



*Central Chesapeake Region*

# Self-Directed Services Participant/Employer Handbook

SEPTEMBER 2023

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## Introduction

Participants/Employers receiving funding through Maryland Department of Health Developmental Disabilities Administration (DDA) or through the Office of Long-Term Services and Supports (OLTSS) may choose either a traditional provider delivery model or a self-directed services model. At The Arc, both options are provided and supported. Each participant decides which approach best fits their life. If you have received this handbook, then you have chosen to self-direct your services.

*Welcome! The Arc is very proud to serve you!*

As the Participant/Employer, it is important that you carefully read this handbook. This handbook will provide an overview of the Maryland Department of Health's Self-Directed Services program. Each section will guide you through important information that you will need to know as an employer and outlines your role in overseeing quality support services. Additionally, this handbook will explain the role of The Arc Central Chesapeake Region (The Arc) as the Financial Management & Counseling Services (FMCS) provider. The Arc supports the Participant or their representative with employer-related services. The Arc is responsible for assisting the employer with ensuring employee qualification and eligibility, processing approved timesheets, issuing payments, filing taxes, and many other services you will find described in this handbook. The Arc is not the employer of the persons you ultimately hire. Rather, The Arc is merely providing you with an administrative service for the employees you hire.

## What is Self-Directed Services?

Self-Directed Services is an option for service delivery for Participants with developmental disabilities and their families who wish to exercise more choice, control, and authority over their service needs. Self-Directed Services is founded on the principles of self-determination and provides Participants and families greater control over the services they receive, how they receive them, and who provides them.

Under the Self-Directed Services model of funding, the Participant with a disability or their chosen representative has both the choice and responsibility of who to recruit, hire, fire, train, and supervise to provide their services. The Arc is not involved in these functions. Choosing Self-Directed Services requires Financial Management & Counseling Services through a Maryland Department of Health approved provider.

## The Principles of Self-Determination for Participants

- **FREEDOM:** To decide how one wants to live his or her life.
- **AUTHORITY:** The Participant has authority over the support and service resources available to them.
- **SUPPORTS:** Organizing a network of support for the Participant, family, friends, and those who care.
- **RESPONSIBILITY:** Participants, with support, take responsibility for their decisions and actions to assure the wise use of public dollars.
- **CONFIRMATION:** Honoring the important leadership role Participants who receive public support play in changing their systems of support.

## The Role of the Financial Management & Counseling Services (FMCS) Provider

Financial Management & Counseling Services is a required administrative service funded by the Maryland Department of Health when Self-Direction is chosen by the Participant or their Representative. Any Participant choosing to self-direct will require the support and services of an FMCS provider, like The Arc, who can assist them in exercising their employer and budget authority.

In support of employer authority, participants can expect The Arc to assist Participants in verifying employee qualifications and eligibility, collect and process timesheets of employees, and process payroll, withholding, filing, and payment of applicable Federal, state, and local employment-related taxes and insurance.

In terms of budget authority, The Arc will maintain a separate account for each Participant's budget, track and report disbursements and balances of participants funds, and process and pay invoices for goods and services approved in the service plan. The FMCS provider will also provide Participants with periodic reports of expenditures and the status of their self-directed budget.

## Contact Information

Please see below for The Arc's general contact information. For more specific contact information, please check out the FMCS Contacts & Resources reference document on [The Arc's website for self-directed services](#).

### Phone/Fax

Feel free to call or e-fax toll-free. Lines are open 24 hours per day. Phones are answered by a live operator during business hours 8am-4:30pm. After hours, you may leave a message in the general inbox or at a specific extension.

Phone: 1.866.252.6871

Fax: 1.888.272.2236

### Website

Access the website to review the Self-Directed Services Contact Sheet with direct phone lines, staff emails, and email addresses for submitting documentation for processing.

<http://thearcccr.org/self-directed-services/>

### Office

Schedule an appointment for a face-to-face meeting.

The Arc Central Chesapeake Region  
1332 Donald Ave. Severn, MD 21144

### Business Hours

8:00am-4:30pm Monday-Friday (except holidays)

## Customer Service

The Arc provides individualized customer service to assist Participant/Employers with any questions or concerns they may have. You can contact customer service by:

1. Dialing the toll-free telephone number at 1.866.252.6871
  - Operators are available Monday through Friday 8:30 am - 4:00 pm
  - Automated answering system is available after hours and holidays
  - Translation and interpretation services are available
2. Submitting a Customer Service Ticket: <https://thearcselfdirection.zendesk.com/>

## Additional FMCS Resources & Tools

For additional resources and tools, please visit The Arc's website where there are [dozens of forms, videos, guides, and tutorials](#) ready to answer your questions.

## FMCS Roles and Responsibilities - Employer Authority

### Recruiting Workers / Process for Hiring Employees

Recruiting and hiring is in the hands of the FMCS Participant/Employer so it can be tailored to your exact needs and wants.

When it comes to the people you hire to support you, you want to choose people who are reliable and have the skills and experience you're looking for. Some participants choose to hire people they have known for years, and some choose to post job openings to online platforms like Indeed and LinkedIn. Either way, The Arc's FMCS team is here to provide steady support as we help onboard your new hires.

Depending on what you choose, your hiring process could range from very formal with several interviews with job candidates, to more informal if you propose the job opportunity to someone you already know.

Whenever you are posting job opportunities, interviewing candidates, or offering employment to candidates you want to hire, it can be helpful to clearly communicate essential pieces of information with them, such as the wage or salary for the position as well as whether or not the position will offer them health benefits, paid time off, sick leave, etc. As the employer, you decide the wages and benefits your employees will receive, and all of those choices must align with the funds available in your approved budget.

### General Recruitment Process

- Job opening becomes available
- You determine job details (wage/salary, health benefits, paid time off (PTO), sick leave, etc.) based on what your budget allows

- Post the job opening online and/or share job opening with friends, family, and community members you choose
- Review resumes and cover letters/letters of interest
- Interview candidate(s)
- Reject unqualified candidate(s)
- Make a job offer to qualified candidate(s) you choose
- Candidate accepts or rejects job offer (All job offers must be conditional based on background check and meeting qualifications and requirements.)

## Hiring Employees

Once you have offered a candidate a conditional offer of employment and they accept it, you are ready to move on to officially hiring the employee, which includes completing all new hire paperwork and submitting to the FMCS for review and processing.

### General Hiring Process

- New Hire completes CPR & First Aid training (unless they already have documentation of a current CPR & First Aid certification)
- New Hire and Participant/Employer complete the New Hire Packet and submit CPR & First Aid training certification to The Arc
- Participant/Employer submits New Hire Packet to The Arc's FMCS Team
- The Arc runs a background check on the New Hire
- Background check results are sent to the Participant/Employer if there is notice of any criminal history. (Please see process outline below under "Criminal Background Check Authorization Form" for more information about next steps and options for the Participant/Employer.)
- The Arc's FMCS Team completes the Employee Clearance Verification Form and provides it to The Arc's FMCS Team after all pre-employment requirements are met
- Employee can begin working on the official clearance date indicated on the Employee Clearance Verification Form

### New Hire Paperwork

All required new hire documentation is available on The Arc's self-direction webpage. The hiring process is technically initiated when The Arc's FMCS team runs the background checks and ends with the Employee Clearance Verification Form being issued with the clearance date indicated. Once a complete and accurate new hire packet is submitted by the Participant/Employer to The Arc's FMCS team, please allow at least five (5) business days for The Arc's FMCS team to process new hire documentation and to provide the Employee Clearance Verification Form.

When you are recruiting and hiring employees, The Arc will review new hire documentation for completion and accuracy. It is essential that new hires comply with state and federal regulations and training requirements. The Arc is available to address employee onboarding inquiries to ensure a streamlined process.

### Application & Documents in the New Hire Packet

On The Arc's website you will find The Arc's Self-Directed Services New Hire Packet with all required documentation to officially hire your new employee. If you need assistance

completing this packet, please reach out to The Arc at 1.866.252.6871 or open a customer service ticket at <https://thearcselfdirection.zendesk.com/>.

### Documents in New Hire Packet

- Employee Enrollment Document Checklist
- Applicant Data Form
- Payroll Information Form
- Form I-9 Employment Verification
- IRS Form W-4
- State Tax Withholding Forms
- Employee Special Tax Exemption Information & Declaration
- Pay Selection Form
- Self-Directed Services Employee Agreement
- Self-Directed Services Employee Handbook

### Criminal Background Check Authorization Form

The Arc is responsible for conducting the criminal background check, which is required in order for the employee to be cleared to work for the Participant/Employer and be paid from the Participant's budget. The Participant/Employer is informed of any criminal history. If the Participant/Employer wishes to continue to pursue onboarding of the potential employee, then they have the option to accept and waive the background check results and request the Maryland Department of Health - DDA's review and approval. Some offenses are immediately disqualifying in nature while others are not. Any criminal offenses over ten (10) years old may not be disqualifying. Ultimately, DDA determines if hiring may proceed given the employee's record. DDA will issue its determination within two (2) business days.

### Initial and On-Going Qualifications and Eligibility Requirements

It is the role of The Arc to assist the Participant/Employer by confirming their employee's initial and on-going qualifications and eligibility. The employee must achieve and maintain all education, training certifications, or licenses and other documentation as required by the Maryland Department of Health in order to meet the minimum qualifications to be eligible for payment for services, which includes First Aid and CPR training but does not exclude additional requirements. If an employee's certification/licensure lapses, The Arc is unable to provide payment from the Participant's budget to the employee. The Participant/Employer and/or their designee is responsible for identifying and providing all other training which includes, but is not limited to, understanding the needs specific to the Participant/Employer and their developmental disability.

### Employee Age & Education

- **Age**  
Employees must be a minimum of 18 years of age. Exception: Employees must be at least 16 years of age to provide respite care services.
- **Education**  
A High School Diploma or a GED is required to provide services. The Arc will complete an education verification as part of the employee's background check. Otherwise, a copy of the employee's High School Diploma or GED is acceptable for confirmation.



## Onboarding New Employees

Once all new hire requirements are met, an Employee Clearance Verification Form will be issued by The Arc's FMCS team to the Participant/Employer. No payments can be made to your employee from your budget prior to them obtaining this clearance.

## Direct Deposit & Mailed Check

As is required by state law, all employees are entitled to their compensation via check if they choose. However, there are many benefits to direct deposit and Participants/Employers are encouraged to make sure their employees know of this extremely efficient and effective option. Employees will automatically receive their pay via check mailed through United States Postal Service (USPS) unless they elect direct deposit. This selection must be made on the Pay Selection Form.

Live checks are subject to handling and delays related to USPS processing and delivery. If selecting payment by live check, employees must allow a minimum of ten (10) business day for delivery before contacting The Arc to request the check be reissued.

## Special Tax Exemptions

Employees may qualify for special tax exemptions and are required to complete and submit the Employee Special Tax Exemption Information & Declaration Form in order for payroll to process the exemption.

## Timekeeping Practices

Your role as the Participant/Employer is to ensure timekeeping practices in accordance with program regulations based on your Participant Agreement in alignment with payroll calendar due dates to facilitate timely processing and prompt payment for services. Late time submittal may result in a delay of payment to your employee. If time entries are submitted more than 30 days late, they may not be paid. This information is also available on the payroll calendar posted on the website.

The Arc will provide payment for services on behalf of the Participant/Employer following the submission of accurate and approved payment requests, within the constraints of the Participant's plan and budget. Payment will be for typical services rendered as assigned by the Participant/Employer and as outlined in the plan and Budget.

## Overtime Law

The Fair Labor Standards Act (FLSA) as well as Maryland law indicates that all non-exempt employees (employees paid by the hour who are eligible for overtime) must receive overtime pay for all hours worked over 40 hours in a single workweek. Overtime pay must be at least 1.5x their regular rate of pay. For example, if an employee's pay rate is \$20 per hour, their overtime pay rate would be \$30 per hour, just for those extra hours they worked. (For example, if an employee earning \$20 per hour works 45 hours in a week, their pay would be as follows: \$20 per hour x 40 hours = \$800 PLUS \$30 per hour OT rate x 5 hours = \$150, for a gross weekly total of \$950.) Overtime is not required to be paid for Holidays, PTO, etc. Please note that Family as Staff, as defined by the Maryland Department of Health (please see the Family as Staff Form on the [State's webpage for Self-Directed Services Forms](#)), are limited to payment for 40 hours per week unless granted an exception by the Developmental Disabilities Administration.

## Sick and Safe Leave Laws

Pursuant of Maryland law, if you have fewer than 14 employees, you must provide, at the very least, unpaid sick and safe leave for certain employees. If you have more than 15 employees, you must provide paid sick and safe leave for certain employees. More strict requirements apply to Participant/Employers residing in Montgomery County, Maryland.

For more information, please review information on the [Maryland Department of Labor's website](#). If you are an employer in Montgomery County, please see Earned Sick & Safe Leave Law (Montgomery County) on The Arc's website.

## Break Requirements

Neither Federal nor state law requires meals, smoke, or coffee breaks. However, most employers do offer short breaks (typically 5-20 minutes) and meal breaks (typically 30+ minutes). Short breaks are compensable work hours that should be included in the sum of hours worked during the workweek and considered in determining if overtime was worked. Meal breaks, however, are not work time and are not compensable if the employee is excused from working and can use their free time without restrictions. For more detailed information, please review the [U.S. Department of Labor's website](#).

## Managing Employees

Being an employer means you are responsible for managing employees equitably and respectfully. While managing your employees, any number of circumstances could arise from an employee getting injured on the job to an employee getting a raise. The Arc's FMCS team is here to support you in navigating these situations successfully. Please open a customer service ticket or reach out to The Arc's Employer-Employee Relations Team overseen by the Director Employer Resources.

## Managing Employee Payroll

The Arc's FMCS Payroll Team processes timesheets and electronic time entries for all active employees working for each individual Participant/Employer. The Payroll Team is responsible for setting up electronic timekeeping, processing paperwork related to special tax exemptions, and all matters related to tax forms and W-2s. The Payroll team also processes employee actions such as Employee Change Forms, Employee Termination/Inactivation Forms, and processing garnishments. It is the Participant/Employer's responsibility to get this information to The Arc's FMCS team for prompt action.

## Employee Promotions & Demotions

You are the employer, so it is your responsibility to determine eligibility for promotions or demotions. The Arc requires changes to your employee's status or wages to be provided in writing on the Employee Change Form located on The Arc's website. It is recommended that Employee Change Forms be completed and submitted at least two (2) weeks prior to the effective date of the change to allow sufficient time for processing.

## Employee Raises & Pay Cuts

You are the employer, so it is your responsibility to determine the pay rates and wages of your employees as long as pay rates are within the program's reasonable and customary rates (please see the [State's webpage for Self-Directed Services Forms](#)), make sense within your

budgetary constraints, and align with all federal and state requirements around wages and salaries such as minimum wage laws.

### Workers' Compensation

Workers' compensation includes the money paid to and benefits received by your employee if they are injured while working for you. The Arc provides Workers' Compensation Insurance for your employees on behalf of Participants/Employers. If employees are hurt on the job, the injury must be reported to The Arc within 24 hours of the occurrence so the workers' compensation insurance company can begin processing the claim and determining whether compensation is due to the injured employee to help cover medical costs, etc. If you do not report your employee's injury right away, the Workers' Compensation claim may be delayed or denied.

There is information available on the website under 'Worker Injury Reporting Information & Forms' including information on how to submit a claim and the claim form.

### Employee Benefits

As an employer it is your responsibility to determine what kinds of benefits you will offer your employees. What you offer must align with your approved plan and budget.

### Paid Time Off

Paid time off (PTO) can be factored into the budget during the person-centered planning process. Employees are eligible for any benefits included in the Participant's approved plan and budget. Participant/Employers can budget a certain number of hours to be paid out to the employee each plan year.

### Health Benefits

Health insurance benefits can be factored into the budget during the person-centered planning process. Your employees are eligible for any benefits included in the Participant/Employer's approved plan and budget.

### Updating Employee Personal Information

The Participant/Employer must notify The Arc of any change to their employee's name, address, phone number, direct deposit account, number of dependents, change in federal or state tax forms or other relevant information. This is done by completing an Employee Change Form in collaboration with the Participant/Employer and submitting to The Arc's FMCS team for processing. Please note that any name change requires confirmation via a Social Security Card copy submitted with the Employee Change Form. Updates must be communicated to The Arc within five (5) business days for the purposes of payroll and employee record updates.

### Service Code Updates

If a service code is updated, please complete an Employee Change Form and submit the form for processing. Please ensure the service is authorized in the approved plan and budget before submitting to The Arc's FMCS team for processing.

### Terminating Employees

In Maryland, employees work "at will," meaning an employee can be terminated for almost any reason as long as the reason is not unlawful. Working "at will" also means employees can

resign and leave employment for any reason at any time. Employees may leave for a multitude of reasons and while providing two weeks' notice is recommended, it is not required. Whether the employer initiates the termination, or the employee voluntarily leaves, The Arc is here to help the Participant/Employer with the off-boarding process.

### Termination Process

The termination process can be very straightforward. When an employee leaves employment, even temporarily, the Participant/Employer should complete the [Employee Termination & Inactivation Form](#) in its entirety within two (2) business days and provide details related to the status change so The Arc's FMCS team can process these administrative updates. Once your employee is terminated or inactive, they must submit a new New Hire Packet to be re-cleared to work at a later date.

### Unemployment Claims

The Arc provides Participants/Employers with unemployment insurance as part of its FMCS program. Employees who no longer work for you are entitled to initiate unemployment claims with the Maryland Department of Labor, Division of Unemployment Insurance. The Arc is contacted to provide information to the State based on the employee filing for unemployment benefits. The Arc may need to reach out to you for additional information than was provided on the Employee Termination Form. Please note that it may be in your best interests to attend/testify in an unemployment benefits hearing conducted by the State, particularly in circumstances where your employee voluntarily resigned, or you terminated them for their misconduct. You will be notified by The Arc should your testimony be requested.

## FMCS Roles & Responsibilities - Budget Authority

### Approving Timesheets & Time Entries

Participants/Employees, with the support of their team, are responsible for reviewing and approving employees' timesheets for actual services rendered, in accordance with policies, procedures, and program standards and to prevent Medicaid Fraud. Participants/Employees, with the support of their team, are responsible for monitoring and staying within their budget. Participants/Employees shall not exceed or overspend their budget.

Electronic timekeeping is strongly encouraged within self-directed services to advance transparency and efficiency with this administrative process. There are many benefits to electronic timekeeping. For example, electronic timekeeping does not require emailing or faxing timesheets, and there is no wondering if your employees' timesheets were received and processed. As soon as time entries are submitted by your employee, they can be approved electronically by the Participant/Employer and posted for payroll.

### Electronic Visit Verification (EVV):

Electronic Visit Verification (EVV) refers to technology that electronically verifies that services are delivered at the right time, in the right place, and to the right person. **EVV is required for Personal Supports and Respite.**

### Benefits of EVV for participants self-directing their services and their teams include:

- Helps ensure the Participant/Employer is receiving authorized services
- Makes employees' activities transparent and measurable
- Improves the quality of services
- Helps the Participant/Employer be good stewards of public resources
- Allows the Participant/Employer to view their service information online
- Makes submitting timesheets and reporting easier. Timesheets are submitted with a phone or tablet
- Provides records when employees start and stop working
- Reduces billing errors
- Helps to prevent fraud

Please see [The Arc's Tools & Technology webpage](#) for information regarding tools and software made available to Participants/Employers for electronic timekeeping and EVV compliance.

### Setting-up Vendor Accounts

All Participant/Employers seeking payments to vendors or reimbursements must complete a Vendor Payment Request Form in order to request payment. Vendors must provide their W-9 in order to be set up as vendors and ensure compliance with training requirements and background checks, when applicable.

Please note that supplemental documentation is often required for payments and reimbursements. Please refer to the Vendor Payment Request Form for more information regarding supplemental documentation based on payment type.

### Approving Invoices & Reimbursement Requests

The Arc's FMCS Accounts Payable team reviews and processes 1) vendor accounts and payment request documentation as well as 2) mileage reimbursement accounts and payment request documentation for your employees. All vendor and mileage reimbursement requests are processed in accordance with the Accounts Payable calendar as long as they are supported by the Participant/Employer's plan and budget and meet all documentation requirements.

The Arc's vendor payment software, Bill.com, is used for electronic payment by check or direct deposit. Bill.com is a cash disbursement and invoice management system that allows for transparency of payment to vendors with login credentials. Notification emails are sent when payment is processing. Bill.com also maintains vendor W-9 and payment history.

Please ensure Vendor Payment Request Forms are completed in full and submitted with the proper documentation and required signatures as indicated on the forms. Forms may be submitted by email, fax, or by document upload. Please see the FMCS Contacts & Resources Form on The Arc's website for more information. Please review The Arc's Accounts Payable Calendar & Info Form for detailed information about when payments are processed and holidays/events that may impact processing.

All payments are, by default, provided via live check delivered by USPS. To request direct deposit, employees and vendors are encouraged to open a customer service ticket to request an invite to create their own direct deposit profile.

## Vendor Payment Rejection

Payments are sometimes rejected during the review process. This normally happens when there is missing documentation or missing signatures from the Participant/Employer or their representative. Vendor payment request forms and mileage request forms that cannot be processed are not held pending corrections. When resubmitting, please be sure to resend all supporting documentation back to the provided emails for submission.

## Reviewing Your Budget Status

The Arc provides Participants/Employers and members of the Participant/Employer's team with access to spending data. The Participant/Employer dashboard shows real-time spending information and links your payments to the Participant/Employer's service budget. Information available on the Participant/Employer dashboard will include account status, budget balances, and payment history that is up to date within one (1) business day. Participants/Employers, with the support of their team, are responsible for monitoring and staying within their budget. Participants/Employers shall not exceed or overspend their budget.

## Changing Your Budget

Re-allocating funds and making budget modifications is something The Arc's FMCS Financial Reporting Department handles.

Without DDA's prior authorization, participants with the support of their team, may move funding across approved budget service lines only (please see [DDA's budget guidance](#) for more specific information).

To prevent any conflict of interest, the FMCS cannot process budget modifications that are completed or sent by a Support Broker or employee/paid vendor of the Participant/Employer. Budget modifications must be completed by the Participant/Employer with support of their team. The budget modification must be sent by the Participant/Employer and/or their Coordinator of Community Services (CCS).

## Complaints with FMCS

### Ticket System

The ticketing system gathers information about an issue and tracks an issue through to its resolution, usually about one (1) business day. Tickets are based on a topic area and routed to the appropriate Arc FMCS team members for resolution. The system tracks the status of any ticket you have submitted and maintains a ticket history. The system provides the FMCS team feedback about resolution timelines so that resources can be more appropriately allocated.

To access our Customer Support System and open a ticket, please visit <https://thearcselfdirection.zendesk.com/>. From there you can register or sign in, then create a ticket and check your email for responses.

## Who to Contact?

For the most up-to-date contact information, please see The Arc's FMCS Contacts & Resources reference document available on The Arc's self-directed services website which provides contacts for the team and processing inboxes for submittal.

## Timeline Expected

Your feedback is very important to The Arc. If you have a complaint or grievance regarding the services you receive from The Arc, please let The Arc know immediately. Responses are provided to all complaints and grievances in a reasonable and prompt manner. The Arc will work diligently to reach a resolution agreeable by all parties.

A complaint should be filed if you have an issue with something within reasonable control of The Arc. Issues with the employee onboarding procedures, handling of payment issues, or payroll website concerns would be some examples of functions within reasonable control of The Arc. Complaints may be made verbally or in writing. Written complaints may be submitted using the customer service ticket system accessed on The Arc's website.

If you feel your rights have been violated or you disagree with a policy of The Arc, you may file a grievance. Grievances must be submitted in writing for The Arc's review. Once you file a complaint or grievance, The Arc will work with you to address your concerns. If you are not satisfied with the initial recommendations, then the issue will be escalated to the appropriate manager, whose determination shall be final. All complaints and grievances will be responded to within reasonable timelines, allowing Arc leadership sufficient time to investigate the matter and provide feedback.

## Transferring From One FMCS to Another FMCS

You reserve the right to change FMCS providers in accordance with the guidance provided by Maryland Department of Health. To change providers, you should notify your Coordinator of Community Services (CCS or case manager) or your Support Coordinator. The Arc will work with the FMCS provider of your choice to ensure your services are uninterrupted during the time of the transfer.

Please refer to [the State's guidance on FMCS transfers](#) for specific forms required from the Participant and their team through the transfer process.