

## NORTHCARE NETWORK

<b>POLICY TITLE:</b> Self Determination and Self Direction Policy	<b>CATEGORY:</b> Clinical Practices	
<b>EFFECTIVE DATE:</b> 3/10/21	<b>BOARD APPROVAL DATE:</b> 3/10/21	
<b>REVIEW DATE:</b> 9/19/22	<b>REVISION(S) TO POLICY STATEMENT:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>OTHER REVISION(S):</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>RESPONSIBLE PARTY:</b> Clinical Practices Coordinator	<b>CEO APPROVAL DATE:</b> 10/4/22 Dr. Tim Kangas, CEO	

### **APPLIES TO**

NorthCare Personnel  
Member CMHSP

### **POLICY**

It is the policy of NorthCare Network and it's CMHSP providers to recognize every individual's ability to live a self-determined life and offer the ability to enter into self-directed agreements for service provision. For children, this agreement between the agency and the child and their family/guardian is called Choice Voucher.

### **PURPOSE**

To ensure that CMHSPs assure the availability of self-directed services to all individuals, and actively assist individuals who enter self-directed arrangements. For the purpose of this policy, reference to self-directed service arrangements also applies to Choice Voucher arrangements for children and their families/guardians.

### **DEFINITIONS**

1. **Agency Supported Self-Direction (Also Known as Agency with Choice):** This allows the person to direct as much or as little employer and administrative responsibilities as agreed upon in the Individual Plan of Service (IPOS) and Agency Agreement while a provider agency serves as employer of record.
2. **Budget Authority:** The individual holds the authority related to the budget. The budget must be accessible, portable, and flexible.
3. **Choice Voucher Arrangements:** Choice Voucher is the name for self-directed services for people under the age of 18. This is because children cannot independently direct their services until adulthood.
4. **Employer Authority:** The individual recruits, hires, supervises, directs, and fires the support staff. The individual acts as the common law employer.
5. **Employer of Record:** The Employer of Record is the term for the person who is a legal employer. In much of the document a person who is self-directing will be considered the employer of record or a managing employer.
6. **Financial Management Service Provider (a.k.a. Fiscal Intermediary):** A FMS/FI is an organization or person independent of the CMH system that assists employers to manage the dollars Self-Directed budgets.
7. **Individual Budget:** An individual budget is the amount of money from community mental health given to pay for behavioral health services and supports as listed in the individual plan of services (IPOS). By using an individual budget, people have the power to make meaningful choices about how they control their services and live their lives.

8. **Managing Employer:** A managing employer is the person or designee who is acting in a supervisory role but is not considered the legal employer of record. All parents/guardians in a Choice Voucher Arrangement are considered managing employers.
9. **Person:** For the purposes of this document, “person” means a person receiving behavioral health services and supports.
10. **Person Centered Planning:** Person-centered planning is a collaborative, person-directed process designed to assist an individual to plan their life and supports.
11. **Qualified Provider:** A qualified provider is an individual or agency that meets the federal and state requirements in their contract to provide mental health services and supports.
12. **Self-Determination:** Self-determination (SD) is the right of all people to have the power to make decisions for themselves; to have free will. The goals of SD, on an individual basis, are to promote full inclusion in community life, to feel important and increase belonging while reducing the isolation and segregation of people who receive services. The principles of self-determination are autonomy, competence and relatedness which are building blocks of psychological wellbeing.
13. **Self-Direction or Self-Directed Services:** Self-direction is a method for moving away from professionally managed models of supports and services. It is the act of selecting, directing and managing one’s services and supports. People who self-direct their services are able to decide how to spend their CMH services budget with support, as desired.
14. **Supports Broker:** A Supports Broker is a paid individual that helps the person find and get the needed services and supports in their IPOS. A Supports Broker has a clear focus on helping people identify and meet goals to increase independence and quality of life.

## **REFERENCES**

- MDHHS Policies and Practices Guidelines [https://www.michigan.gov/mdhhs/0,5885,7-339-71550\\_2941\\_4868\\_4900---,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_4868_4900---,00.html)
- MDHHS technical advisory [https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Folder50/Folder7/Self-Direction\\_Technical\\_Guide.pdf?rev=6c8a86ad45c346d2b5c86026040b6b8a&hash=3B1403DA4708B5024A8C42F65350FE16](https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Folder50/Folder7/Self-Direction_Technical_Guide.pdf?rev=6c8a86ad45c346d2b5c86026040b6b8a&hash=3B1403DA4708B5024A8C42F65350FE16)

## **HISTORY**

NEW POLICY: 3/10/21

REVISION DATE: 12/14/21, 9/19/22

REVIEW DATE: 12/14/21, 9/19/22

CEO APPROVAL DATE: 1/4/22, 10/4/22

BOARD APPROVAL DATE: 3/10/21

## **PROCEDURES**

- A. Self-direction is an agreement between the person and the CMHSP. Self-direction shall be discussed as part of the person-centered planning process and offered at the time of the pre-plan. A person may choose to enter a self-directed arrangement at any time.
  - a. If choosing to self-direct services, the CMHSP must offer and explain the following options:
    - i. Direct Employment (also known as Employer of Record)

- ii. Agency Supported Self-Direction
      - iii. Purchase of Service Agreements
    - b. Additionally, the following must be made available as appropriate
      - i. Financial Management Services
      - ii. Supports Brokers
    - c. All self-directed service arrangements will have an individual budget.
- B. Choosing self-directed services does not change a person's access to medically necessary services nor relieve the PIHP/CMHSP of responsibilities to assist individuals in finding providers for services.
  - a. Ongoing support shall be provided to persons self-directing their services:
    - i. Options for self-directed services
    - ii. Individual rights and responsibilities
    - iii. Available resources
    - iv. The option for a supports broker or informal representative
    - v. Access to independent agency organizations (Arc's)
    - vi. Training for documentation requirements, role of the employer/employee, and budgeting
    - vii. Active management of the individual budget
    - viii. Support with staff recruitment, selection, management, and dismissal
    - ix. Coaching, mentoring, training, or other paid services needed for success
- C. While transitioning to self-directed services, the CMHSP must ensure there are no gaps in services during the transition period.
  - a. The CMHSP shall discuss with the person how they would like services to proceed while finalizing the self-directed arrangement and complete IPOS amendments as necessary.
- D. Self-directed services can be terminated by either party, however, if the CMHSP desires to terminate the agreement they shall provide advanced notification (not ABD notice), in writing, to the person identifying the concerns that have led to the possibility of ending the agreement and provide opportunities to problem solve and resolve the issues with the person. Termination should only occur if a mutually agreed upon solution isn't found, termination would require an ABD notice be provided. Services must continue during this transition period.
- E. Informational and outreach materials are to be created and maintained by the PIHP. These materials shall be available and offered by the CMHSP to all individuals served.
- F. The CMHSP will ensure staff and consumers/families are aware of self-directed services. This includes but is not limited to; administrators, direct support professionals, case managers/ supports coordinators, supports brokers, persons, and their families.