



# **Participant Employer Handbook**

Financial Management Services (FMS)  
Mains'l Services

Thank you for choosing Mains'l as your Financial Management Services ("FMS") vendor. We look forward to working with you.

The purpose of the Participant as Employer Handbook is to:

- Provide information to assist the Employer in directing their Employees and/or managing their service providers.
- Provide the Employer with information for using and managing Financial Management Services.
- State the policies and procedures that govern the Fiscal Employer Agent (FE/A) relationship with Mains'l.

It is the responsibility of the Employer to review the entire handbook and to ask questions and seek clarification with the appropriate Mains'l representative on any questions they have.

## WHO WE ARE

Mains'l supports people to reach their hopes and dreams and live with meaning and purpose. We believe that people flourish when their lives are filled with meaningful relationships and activities of their own choosing.

Mains'l started by offering Home and Community Based Services (HCBS) to children and adults with developmental and physical disabilities in Minnesota in 1989. We're proud of the diverse populations we support today, including people who are elderly, veterans, people with acquired brain injuries, and those who need behavioral and mental health services.

We also partner with like-minded agencies throughout the nation, offering innovative Financial Management Services to people participating in Participant or self-directed services. We currently offer FMS to government and public agencies in California, Florida, Kentucky, Minnesota, and New York.



## **Internal Communication and Contact Information**

To ensure timely and accurate responses, please direct your questions to the appropriate Mains' FMS team using the contact information below. This helps us connect you with the right department to support your needs efficiently.

### **Vendor and Invoice Questions**

Contact the Operations Team at [CAFMSpayments@mainsl.com](mailto:CAFMSpayments@mainsl.com)

### **Employee and Vendor Onboarding**

Contact the Onboarding and Credentialing Specialists at [CAFMSOnboard@mainsl.com](mailto:CAFMSOnboard@mainsl.com)

### **New Participant Services**

Contact CA FMS Intake at [CAFMS@mainsl.com](mailto:CAFMS@mainsl.com)

### **Current Participants or Managing Parties**

Contact your assigned Support Specialist directly.

If you are unsure who your Support Specialist is, email [CAFMS@manisl.com](mailto:CAFMS@manisl.com) for direction.

## Employer Resources

To assist you, as the Employer, we've compiled a list of helpful resources commonly used by household employers in California's Self-Determination Program. This is not an exhaustive list; additional resources and guidance may be available through state agencies, local jurisdictions, or legal advisors. We encourage you to review this material and seek further information or consultation as needed to ensure compliance with your employer responsibilities.

Category	Reference Link
Payroll Deductions	<a href="https://taxes.ca.gov/income-tax/understanding-your-paycheck/">https://taxes.ca.gov/income-tax/understanding-your-paycheck/</a>
Federal Labor Laws	<a href="https://www.dol.gov/general/aboutdol/majorlaws">https://www.dol.gov/general/aboutdol/majorlaws</a>
Federal Workplace Posters	<a href="https://www.dol.gov/general/topics/posters">https://www.dol.gov/general/topics/posters</a>
California Labor Laws	<a href="https://www.dir.ca.gov/for_employers.html">https://www.dir.ca.gov/for_employers.html</a>
California Workplace Posters	<a href="https://www.dir.ca.gov/wpnodb.html">https://www.dir.ca.gov/wpnodb.html</a>
Meal and Rest Periods	<a href="https://www.dir.ca.gov/dlse/FAQ_RestPeriods.htm">https://www.dir.ca.gov/dlse/FAQ_RestPeriods.htm</a> <a href="https://www.calchamber.com/california-labor-law/meal-and-rest-breaks">https://www.calchamber.com/california-labor-law/meal-and-rest-breaks</a> <a href="https://www.dir.ca.gov/dlse/faq_mealperiods.htm">https://www.dir.ca.gov/dlse/faq_mealperiods.htm</a>
Wage Order 15 (all employees classified as domestic workers)	<a href="https://www.dir.ca.gov/IWC/IWCArticle15.pdf">https://www.dir.ca.gov/IWC/IWCArticle15.pdf</a> <a href="https://www.dir.ca.gov/dlse/DomesticWorkerBillOfRights-FAQ.html">https://www.dir.ca.gov/dlse/DomesticWorkerBillOfRights-FAQ.html</a>
State Minimum Wage	<a href="https://www.dir.ca.gov/dlse/minimum_wage.htm">https://www.dir.ca.gov/dlse/minimum_wage.htm</a> <a href="https://laborcenter.berkeley.edu/inventory-of-us-city-and-county-minimum-wage-ordinances/#s-2">https://laborcenter.berkeley.edu/inventory-of-us-city-and-county-minimum-wage-ordinances/#s-2</a>
Overtime	<a href="https://www.dir.ca.gov/dlse/FAQ_Overtime.htm">https://www.dir.ca.gov/dlse/FAQ_Overtime.htm</a> <a href="https://www.calchamber.com/california-labor-law/california-overtime-laws">https://www.calchamber.com/california-labor-law/california-overtime-laws</a>
Reporting Time Pay	<a href="https://www.dir.ca.gov/dlse/faq_reportingtimepay.htm">https://www.dir.ca.gov/dlse/faq_reportingtimepay.htm</a>
Electronic Visit Verification (EVV)	<a href="https://www.dds.ca.gov/services/evv/">https://www.dds.ca.gov/services/evv/</a>
Holiday Pay	<a href="https://www.dir.ca.gov/dlse/FAQ_Holidays.htm">https://www.dir.ca.gov/dlse/FAQ_Holidays.htm</a>

Vacation Pay	<a href="https://www.dir.ca.gov/dlse/FAQ_Vacation.htm">https://www.dir.ca.gov/dlse/FAQ_Vacation.htm</a>
Sick Time Pay	<a href="https://www.dir.ca.gov/dlse/paid_sick_leave.htm">https://www.dir.ca.gov/dlse/paid_sick_leave.htm</a>
Job Protected Leaves	<a href="https://calcivilrights.ca.gov/family-medical-pregnancy-leave/">https://calcivilrights.ca.gov/family-medical-pregnancy-leave/</a> <a href="https://edd.ca.gov/en/disability/PFL_Forms_and_Publications/">https://edd.ca.gov/en/disability/PFL_Forms_and_Publications/</a> <a href="https://edd.ca.gov/en/disability/faqs-fmla-cfra/">https://edd.ca.gov/en/disability/faqs-fmla-cfra/</a>
Jury Duty	<a href="https://courts.ca.gov/courts/jury-service/employer-information">https://courts.ca.gov/courts/jury-service/employer-information</a>
Voting Leave	<a href="https://www.sos.ca.gov/elections/time-vote-notice">https://www.sos.ca.gov/elections/time-vote-notice</a>
Drug and Alcohol abuse best practices	<a href="https://www.dgs.ca.gov/en/OHR/Resources/Substance-Abuse-Program-Guidelines">https://www.dgs.ca.gov/en/OHR/Resources/Substance-Abuse-Program-Guidelines</a>
Smoking best practices	<a href="https://www.dir.ca.gov/dosh/dosh_publications/smoking.html">https://www.dir.ca.gov/dosh/dosh_publications/smoking.html</a>
Privacy right law and best Practices	<a href="https://oag.ca.gov/privacy/workplace-privacy">https://oag.ca.gov/privacy/workplace-privacy</a> <a href="https://privacy.ca.gov/">https://privacy.ca.gov/</a>
Employee Management Lifecycle	<a href="https://www.calhr.ca.gov/state-supervisors-managers/training/calhrs-supervisors-guide-to-addressing-poor-performance/">https://www.calhr.ca.gov/state-supervisors-managers/training/calhrs-supervisors-guide-to-addressing-poor-performance/</a>
Cal Savers	<a href="https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/ca_er_overview.pdf">https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/ca_er_overview.pdf</a> <a href="https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/program_description.pdf">https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/program_description.pdf</a> <a href="https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/ca_eei_eip_opt_en.pdf">https://cdn.unite529.com/jcdn/files/CAER/pdfs/en_US/ca_eei_eip_opt_en.pdf</a>
Workplace Postings	<a href="https://www.dir.ca.gov/wpnodb.html">https://www.dir.ca.gov/wpnodb.html</a>
Reporting Workplace Injuries/Work Comp	<a href="https://www.mainsl.com/wp-content/uploads/2025/10/New-Mainsl-CA-Claim-Packet-2025.pdf">https://www.mainsl.com/wp-content/uploads/2025/10/New-Mainsl-CA-Claim-Packet-2025.pdf</a> <a href="https://www.mainsl.com/wp-content/uploads/2025/10/Work-Comp-Pamphlet.pdf">https://www.mainsl.com/wp-content/uploads/2025/10/Work-Comp-Pamphlet.pdf</a>
Medication Assistance	<p>There is no single “med-admin” license for private households. For employees assisting with self-administration, our recommendation is for employers to have written instructions, keep medication logs, get clinician orders for any paramedical/skilled tasks. For best practice references and checklist see:</p> <p><a href="https://www.dir.ca.gov/wpnodb.html">https://www.dir.ca.gov/wpnodb.html</a></p> <p><a href="https://www.disabilityrightscalifornia.org/publications/paramedical-services-through-the-ihss-program">https://www.disabilityrightscalifornia.org/publications/paramedical-services-through-the-ihss-program</a></p>

## Introduction to Self Determination

### 1. You are the Employer.

In this Program, you are the Employer and/or the person directing your Employer if you have chosen to partner with a third party. We will refer to both as the “Employer” throughout this handbook. Mains’l and your Regional Center are available to provide you with information and resources to help you with this important role.

### 2. You Direct the Services.

The Self Determination Program allows the Employer to determine what types of supports and services work best. This Program is meant to provide the Employer more responsibility, flexibility, and control.

In the Self Determination Program, the Participant has a budget amount, and creates a Spending Plan to determine how the budget will be used to meet the Participant’s needs. It is the Employer’s job to manage the services and to follow the Spending Plan. The Employer is responsible for hiring and managing Employees and choosing vendors to meet the needs within the applicable Spending Plan.

### 3. Mains’l will be the Employer’s Financial Management Service/Fiscal Employer Agent.

As your FMS vendor, Mains’l will provide the following services to the Employer:

- ✓ Process payments for goods and services that are approved in the Spending Plan including approved payments to vendors and Employees;
- ✓ Bill the regional center for the services received by the Participant; and
- ✓ Provide the Employer a monthly statement to track budget usage within the approved plan.

## Sole-Employer Role and Responsibilities

Responsibility	Employer	Mains’l
Selecting Employees and vendors	X	
Training and supervising Employees	X	
Determining the Employee’s schedule	X	
Determining Employee job related tasks	X	
Ensuring compliance with applicable labor laws, reviewing, and approving timesheets and invoices	X	
Making payments to vendors for approved invoices		X
Processing payroll, taxes, and issuing W-2s		X
Coordinating workers compensation and liability insurance		X
Provide forms, policies, and procedures to the Employer to use to manage Self Determination services		X
Providing information about the applicable Department of Labor and other employment requirements		X

## **Policies, Procedures, and Resources**

### **Customer Service and Communication Policy**

Mains'l has a strong commitment to and belief in partnering with stakeholders. It is one of our core values to collaborate with all involved parties. It is our goal to establish a relationship of trust and open communication with all the people involved with our Programs thus ensuring those we support receive the optimal level of service.

### **Customer Service and Communication Procedure**

The following procedures have been identified to help promote the integrity and responsiveness of Employee and stakeholder communication.

- Every attempt will be made to return phone calls and emails the same day they are received, or at the latest the next business day.
- Mailed documents will be distributed by the reception staff Monday through Friday and will be responded to by the intended recipient or their designee the next business day.

### **Enrollment Policy**

To become enrolled with Mains'l FMS in the Self Determination Program, all required paperwork and authorizations must be received before services may begin.

### **Enrollment Procedure**

When contacted to be the FMS, a Mains'l representative will communicate with the Employer and provide the Employer with the enrollment materials for the service option the Employer has chosen.

The purpose of the enrollment paperwork is to:

- Provide information to guide the Employer through enrollment with Mains'l in a Self Determination Program.
- Confirm that the Employer has chosen Mains'l as the FMS vendor.
- Provide Mains'l with the information needed to establish the Employer as a Program Participant.

Before services can begin with Mains'l the following information is required to be completed and on file:

- Enrollment paperwork completed by the Employer.
- An approved Spending Plan that identifies the specific goods and services.
- Service Authorization or Purchase of Services (POS) from the Regional Center giving Mains'l the ability to bill for the service(s).
- Any other forms required by Mains'l pursuant to Program rules or state statutes.

In the unfortunate event of incarceration, hospitalization, or death of the participant, Mains'l must be notified immediately.

In the event of hospitalization for serious illness or death of the Employer, Mains'l must be notified immediately to avoid a disruption in services.

## **Hiring, Enrolling, & Training Employees Policy**

In the Self Determination Program sole-employment option, the Employer is responsible for finding, choosing, hiring your Employees, and generally ensuring compliance with all applicable labor laws. New Employees who will be working in the self-determination Program are required to complete the Employee enrollment paperwork before beginning work. Any training requirements and timelines for completion are determined by the Employer and the Employer is responsible for ensuring Employees follow through.

All Employees sole-employed in the self-determination Program who will be providing direct personal care must successfully pass a self-determination specific Live Scan through the Department of Developmental Services. The Employer may choose to waive the Live Scan requirement, but only for Employees who do not provide direct personal care, or for family members who do provide direct care and live in the same household as the Participant. The Employer should notify Mains'l in writing if the Live Scan is being waived and Mains'l will indicate on the Employee's enrollment paperwork if the Live Scan is being waived.

## **Hiring, Enrolling, & Training Employees Procedure**

1. Identify the New Hire
  - The Employer identifies a prospective Employee.
2. Request Enrollment Paperwork
  - Contact the Mains'l Onboarding and Credentialing team to request the required enrollment forms.
3. Complete New Hire Paperwork
  - Meet with the prospective Employee to complete the enrollment paperwork together. Use this time to review their role, expectations, and answer any questions they may have about their employment with you.
4. Complete the I-9 Form
  - The Employer must follow the instructions in the enrollment packet to properly complete the federal Form I-9 with the prospective Employee.
5. Complete the Live Scan (if required)
  - If the prospective Employee is required to complete a Live Scan, they must be fingerprinted as outlined in the enrollment paperwork.
6. Submit Completed Paperwork to Mains'l
  - Submit the full, completed enrollment packet to Mains'l following the instructions provided. Incomplete or incorrect paperwork may result in delays.
7. Wait for Clearance Before Work Begins
  - Mains'l will notify the Employer and Employee once the Live Scan (if applicable) has cleared and the Employee is authorized to begin work.
  - Employees may not begin working until Mains'l has provided this clearance. Any work performed prior to authorization will be considered unauthorized and will not be paid by Mains'l.
8. Employer Provides Onsite Orientation and Training
  - Once hired and authorized to work, the Employer is responsible for providing orientation and any required training. Additional training requirements are determined by the Employer.

## **Hiring and Managing Employees**

This section is meant to be a guide or resource only and does not apply to every situation you may encounter.

### Recruiting Employees

Finding Employees is a responsibility you assume in Self Determination Program. Below are some suggestions to consider when recruiting Employees:

- Talk to friends, family members, and neighbors who already know you or the person receiving the supports. Building on established relationships can make it easier on everybody.
- Visit your local schools, community centers, or other community organizations. Talk to counselors and staff or see if you can put up an ad.
- Run an ad in the local paper or place an ad online.

### Child Labor Law

Employees under the age of 18 are required to obtain a work permit before beginning work.

### Tips on Interviewing and Hiring

- Ask applicants about their experiences with working with people who need assistance; did they work with children and/or adults? Have they worked with people with special needs?
- Try to gain an understanding of the person's attitudes, personality, values; do they fit with the job requirements?
- Do they have flexible schedules, or do they need to have a set routine? Does that work for you?
- Do they have reliable transportation?
- Give them various examples of experiences they may have working in your home; ask them how they would deal with certain scenarios.
- Ask open ended questions; avoid questions Employees can answer "yes" or "no."
- Tell the potential Employee what you expect of them; explain the hours you want to them to work, what sort of tasks you expect them to perform, etc.

### Suggested Interview Questions

#### Training...

- Have you been certified in First Aid and/or CPR?
- What kind of training have you had to meet the needs of this job?

#### Work history and experiences...

- How long were you in your most recent position? Why did you leave?
- Where have you worked before? What were your duties?

#### Work style/methods...

- Describe a meaningful experience you've had with a person for whom you have provided care.
- How do you support someone who is angry or fearful?

#### Specific tasks...

- Have you had experience cooking for other people?
- Would you be comfortable supporting someone transferring from a wheelchair into a car, bed, or chair?

#### Comfort zones...

- Is there anything in the job description that you are uncomfortable doing?
- How do you feel about assisting a person with personal hygiene?
- Do you mind being around someone who smokes? Being around animals?
- How do you feel about caring for someone with a disability and/or memory loss?

Other possible questions...

- What kind of time commitment are you willing to make?
- What do you enjoy/find challenging about this field?
- Do you keep in touch with any families you once worked for?

### Illegal and Inappropriate Interview Questions

Under applicable state and federal laws, it is illegal to ask questions regarding and/or discriminate against a candidate based on race, color, age, sex, sexual orientation, religion, national origin, disability, medical conditions, or other similar protected characteristics. Any direct or indirect attempt to solicit information regarding these categories is illegal. Similarly, it is also illegal to refer directly to an individual's disability with regards to potential job tasks, or to solicit information regarding a candidate's age during an interview.

It is also inappropriate and illegal to ask questions regarding marital status, organizational affiliation, status of personal health, economic status, number of children, means of childcare, citizenship status, and workers' compensation history.

The following are examples of inappropriate or illegal questions in each category – this list is not exhaustive but is meant to be illustrative:

Race or color...

- What nationality are you?
- Where did you get your accent?
- Where does your last name come from?

Sex and sexual orientation...

- Are you heterosexual?
- Do you consider yourself homosexual?

Religious affiliation...

- Are you involved with any religious groups?
- Where do you go to church?
- Would your religion prevent you from working weekends?

Disability...

- Would you consider yourself disabled?
- Could you perform this job from your wheelchair?

Age...

- What is your date of birth?
- What year did you graduate from high school?

Marital/Family Status...

- Are you pregnant?
- Do you have children?
- Are you married?
- What arrangements have you made for children?
- Would your family mind if you traveled or worked weekends?

### Tips on Training

When providing training to your Employees on how to best complete tasks, it is best to be as involved in training as much as possible. On-the-job, specific training is always most effective. It is best practice to keep records of all training provided to employees.

### Tips on Disciplining/Removing Employee

If you have issues or concerns with your Employee, discuss it with them immediately, and clearly communicate your expectations to them. Document what you discuss and the outcome/expectations in which you agree, as well as the timeline in which you expect to see results.

You decide if/when you want an Employee to be removed from your home, whether temporarily or permanently. The Employer should contact their Mains'l Support Specialist prior to terminating employment for proper processing of final paycheck in alignment with California Final Paycheck Law.

If Mains'l is not notified prior to employee termination, the Employer will be responsible for any resulting fees.

### **Vendor Enrollment Policy**

All new vendors will receive a Vendor Enrollment Packet which will include:

- Mains'l Vendor Policy and Procedures
- Payment Guidelines
- Vendor Enrollment Form
- IRS Form W-9
- California Form 590
- ABC Test
- Payment Authorization Form
- Electronic Visit Verification Agreement (if applicable)
- Prepayment Agreement (if applicable)
- Service Agreement (if applicable)

Additionally, vendors are required to submit their business license or equivalent document and waiver required credentials (if applicable).

Vendors who do not qualify to be classified as an Independent Contractor based on the ABC Test will not be paid as a vendor and will be treated as an Employee of the Employer.

### **Vendor Enrollment Procedure**

To begin receiving payments through Mains'l, all vendors must complete the enrollment process. This includes submitting the required documents and credentials to the Mains'l Onboarding and Credentialing Specialists.

### Submit Required Forms

Vendors will complete and submit the following:

- Vendor Enrollment Form
- IRS Form W-9
- California Form 590
- Business License or equivalent
- Payment Authorization Form
- ABC Test (to confirm independent contractor status)
- Additional forms may be required based on service type
- Waiver Required Credentials (based on service code)
- Electronic Visit Verification Agreement
- Prepayment Agreement (if applicable)
- Service Agreement (if applicable)

### Mains'l Reviews Submitted Documents

Our Onboarding and Credentialing Specialists will review vendor documents for completion and compliance. If any additional items are needed, we will contact the vendor.

Vendors who do not meet the independent contractor criteria under the ABC Test may need to apply as Employees or update their business documentation.

### Confirmation of Enrollment

Once all documents are reviewed and verified, we will confirm that vendors are set up in our system and eligible to begin billing for approved services.

### **Vendor Payment Policy**

Participants identify the goods and services they intend to use during the plan year. These items are outlined and approved within the Participant's Spending Plan. Vendors may be hired to provide these services, and Mains'l will pay vendors directly on the Participant's behalf when the following conditions are met:

- The service is included in the Participant's Spending Plan approved by the Regional Center.
- Mains'l has received an official Authorization/Purchase of Service from the Regional Center.
- The vendor has submitted all documents required.
- The vendor is not listed on the OIG Exclusion List for Medicaid disqualification.
- Sufficient funds remain in the Participant's budget for the service.

In accordance with IRS regulations, vendors who are required to receive Form 1099 will be issued one by January 31<sup>st</sup> of the following year.

### **Vendor Payment Procedure**

Vendors may submit invoices directly to Mains'l or through the Participant receiving services. If submitted by the vendor, the invoice must include approval from the Participant. Invoices without proper approval will be returned.

Submit all invoices to: [CAFMSPayments@mainsl.com](mailto:CAFMSPayments@mainsl.com)

All invoices must include the following information:

- Full name of the person receiving services
- Vendor/provider name (include DBA, if applicable)
- Unique invoice number
- Self-Determination Program (SDP) service code(s)- ask the Participant if unsure
- Description of services/tasks provided
- Rate charged\*
- Total cost of the merchandise or service
- Date(s) of service or purchase
- Statement confirming all services listed have been provided to the Participant

*\*If services are not billed hourly or daily, SDP Participants and SDP Providers may agree to services that are billed monthly, cost of services may not be more than a monthly rate.*

Mains'l does not require a specific invoice template. Any format that includes all required details will be accepted. Incomplete invoices will be returned.

Payment Schedule (based on invoice total per Participant and submission date):

<b>Invoice Total</b>	<b>Submission Deadline</b>	<b>Payment Timing</b>
\$0 – \$500	Friday, 5:00 PM PST	Paid the following Friday
\$500.01 – \$9,999	Friday, 5:00 PM PST	Paid three weeks later on Friday
\$10,000 and above	Friday, 5:00 PM PST	Paid five weeks later on Friday

The payment schedule begins once all documentation requirements have been met, including any required service agreement or cancellation policy.

If an invoice is not eligible for payment, Mains'l will notify the Participant. They will need to revise the spending plan with Mains'l and/or the Regional Center or pay the vendor directly.

Invoices including dates of service over 365 days (1 year) old will require written approval from the Regional Center prior to processing. Dates of service exceeding 540 days are typically unable to be processed.

Important: All invoices must be generated by the vendor or their invoicing system. Invoices created by Participants on behalf of a vendor are not accepted and will be treated as fabricated.

Mains'l cannot pay for late fees, no show fees or any other fees that are not for the services being provided.

### **Purchasing Policy**

The Self-Determination Program allows participants to identify goods and services in their approved Spending Plan for purchase. As the Financial Management Service (FMS), Mains'l will assist in purchasing these approved items in accordance with the guidelines below.

## Purchasing Requirements

- The item or service must be listed in the approved Spending Plan.
- Mains'l must receive an authorization or Purchase of Service (POS) from the Regional Center that matches the approved Spending Plan.
- The Participant should verify that the good or service is specifically approved in their Spending Plan before submitting a purchase or payment request.

## Mains'l Ordering and Purchasing Process

Purchase Request Forms received by Friday at 5:00 p.m. PST will be processed no later than the following Friday. All purchase requests must be submitted at least two (2) calendar weeks prior to the end of the Spending Plan.

When requesting Mains'l to make a purchase or payment, the Participant or Managing Party must provide:

- A completed Purchase Request Form, including direct links to the exact item(s) and all details necessary to complete the order.
- Any required details such as size, color, or item options, to prevent delays caused by missing information.
- Incomplete requests may result in delays in processing.

Additional guidelines for purchases made by Mains'l:

- Ensure there are sufficient funds in the Spending Plan to cover the cost of the item, including tax and shipping.
- Mains'l cannot create an account on behalf of any individual.
- Websites requiring a login or membership will require a signed FMS Purchasing Agreement.
- If an item is out of stock or unavailable, Mains'l will contact the Participant/Managing Party to select a replacement.
- Mains'l cannot choose or substitute items for Participants.
- All purchases must be made within the approved Spending Plan dates; purchases outside those dates will not be processed.
- If a purchase or payment cannot be processed online, and payment must be made directly to a vendor or store, the Participant or Managing Party is responsible for arranging the order and providing Mains'l with the necessary payment details.

## Payment for Recurring Services

- Mains'l will only pay the portion of costs approved in the Spending Plan.
- Mains'l will not leave a credit card on file with any business.
- If payment requires access to a customer account, an FMS Purchasing Agreement must be completed, authorizing Mains'l to access the account for payment purposes.
- If the payment occurs monthly, a Recurring Payment Agreement can be completed to establish ongoing payment arrangements.

## **Prepayment of Services**

Federal guidelines require that Mains'l only pay for services after they have been rendered.

- The vendor provides written policy stating that payment for any missed or canceled services will be refunded to Mains'l or rescheduled without expiration.
- If such a policy is not available, written authorization from the Regional Center assuming fiscal responsibility for any prepaid services not delivered.
- Prepayment for services in a future spending year requires written Regional Center approval.
- Mains'l will not process payment for charges related to no show, late fees, or any other fees associated with services not provided.

## **Gift Cards**

Gift cards will only be used as a last-resort option and must meet the following conditions:

- The card is restricted to a specific vendor and can only be used for goods or services explicitly approved in the Spending Plan.
- If the gift card could be used to purchase unapproved items or services, Mains'l will not process the request.

## **Returns**

If an item purchased by Mains'l needs to be returned, contact your Mains'l Support Specialist to begin the return process. Refunds will be applied to the same Spending Plan year from which the original purchase was made.

## **Reimbursements**

Effective January 1, 2026, Mains'l must directly purchase all goods and services on behalf of participants. Reimbursements will not be permitted under any circumstances.

## **Payroll Policies and Procedures**

Mains'l is committed to accurately paying the Employees of Employer in compliance with all applicable state and federal laws. Mains'l will never knowingly fail or refuse to pay an Employer's Employees the full amount they are entitled by law for work performed. For these and other reasons, it is important for Employees to accurately record the time they work, without exception and the Employer must inform the Employee to record all time worked.

## Employment Category

The work week is from Sunday at 12:00 a.m. to Saturday at 11:59 p.m., and each workday begins at 12:00 a.m. and ends at 11:59 p.m. Each Employee working in the FMS Program is designated as "non-exempt" (hourly), in accordance with federal and state law. Hourly Employees are paid for their time actually worked, and are subject to overtime pay. Any Employee who works more than 8 hours in one workday and/or 40 hours in one workweek receives overtime pay of one and one half times their regular rate of pay. Likewise, the first eight hours worked on the seventh consecutive workday in one workweek will be compensated at one and one half times the Employee's regular rate of pay. If an Employee works 12 or more hours in one workday (and any time worked after the first eight hours on the seventh consecutive workday worked in one workweek) they will receive double their regular rate.

### Record All Time Worked and Review Pay Stubs

All Employees of Employer must correctly record all time worked on the timesheet, including time in at the beginning of the workday, time out for their meal period, and back in after the meal period, and time out at the end of the workday, and review the pay stubs promptly to identify and report any suspected errors. Absolutely no work may be performed off the clock, without exception. Mains'l makes every effort to ensure Employees of Employer are paid correctly. Occasionally inadvertent mistakes happen. When mistakes are made by Mains'l, we will promptly make any corrections necessary to provide Employees with the pay they were entitled. Errors on the part of the Employee will be corrected no later than on the following pay period once any necessary changes are made to timesheets and are approved.

### How to Raise a Question or Concern about Pay or a Payroll Deduction

If an Employer's Employees have questions about pay (over or under payment) or any deduction from pay, they should immediately contact their Employer. State, Federal, Social Security, Medicare taxes, garnishments and levies (if applicable), are deducted automatically per regulations. No other deductions are made unless required or allowed by law or prior authorization.

The Employer will contact Mains'l to look into reports. If an Employee has been paid incorrectly, or if Mains'l determines that a deduction was improperly made, Mains'l will reimburse the Employee as promptly as possible. If an Employee has been overpaid, the Employee will be required to return overpayment immediately.

### Payroll Errors

In the event an error is discovered during payroll processing, the following steps will be done to correct: Mains'l will contact the Employer notifying them of the error. A deadline will be set for the revision to be submitted to payroll. If the deadline passes without the revision submitted to payroll the entry or entries affected by the error will be voided and the Employee will need to submit the correction with the next payroll.

Errors, which can be corrected by a member of Mains'l, include: Incorrect pay code, incorrect Employee number, incorrect department, or consumer number. Errors, which must be corrected by the Employee of the Employer, include: error in day and or date worked, incorrect or missing AM/PM, missing or incorrect start or end time for the day or meal period. When overlapping or duplicate hours are entered on the timesheet, the Employee is responsible for submitting a corrected timesheet. The revised time may be processed with the next payroll if not submitted in time.

### Paydays

Refer to the Payroll Calendar for exact pay periods, when timesheets are due and pay dates. All Employees are paid via electronic direct deposit unless they opt to receive manual checks. Employees may choose to have their Pay Stubs mailed or e-mailed. Paycheck stubs will include earnings for all work performed through the end of the previous payroll period. Advances of pay are not made for any reason.

Employees are responsible for notifying Mains'l of any changes in their bank account numbers and address. If an Employee requests a change in the direct deposit, a manual check may be issued the pay period following the request.

Mains'l is not responsible for any delays in mail service or electronic deposits in the Employee's designated bank account. A manual replacement check will not be processed until verification is completed by payroll.

#### Sick Time

All Employees receive 40 hours of sick time each calendar year beginning on the first day of employment. This time does not carry over and resets to 40 hours (or five days) each January 1. Unused sick time is not paid out at the end of employment. Employees should indicate sick time on their time on their timesheet using the pay code "Sick."

#### Holidays

Employees will be paid their regular hourly wage for all time worked if they work on a holiday. Time and on half is not paid for hours worked unless outlined in the Spending Plan and the Employer has notified Mains'l prior to the Employee working on the holiday. If time and half holiday pay has been approved, the Employee indicate this on their timesheet by using the pay code "Holiday." There typically is no holiday pay for Employees who do not work on the holiday, unless the Employer decides to provide such benefit and notifies Mains'l in advance.

#### Health Insurance and Benefits

Except as required by law, no health insurance or other benefits are available through Mains'l to Employees sole-employed in the Self Determination Program.

#### Record of Time Worked

It is the Employee's responsibility to submit an accurate and complete timesheet via Navigation Plus by the due date and time. The Employer is responsible for verifying that the hours worked by the Employee and the pay codes used are accurate. It is the Employer's responsibility to ensure Employees are working as stated on their timesheet. This protects the Employee, the Participant, and Mains'l from incorrect or false time recording.

Employees and the Employer should agree on the work schedule. Employees should not start work early, finish work late, or perform extra work unless pre-authorized by the Employer. It should be made clear to Employees that any Employee who fails to report or inaccurately reports hours worked will be subject to disciplinary action, up to and including termination.

Employers should inform Employees that it is a violation of policy for any Employee to falsify a timesheet, to alter another Employee's timesheet or work off the clock. If Employer or any individuals associated with Employer (including any of its Employees), instructs an Employee to either (1) incorrectly or falsely under-report or over-report hours worked, or (2) alter another Employee's time records to inaccurately or falsely report that Employee's hours worked, the situation should be immediately reported to the Mains'l representative.

#### Questions or Concerns

If there are questions or concerns about this Payroll Policy and Procedure, please contact Mains'l.

### **Mileage Reimbursement Policy**

The Employer determines when mileage reimbursement will be allowed, subject to applicable legal requirements and Program Rules, not to exceed the reimbursement rate as determined by the IRS.

Mileage reimbursement for transportation to any type of medical or dental appointment must be specifically pre-approved as part of the Spending Plan.

The Employer must ensure that people providing transportation must:

- Be a legally licensed driver
- Submit reimbursement only for driving their own vehicle
- Have automobile insurance covering their vehicle as required by law

Guidelines for use, number of miles, and the reimbursement rate will be included in the Spending Plan and approved by the Regional Center. Mains'l will reimburse mileage based on the details included in the Spending Plan. For reimbursement of mileage to medical appointments, medical mileage must specifically be in the Spending Plan.

Mains'l must have the POS authorization from the Regional Center 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 Participant or Managing Party make a change to the Spending Plan allocating additional dollars to mileage. Mains'l is unable to reimburse additional mileage until the revised plan has been approved by the Regional Center (if required) and the accompanying POS is received. This does not mean that the Employee is not required to be reimbursed, and the Employer is responsible for that payment.

### **Mileage Reimbursement Procedure**

Mileage will be recorded on a mileage log and submitted to Mains'l at least once per month or as incurred by the Employer's Employees. The log must include:

- ✓ the date
- ✓ daily start and stop odometer readings
- ✓ where the transportation for the Participant is from and to (name of locations - street addresses not required)
- ✓ total miles driven per entry
- ✓ total miles for the month
- ✓ reimbursement rate
- ✓ total due

The complete mileage log should be submitted to Mains'l for processing. If the Employee is submitting the mileage log directly to Mains'l, the form must include the Employee's signature and the Employer's signature. If the Employee is unable to obtain the Employer's signature, the Employee may sign their form and submit to the Employer via email. The Employer will forward the emailed form to Mains'l as their indication of approval.

Mileage submitted by 5:00 PM PST on Friday will be processed for payment the following Friday. Approved mileage logs should be submitted to [CAFMSPayments@mainsl.com](mailto:CAFMSPayments@mainsl.com).

If the total due exceeds the amount remaining in the Participant's Spending Plan, Mains'l will reimburse the Employee for the amount available. Mains'l will notify the Employer of the amount that could not be paid, and the Employer will be responsible for reimbursing the difference directly to the Employee. If the Employer chooses to revise the Spending Plan, the mileage reimbursement can be re-submitted to Mains'l once all changes have been approved and the remaining mileage will be paid. Reimbursements to Employees should not be delayed by this process and must be made promptly and in accordance with applicable law.

California law requires Employees receive reimbursement for reasonable and necessary business expenses, including mileage driven in the course of business other than their daily commute.

### **Employee Resignation/Termination Policy**

Unless the Employer provides an individual, negotiated agreement executed by their Employee that states otherwise, the employment relationship with the Employee is at will. The policy of at-will employment means that employment is voluntarily entered into, and the Employee is free to resign at will at any time, with or without notice or cause. The policy also means that the Employee may be terminated at will at any time, with or without notice or cause.

The Employer must instruct its Employees that it requires them to provide advance written notice of their intent to resign. It should include the date the notice is given, the last day of work, the reasons for the resignation and the Employee's forwarding address. The Employer must notify their Mains'l Support Specialist of the Employee's resignation immediately so the final paycheck can be processed properly.

The final paycheck will be processed in accordance with applicable legal requirements (which, for instance, in California would need to be paid on the Employee's last day of work for an involuntary termination).

### Employees Terminated for Performance/Misconduct

The Employer may terminate an Employee. However, the Employer must follow the Employee management policy to document the factors leading up to the termination, corrective measures taken, and final reason for termination. The Employer should furnish Employees with the limited, required written notification of their termination and provide the notice to their Mains'l Support Specialists as well.

Prior to an Employer terminating an employee, they must contact their Mains'l Support Specialist to begin preparations for final the Employees final paycheck.

### Inactive Employees

Periodically, Mains'l will request that the Employer review their list of active Employees and remove Employees who are no longer active with the last six (6) months. If an Employee is re-hired more than six (6) months, they are considered a new Employee and must follow the new hire policy before beginning work.

### Process for Employers and Mains'l Representatives

The Employer should notify their Mains'l Support Specialist of any changes in employment status (whether for inactivity, resignation, or termination).

### **Workplace Injuries & Workers' Compensation Policy**

If a work-related injury occurs, Employees should contact their Mains'l Support Specialist immediately. It is extremely important that any injury or illness occurring during or arising out of an Employee's employment be reported as soon as reasonably possible after the Employee becomes aware of the injury or illness, regardless of how minor it may appear. ***Employees should be told that failure to timely report any accident, illness or injury may affect their eligibility for any workers' compensation benefits to which they may be entitled, and that Employees who file fraudulent claims may be subject to termination.***

Mains'l will provide the Employee with the required forms to document the injury and submit a claim. Mains'l will provide instruction to the Employee in completing these forms, if necessary and requested, and Mains'l will submit the forms.

Employees are responsible for responding to requests from Mains'l, our claims adjusters or other consultants in a timely manner.

**UNDERSTANDING THE SPENDING SUMMARY**  
**\*\*Please refer to the sample Spending Summary\*\***  
If you have questions, please contact Mains'l

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**Section 1**

Section 1 contains:

- Demographic information regarding the individual. This includes name of individual, regional center, plan year, etc.

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**Section 2**

Section 2 contains:

- An overview of spending year to date (YTD)
  - *Total Amount Budgeted* is the total amount approved on the Spending Plan
  - *Total Remaining YTD* is the total amount of funds left in the Spending Plan
  - *Projected Spending YTD* is the estimated amount of funds to be spent at this point in the plan year
  - *Actual Spending YTD* is the actual amount of funds used from the Spending Plan
- % Over or underspent on budget items is the percentage variance between projected YTD spending and actual YTD spending.
  - If the percentage is positive, the individual is currently **underspent**
  - If the percentage is negative, the individual is currently **overspent**
- Each staffing line is highlighted here and lists the total hours budgeted, hours used and hours remaining.
  - The percentage is the variance between projected hours used and actual hours used
  - If the percentage/dollar amount is positive, the individual is currently **underspent**
  - If the percentage/dollar amount is negative, the individual is currently **overspent**

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**Section 3**

Section 3 contains:

- *Category/Sub Account/Modifier* is which service code each item approved is listed as in the Spending Plan
- *Budget Items Approved in Plan* is the name or title of each item approved in the Spending Plan
- *Amount Approved* is the total amount approved for each item
- *Amount billed this month* is the amount spent for each item in that reporting month
- *Amount billed since beginning of plan* is the total spent for each item to date
- *Amount remaining* is the amount left for each item in the Spending Plan

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**Section 4**

Section 4 contains:

- Details about Employee wages and fees that were paid for the month
- *Employee* is the name of the Employee who was paid
- *Budget Item* shows which line of the budget the funds came from
- *Pay Rate* is the hourly rate paid to the Employee
- *Hours* is the number of hours paid to the Employee
- *Amount* is the total amount billed to the budget

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**Section 5**

Section 5 contains:

- Details about vendor payments or purchases that were made for the month
- *Date* is the date the payment was made
- *Amount* is the amount of the purchase or payment
- *Description* is the details of the payment made
- *Budget Item* is the line of the budget item was billed to

SAMPLE

SAMPLE



Section 1

FMS Monthly Spending Report

Regional Center

Spending Summary for Month Ending: 2/28/2022

Plan Dates: 11/01/2021 - 07/31/2022

Revision Date:

Section 2

Plan Year (YTD) Overview

Total Amount Budgeted:	\$34,921.44	Total Remaining YTD:	\$24,462.91
Projected Spending YTD:	\$15,350.08	Actual Spending YTD:	\$10,458.53

-YTD means how much has been spent since the start of the plan.

% Over or Underspent on	Budget Items:	31.86 %				<input checked="" type="checkbox"/>
		<u>Hours Budgeted</u>	<u>Hours Used</u>	<u>Hours Remaining</u>	<u>% Over/Underspent</u>	<u>\$ Amount Over/Underspent</u>
Life Coach Staff (Regular)		1,181.00	440.00	741.00	15.24 %	\$1,268.12
+o Coach Staff (Respite)		109.00	0.00	109.00	100.00 %	\$773.20

Section 3

Budget Item Detail

<u>Category/ Subaccount/Modifier</u>	<u>Budget Items Approved In Plan</u>	<u>\$ Amount Approved</u>	<u>\$ Amount Billed This Month</u>	<u>\$ Amount Billed Since Beginning Of Plan</u>	<u>\$ Amount Remaining</u>
SOP L0316316	<input checked="" type="checkbox"/> MS Month Co Employer	\$1,485.00	\$165.00	\$680.00	\$825.00
SOP L0320320	<input checked="" type="checkbox"/> Reach ILS	\$4,187.32	\$270.00	\$1,080.00	\$3,107.32
SOP ECP331331	<input checked="" type="checkbox"/> Life Coach Staff (Regular)	\$18,896.44	\$1,600.00	\$7,040.00	\$11,856.44
SOP ECP331331	<input checked="" type="checkbox"/> Life Coach Taxes/Work Comp	\$3,308.80	\$280.00	\$1,232.00	\$2,074.80
SOP ECP334334	<input checked="" type="checkbox"/> Workshops	\$1,000.00	\$0.00	\$0.00	\$1,000.00
SOP 335EMPSUPPTS335	<input checked="" type="checkbox"/> Business Supplies	\$1,200.00	\$0.00	\$448.53	\$753.47
SOP ECP331331	<input checked="" type="checkbox"/> Coach Staff (Respite)	\$1,759.04	\$0.00	\$0.00	\$1,759.04
SOP ECP331331	<input checked="" type="checkbox"/> Coach Taxes/Work Comp	\$305.20	\$0.00	\$0.00	\$305.20
SOP ECP336	<input checked="" type="checkbox"/> Technical Assistance/Software	\$2,781.64	\$0.00	\$0.00	\$2,781.64
<b>Totals:</b>		<b>\$34,921.44</b>	<b>\$2,315.00</b>	<b>\$10,458.53</b>	<b>\$24,462.91</b>

Section 4

Payroll Detail for 02/01/2022 to 02/28/2022

<u>Employee</u>	<u>Budget Item</u>	<u>Pay Rate</u>	<u>Hours</u>	<u>Amount</u>
	Life Coach Staff (Regular)	\$16.00	100.00	\$1,600.00
	Life Coach Taxes/Work Comp	\$0.00	0.00	\$280.00

Section 5

Vendor Payments for 02/01/2022 to 2/28/2022

<u>Date</u>	<u>Amount</u>	<u>Description</u>	<u>Budget Item</u>
02/18/2022	\$270.00	1.3-1.24.22 ILS	Reach ILS

SAMPLE



## Transfer of Spending Plan Funds and Spending Plan Revision Policy

### **Transfer of Spending Plan Funds**

Under the Self-Determination Program (SDP), participants may request to transfer funds within their spending plan during their current individual budget year, including transfers between service codes or budget categories, as allowed by AB 143.

Before any transfer of funds can be completed, approval from the Regional Center or the participant's IPP team is required.

Mains'l will not process a transfer of funds without documented Regional Center approval.

### **Required Documentation**

To process a fund transfer request, Mains'l must receive:

- Written Regional Center approval for the transfer
- Updated authorization (if funds are moving between service codes)
- Updated spending plan, if required by the Regional Center

Mains'l will confirm when documentation has been received.

### **Review and Processing**

Once all required documentation is received, Mains'l will:

- Verify approval from the Regional Center
- Confirm the requested funds are available within the participant's individual budget
- Update internal systems and records
- Complete the transfer

If the requested funds are not available, Mains'l will communicate this to the participant and/or managing party.

Processing may take up to three (3) business days from the time all required documentation is received.

### **Confirmation**

Mains'l will notify the participant and/or managing party once the transfer has been completed.

### **Follow Up Communication**

Mains'l will make reasonable efforts to support the timely processing of spending plan revisions and spending plan fund transfers.



When Mains'l receives a request for a spending plan revision or identifies that additional documentation or authorization from the Regional Center may be required, Mains'l will notify the participant, managing party, and/or Regional Center of the documentation needed to proceed.

If required documentation or updated authorizations have not been received, Mains'l may follow up with the appropriate party to request the necessary information.

Processing timelines may be impacted when required documentation or authorizations have not been received.

Mains'l cannot implement spending plan revisions, process spending plan fund transfers, or issue payments until all required documentation and approvals have been received.

### **Renewal of Services Policy**

When a Spending Plan year ends, Mains'l will continue to provide services for the next Spending Plan year provided that all required documents are received.

### **Renewal of Services Procedure**

Before services can continue into a new Spending Plan year the following information must be completed and on file before services begin:

- ✓ An approved Spending Plan that identifies the specific goods and services.
- ✓ Service Authorization or Purchase of Services (POS) from the Regional Center giving Mains'l the ability to provide and bill for the service(s).
- ✓ Any other forms required by Mains'l to have on file.

### **Suspension of Services Policy**

Mains'l may suspend services when an Employer, Participant, or Managing Party fails to comply with program rules, regulations, policies, or procedures. Suspension is intended to protect the program integrity, ensure compliance with funding and regulatory requirements, and prevent unauthorized use of funds.

Services may be suspended for, but are not limited to, the following reasons:

- Failure to complete or submit the documentation required by the Regional Center to authorize services.
- Lack of available funds, overuse or exhaustion of individual service code or total budget amount.
- Missing or expired Authorization, Purchase of Service, or Spending Plan approval from the Regional Center.
- Noncompliance with federal, state, county, or program rules and regulations.
- Failure to comply with applicable labor laws or Mains'l policies and procedures.
- Credible evidence or reasonable suspicion of fraud, waste, or abuse.

### **Suspension of Services Procedure**

#### 1. Notification of Suspension

- When Mains'l determines that a suspension is necessary, a Mains'l Support Specialist will notify the Employer and the Regional Center in writing.
- The notice will include:
  - The reason for the suspension
  - The effective date of the suspension
  - The steps required for services to be reinstated
- Mains'l will also notify Employees in writing of the suspension

#### 2. Employer Responsibilities

- The Employer must notify all Employees in writing that they may not work during the suspension period.
- The notification must include the start date of the suspension
- If an Employee continues to work during a suspension, Mains'l will not be responsible for payment of wages for that time.

#### 3. Vendor Payments

- The Employer is responsible for notifying any vendors if the suspension of services will

- impact their payment for service.
  - Invoices submitted to Mains'l during a suspension will not be paid until services are reinstated and only if adequate funds and authorization are available.
4. Communication and Follow-Up
    - Mains'l will provide guidance to the Employer and Regional Center regarding the actions needed to reinstate services.
    - If reinstatement is not feasible, Mains'l will assist with transition planning and coordination to support the Employer and Participant.
  5. If Mains'l determines that reinstatement is not appropriate or possible, the Termination of Services Policy and Procedure will be followed.

### **Termination of Services Policy**

Either the Employer, Participant, Managing Party, or Mains'l may terminate services at any time. Termination may occur for voluntary or administrative reasons, such as a change in the Employer or Participant's needs, program eligibility, or compliance status. Mains'l will take all reasonable steps to ensure clear communication, proper notice, and coordinated transition support.

#### **Voluntary Termination**

An Employer, Participant, or Managing Party may choose to end services with Mains'l at any time. Common reasons include, but are not limited to:

- Services are no longer in the best interest of the Participant.
- The Employer chooses to transfer to a different Financial Management Service provider.
- The Employer no longer meets eligibility or program requirements.

#### **Involuntary Termination by Mains'l**

Mains'l may terminate services when an Employer, Participant, or Managing Party fails to comply with applicable rules, regulations, policies, or procedures. Mains'l will make reasonable efforts to consult with the Employer, Regional Center, and the support team to identify and resolve issues before termination when feasible.

Mains'l will provide the Participant or Managing Party and Regional Center with thirty (30) days written notice prior to the effective date of termination.

### **Termination of Services Procedure**

1. Notification of Termination
  - Mains'l will provide written notice to the Employer, Participant, Managing Party, and Regional Center indicating the reason for termination and the effective date.
  - The notice will include any relevant next steps and contact information for transition support.
2. Employer Responsibilities
  - The Employer must notify all Employees in writing that services have been terminated and that Mains'l will no longer provide Financial Management Services.
  - Mains'l will also issue written notice directly to Employees.
3. Vendor Communication and Payment

- The Employer must notify all vendors to stop sending invoices to Mains'l for any services rendered after the termination date.
  - Any invoices received by Mains'l for services provided after the termination date will not be paid.
4. Transition Support
- Mains'l will collaborate with the Employer, Participant, Managing Party, and Regional Center to ensure a smooth transition to a new provider.

### **Complaint Procedure**

In the event that you wish to initiate a complaint about Mains'l's services, please follow the procedure set forth below:

1. Submit your complaint in writing to your Mains'l Support Specialist. All reasonable attempts should be made by you and the Mains'l representative to resolve the complaint through discussion.
2. If the complaint is not resolved, then submit your written complaint to your Support Specialist's Supervisor. The Supervisor will schedule a time to discuss the complaint with you.
3. If the complaint is not resolved to your satisfaction after the discussion with the Supervisor, you may contact the FMS State Director, the highest level of authority in the Program: Stephanie Burggraff; ggisburggraff@mainsl.com  
Please submit your complaint in writing (via email) to Stephanie Burggraff and she will respond in writing within five (5) business days of receiving the complaint and/or otherwise reach out to discuss the complaint with you.

### **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.

All persons who access, use, transfer, or otherwise process information about individuals receiving medical care ("health information") must follow appropriate technical, procedural, and administrative safeguards which are designed to protect against the unauthorized access, use, or disclosure of such health information.

All persons who access, use, transfer, or otherwise process health information are subject to the Privacy Rule and Security Rule of the Health Insurance Portability and Accountability Act as codified in 45 CFR Part 164. Such individuals must be trained on the specific safeguards and restrictions relating to the access, use, or disclosure of such health information.

Health information may only be accessed or used for the purposes specified in the Notice of Privacy Rights which is presented on the day services begin. Any other use will require a signed authorization from the individual (or their guardian) to whom the health information relates.

Individuals to whom health information relates (or their guardians) have the right to access their health information upon request. Any person who maintains health information shall follow reasonable procedures to authenticate the individual and the health information that relates to such an individual before allowing access to health information. This access (including any

disclosure to an individual) will be documented as evidence to compliance with 45 CFR 164.528. Any access to health information by a third party must also be documented as a disclosure.

Any subcontractor who has access to health information must be under contract to the Employer where such contract fulfills the requirements of 45 CFR 164.314(a)(2).

In the event of an unauthorized access, modification, destruction, or disclosure of health information (a "Security Breach"), notice must be given to the Employer, the effected individual, Mains'l and the relevant authorities (at a minimum, the Department of Health and Human Services Office of Civil Rights). This notice must be made without unreasonable delay.

In addition to the foregoing, individuals who access, use, or otherwise process health information must comply with the policies and procedures in the relevant HIPAA compliance program. Failure to adhere to this policy or the HIPAA compliance program will lead to disciplinary actions up to and including termination.

### **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 support.

#### Notice of Privacy Rights

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

Sharing Information: Mains'l Employees will require a signed authorization from the Employer in order to share information with third parties, unless otherwise required by law. The Employer or their legal representative has a right to access and review their individual record and may request copies of pages in their record.

#### Security Breach Notification

Following the discovery of unauthorized access to, use of, or disclosure of health information (a "Breach"), the Regional Center shall be immediately notified.

In the event of an actual Security Breach which has compromised the safeguards noted in this policy, The Covered Entity and the Regional Center shall be provided as soon as practicable, but in any event within 24 hours after such Breach is discovered, a written notice including the identification of each individual whose unsecured health information has been, or is reasonably believed to have been, accessed, acquired, or disclosed during the Breach or suspected Breach.

Mains'l, the Regional Center, and any Covered Entity shall cooperate and shall mutually assist each other so that compliance with any obligations to investigate, remediate, mitigate, report, and or otherwise notify third parties of such Breach is fulfilled.

### **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.

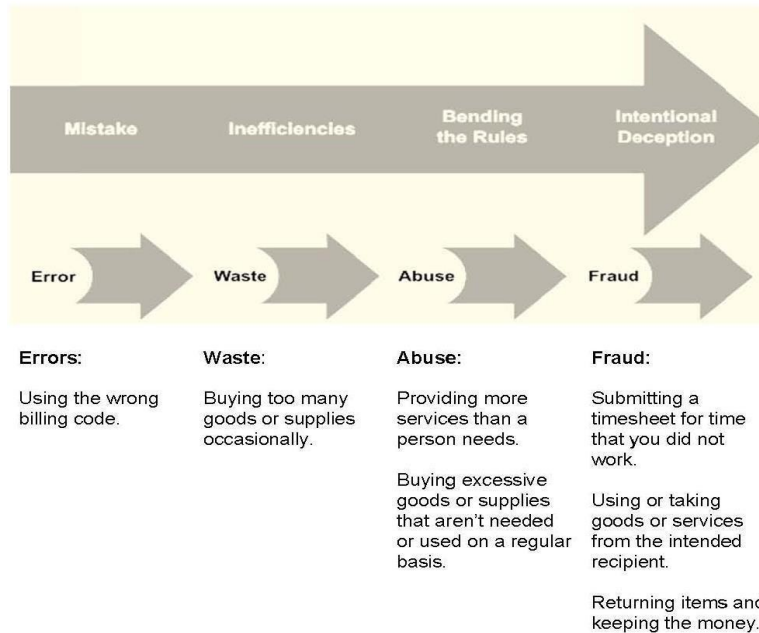
Although the terms Medicaid and Medicare fraud and abuse have slightly different meanings, depending on individual state law, they generally mean the same thing: any violations of the state and federal requirements related to the delivery of services to Medicaid or Medicare recipients.

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:



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

Any person, who submits a claim to Mains'l that they know, 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 reported to the regional center. Suspected waste should also be reported to reduce or prevent waste from continuing.

### **Responding to Suspected Abuse in California Policy**

California has laws to protect elderly and dependent adults that are used to inform our actions.

## **Responding to Suspected Abuse Procedure**

If you suspect, witness, or become aware of suspected abuse of dependent adult or elderly, report immediately! You are one of those people – a “mandated reporter.”

- Immediately call 911 if you observe or are aware of a physical or sexual assault in progress;
- Immediately (as soon as possible, but not more than 24 hours from initial knowledge) contact your Mains’l representative. Mains’l does not release identifying information about the mandated reporter unless given permission by the mandated reporter, or as required by law. Only information about the suspected maltreatment or injury is reported.

Where to report suspected abuse:

To report to Mains’l, contact your Mains’l representative

To report outside of Mains’l:

For Adults: Adult Protective Services 1-833-401-0832

For Children: See the appropriate phone number for each county in this policy

*Abuse must be reported.*

*You do not need to have proof that it has occurred.*

Who is considered a dependent adult? In general, any person who needs assistance to adequately care for him or herself, and is therefore at a greater risk of abuse, is considered a dependent adult. Based on California laws, any person receiving services from Mains’l is considered a dependent adult.

Who is considered a mandated reporter? A person who has assumed full or intermittent responsibility for care of a dependent adult, whether or not paid for that responsibility. Mandated reporters can include family, friends, hired Employees, contracted service providers, and volunteers.

What is abuse? For dependent adults, abuse is defined as physical abuse, serious bodily injury, neglect, or financial abuse, abandonment and isolation. Definitions of each type of abuse are provided below in the definitions section.

Who is required to report suspected abuse? While anyone can report, many people are required by law to report, including you. A complete list of who is required to report can be found in the Statutes listed above. Some professionals who are mandated reporters are people who work in the following areas:

- Care of vulnerable adults or minor children; including relatives and other paid and unpaid caregivers
- Healing arts
- Social services
- Hospitals, medical clinics, and nursing homes
- Psychological or psychiatric treatment
- Childcare and education
- Law enforcement and corrections
- Vocational rehabilitation
- Medical examiner or coroner

What is required to be reported? Suspected abuse must be reported within 24 hours of finding out.

Definitions of abuse are listed in this document.

Who do I report to? For the suspected abuse of a dependent adult, report to the California Adult Protective Services (APS). You may complete the documentation online with the (SOC 341). For suspected abuse in a licensed service, it also needs to be reported to the licensing entity Community Care Licensing (CCL) We also ask that you contact the Mains'l administrative on-call personnel.

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

- the continuation of abuse to the person
- you being removed from your 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. You also do not have to inform the person that you are making a report, go ahead and make the report if you suspect abuse has occurred.

Will I be protected from retaliation if I make a report? Yes, Mains'l will not retaliate against anyone for making a report in good faith (an honest report) and takes action to protect people who report. There are also laws in place to protect people who make good faith reports.

A 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.

#### Suspected Abuse Definitions for Adults

Abuse: Abuse can be physical, emotional, verbal, or sexual. This includes but is not limited to:

Physical Abuse:

- Physical assault
- Sexual assault
- Unreasonable physical restraint
- Deprivation of food and water
- Inappropriate use of physical or chemical restraint

Emotional Abuse:

- Verbal assaults, threats, and intimidation
- Subjection to fear, isolation or emotional stress
- Withholding emotional support
- Confinement

Neglect: Occurs when an individual's health and safety needs are not being met. This includes, but is not limited to:

- Failure to supply an 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 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 dependent adult. This includes but is not limited to:

- Failure to use the dependent adult’s financial resources to provide food, clothing, shelter, health care, therapeutic conduct or supervision for the individual, and the failure results in or is likely to result in detriment to the individual;
- Willfully using, withholding, or disposing of funds or property of a dependent adult without legal authority;
- 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 dependent adult against his or her will to perform services for the profit or advantage of another.

Remember... Respond immediately if you suspect, see, or hear about maltreatment!

- Immediately call 911 if you observe or are aware of a physical or sexual assault in progress;
- Immediately contact the Adult Protective Services
- We also ask that you immediately contact your Mains’l representative.

**References**

To view California statutes please go to <http://www.cdss.ca.gov/Adult-Protective-Services> Mandated Reporting Requirements, as specified in California Welfare and Institutions Code Section 15630 (See Appendix 3)

Employee Confidentiality Rights, as specified in California Welfare and Institutions Code Section 15633 (See Appendix 4)

**California County Emergency Response Child Abuse Reporting Telephone Numbers**

An updated listing can be found at: <https://www.cdss.ca.gov/reporting/report-abuse/child-protective-services/report-child-abuse>

<b>County</b>	<b>Contact Info</b>
Alameda County	(510)-259-1800
Alpine County	(530)-694-2235
Amador County	(209)-223-6550 – Mon thru Thurs 8:00 - 5:00; (209)-223-1075 – After hours
Butte County	(530)-538-7882; (800)-400-0902 – 24 hours
Calaveras County	(209)-754-6452; (209)-754-6500 – After hours
Colusa County	(530)-458-0280
Contra Costa County	(877)-881-1116
Del Norte County	(707)-464-3191
El Dorado County	(530)-642-7100 – Placerville; (530)-573-3201 – South Lake Tahoe
Fresno County	(559)-255-8320

Glenn County	(530)-934-6520; (530)-934-6519; (530)-934-1429 – Intake
Humboldt County	(707)-445-6180
Imperial County	(760)-337-7750
Inyo County	(760)-872-1727
Kern County	(661)-631-6011; (760)-375-6049
Kings County	(559)-582-3241 – 8:00-5:00; (559)-582-8776 – After hours (866)-582-8776
Lake County	(707)-262-0235; (800)-386-4090
Lassen County	(530)-251-8277; (530)-257-6121; (530) 260-8131 – After hours
Los Angeles County	(800)-540-4000 – Within CA; (213)-639-4500 – Outside CA; (800)-272-6699 – TDD Online Reporting: <a href="https://reportChildAbuseLA.org">https://reportChildAbuseLA.org</a>
Madera County	(559)-675-7829; (800)-801-3999
Marin County	(415)-473-7153
Mariposa County	(209)-742-0900 – Daytime; (209)-966-7000 – After hours
Mendocino County	(707)-463-7992 – Ukiah; (707)-962-1100 – Fort Bragg; (866)-263-0368 – Toll free
Merced County	(209)-385-3104
Modoc County	(530)-233-6602; (866)-233-4424
Mono County	(760)-924-1770; (760)-932-7549 – Sheriff Office; (800)-340-5411 – Hot Line
Monterey County	(831)-755-4661; (800)-606-6618
Napa County	(707)-253-4262; (707)-253-4261; (800)-464-4216
Nevada County	(530)-273-4291 – 24-hour
Orange County	(714)-940-1000; (800)-207-4464
Placer County	(916)-872-6549; (866)-293-1940
Plumas County	(530)-283-6300 – Sheriff Office; (530)-283-6350; (800)-242-3338 – Toll free
Riverside County	(800)-442-4918; (877)-922-4453
Sacramento County	(916)-875-5437
San Benito County	(831)-636-4190; (831)-636-4330 – After hours Police
San Bernardino County	(909)-384-9233; (800)-827-8724
San Diego County	(858)-560-2191; (800)-344-6000
San Francisco County	(415)-558-2650; (800)-856-5553
San Joaquin County	(209)-468-1333
San Luis Obispo County	(805)-781-5437; (800)-834-5437
San Mateo County	(650)-595-7922; (650)-802-7922; (800)-632-4615
Santa Barbara County	(800)-367-0166
Santa Clara County	(650)-493-1186 – North; (408)-683-0601 – South; (408)-299-2071 – Central
Santa Cruz County	(831)-454-2273; (877)-505-3299
Shasta County	(530)-225-5144
Sierra County	(530)-289-3720; (530)-993-6720
Siskiyou County	(530)-841-4200; (530)-842-7009 – 24-hour hot line
Solano County	(800)-544-8696
Sonoma County	(707)-565-4304; (800) 870-7064
Stanislaus County	(209)-558-3665; (800)-558-3665
Sutter County	(530)-822-7227
Tehama County	(530)-527-1911; (800)-323-7711
Trinity County	(530)-623-1314
Tulare County	(800)-331-1585
Tuolumne County	(209)-533-5717; (209)-533-4357 – After hours
Ventura County	(805)-654-3200
Yolo County	(530)-669-2345; (530)-669-2346; (888)-400-0022 – After hours
Yuba County	(530)-749-6288