

What is self-determination?

Self-determination for a person with a developmental disability means being able to have real control over one's life. It is not a particular program or service. Self-determined people have supports that are tailored uniquely and specifically to that individual.

Some people with developmental disabilities can clearly express their wishes and needs, and are able to make choices independently. Many others can become self-determined by having family, friends, and trusted professionals help them choose how they want to spend their time and with whom.

What does self-determination mean in day to day life?

- Having control over daily activities: paid or volunteer work, continuing education, recreation.
- Choosing support: family, coworkers, friends, support staff.
- Deciding where to live: an apartment with a roommate, a house with friends, alone.
- Being able to set the rhythms of your day: what time to eat, when to go to sleep.
- Letting people with developmental disabilities, and their circles of support (see below) control their budgets and choose the services and supports that best meet their needs, benefits both the people served and their communities.

What are self-directed services?

Self-Direction is a way of providing services that gives people with developmental disabilities increased choice and control over their lives.

Self-direction has two basic features:

- *Employer authority* enables individuals to hire, manage and dismiss workers.
- *Budget authority* provides participants with a flexible budget to purchase the supports and services they need to live in the community.

What does self-direction with budget and employer authority (formerly called CSS) look like in New York State?

Self-direction with employer and budget authority (hereafter called "self-direction") is the name of New York State's current self-determination program. It is funded by federal (Centers for Medicare and Medicaid Services, or CMS) and state Medicaid funds, and administered through Office for Persons with Developmental Disabilities (NYS OPWDD). Implementing a self-directed plan requires a broker, a planning team (formerly called a circle of support), and a fiscal intermediary (formerly, financial management service).

The planning team is the key decision-making group in self-direction: its members support and advise the individual getting services. Among other things, team members assist with:

- Identifying the person's strength and gifts
- Finding community opportunities
- Recruiting staff

Who makes up the Planning Team (Formerly called Circle of Support)?

The team is made up of family members, friends, and trusted professionals, and must include the Medicaid service coordinator and broker. Teams vary greatly; some circles have three people, some have a dozen. Don't let concern about finding people for your team stop you from using Self-Direction!

Who is the broker?

The broker may be an independent contractor, or may work for an agency. OPWDD pays the broker for working with you on your self-directed plan.

What does the start-up broker do?

- Further explains the process
- Guides person-centered planning
- Writes the actual plan, including all of the budget calculations
- Helps to identify community connections and resources
- Acts as the intermediary between the team and the DDSO and steers the plan through the acceptance process

How do you choose a start-up broker?

Usually, you will get a list of brokers in your area; or, the liaison may suggest someone. It is important that you interview the broker before you hire them, as this person will have an important role in translating your child's dreams into reality.

What is a Fiscal Intermediary (FI)?

The FI is a non-profit agency that you hire, who will:

- Perform background checks on staff
- Keep the books and pay staff
- Monitor and report on the yearly budget
- Maintain records needed for Medicaid compliance

My child has high support needs; she needs to have someone around all the time. Can she use self-direction?

Yes! Self-direction is not just for people who require minimal support. The amount of funding the person gets depends on the level of need.

How are Personal Resource Allocation (PRA) levels determined and what is the annual PRA for self-directed supports?

The annual PRA is based on the region in which the individual lives, whether the individual lives in a certified setting, and on the outcome of the assessment completed, currently the DDP2. Please speak with your regional self-direction liaison or Front Door liaison to get specific information. The number of hours that a self-hired staff can provide is dependent on the wage and fringe paid to the staff, the individual's PRA, and other items in the individual's self-direction budget.

My child's budget was not approved and I don't think he will have enough support to live a safe, integrated life in the community. What can I do?

First, discuss the issue with your broker; if it cannot be resolved, contact your local DDRO liaison who may be able to help. The next step is to contact the Statewide Self-Direction Coordinator, OPWDD Division of Person Centered Supports.

If you cannot resolve a significant problem informally you have the right to appeal.

CMS requires states to inform individuals of the option to request a Fair Hearing if an "adverse action" is taken against someone served. These actions include:

- Denying an individual the service(s) of their choice or the provider(s) of their choice
- Actions to deny, suspend, reduce or terminate services.

If any of these problems occur, contact your local DDRO and ask about your right to appeal.

My child has “continuity of care” funding. How long will it last?”

To our knowledge, there is still no answer to this question.

Why has OPWDD “redesigned” CSS? It was working for my child. Are these changes a sign that this program will end in a few years?

CMS is requiring to all states to redesign services for people with developmental disabilities to stress community integration and fiscal responsibility. However they continue to emphasize the importance of self-direction and choice. It is expected that although there will be changes with the adoption of managed care, people will still be able to self-direct.

Want more detailed information about the changes in self-direction?

SEE: Self Direction and the Redesign of Consolidated Supports and Services

To begin the process of choosing self-direction and a self-determined life, visit OPWDD’s Front Door.
http://www.opwdd.ny.gov/welcome-front-door/Front_Door_Contact_Numbers

More questions? Contact us at nyselfd@gmail.com

