization to release information. There may be other times when a representative of Mains'l provides informed consent and requests authorization for release of information. The following procedures are to be followed at any time information is requested:

1. At the time informed consent is being obtained, the manager informs the person or the legal representative individual about the following:
 - a. why the data is being collected;
 - b. how Mains'l intends to use the information;
 - c. whether the individual may refuse or is legally required to furnish the information;
 - d. what known consequences may result from either providing or refusing to disclose the information, and with whom the collecting agency is authorized by law to share the data;
 - e. what the person can do if they believe the information is incorrect or incomplete;
 - f. how the person can see and get copies of the data collected about them; and any other rights that the individual may have regarding the specific type of information collected.
2. The manager maintains all informed consent documents in the person's individual record.

The following will be observed when completing the Consent to Exchange Information:

- a. The form is initially completed at the time services begin. It is updated annually thereafter (automatic one-year expiration). If additional information is to be released during the period of the authorization that is in addition to or other than that initially included, an additional or revised form will be completed.
- b. The type of information to be released, to whom, and for what purpose must be specified on the form in order for the authorization to be valid.
- c. If the person receiving service is under 18 but has been given the legal right of an adult (emancipated adult) they must sign the form. If they are not, the legal guardian must sign the form.
- d. Informed consent must be obtained to validate the authorization to release information. The senior manager or manager must review with the person or their legal representative what information is being requested and/or released, by whom, and the purpose for which it will be used. It is advisable to have the person who is authorizing the release then repeat what has been explained to assure their understanding and ability to give informed consent.



Requesting Information from Other Licensed Caregivers or Primary Health Care Providers

Mains'l may need to request information about the person from other licensed providers. When this is needed, the manager will:

1. Complete a Release of Information form. The manager will carefully list all the consults, reports or assessments needed, giving specific dates whenever possible. Also, the manager will identify the purpose for the request.
2. Clearly identify the recipient of information. If information is to be sent to the program's health care consultant or other staff at the program, include Attention: (name of person to receive the information), and the name and address of the program.

Release of Written Documents to Persons Receiving Service or Legal Representative

The following process is used when a person receiving supports or their legal representative wishes to obtain copies of written records:

1. A written request from the person or legal representative, which specifies the information requested, shall be given to the senior manager.
2. The senior manager makes the requested material available within three (3) working days after the request.
3. The senior manager is available to discuss the content and meaning of the data with the individual receiving service and/or the legal representative if this is requested.
4. The person is informed that the agency is not required to release additional data within six (6) months of the first release of information.
5. The person making the request signs a statement verifying the requested data was received and, if desired, discussed.
6. If a person wishes to contest the accuracy of the information, they must notify the senior manager in writing. The senior manager and director review the information and respond in writing to the person within thirty (30) days of the request for clarification.
7. The person may submit additional written information to be placed in their data file at any time.

Release of photographs or video to other parties: Photographs or video of people supported by Mains'l are displayed or released to outside persons/agencies only if the person receiving service or their legal representative has authorized the release by signing an Authorization for Release of Photographs.

The following is observed when completing the release of photographs form:

1. The general nature of the photo/s to be used, to whom, and for what purpose is specified on the form in order for the authorization to be valid. The authorization remains valid until the person requests in writing their desire to have the photo removed from future reproduction.
2. Informed consent is obtained to validate authorization. The manager reviews with the person/legal representative what photograph/video is being requested/ released, by whom, and for what purpose it will be used.



PARTICIPANT DIRECTED SERVICES POLICIES AND PROCEDURES

References

Minnesota Government Data Practices Act section [13.46](#)

California Statute Title 17

HIPAA Standards of Privacy of Individually Identifiable Health Information [45 C.F.R. section 164](#)

Consent to Exchange Information

Release of Information

Authorization for Release of Photographs

Notice of Privacy Practices for Person Receiving Service

Notice of Privacy Practices Acknowledgment of Receipt

NOTICE OF HEALTH INSURANCE MARKETPLACE OPTIONS AND YOUR HEALTH COVERAGE

PART A: General Information

When key parts of the health care law took effect on January 1, 2014, there became a new way to buy health insurance called the *Health Insurance Marketplace*.

To assist you as you evaluate options for you and your family, this notice provides some basic information about the Marketplace.

What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace began in October 2013 for coverage starting on January 1, 2014.

Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you are eligible for depends on your household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit. An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as your employee contribution to employer-offered coverage- is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

How Can I Get More Information?

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit www.healthcare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

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PART B: Information About Health Coverage Offered by Your Employer

You are not eligible for health insurance coverage through this employer. You and your family may be able to obtain health coverage through the Marketplace, with a tax credit that lowers your monthly premiums and with assistance for out-of-pocket costs.

If you decide to complete an application for coverage in the Marketplace, you will be asked to provide your employer's information. Do not list the contact information of Mains'l, as they are not your employer. The managing party can provide you with employer information.

This information is numbered to correspond to the Marketplace application.

3. Employer name		4. Employer Identification Number (EIN)	
5. Employer address		6. Employer phone number	
7. City	8. State	9. ZIP code	
10. Who can we contact about employee health coverage at this job?			
11. Phone number (if different from above)		12. Email address	