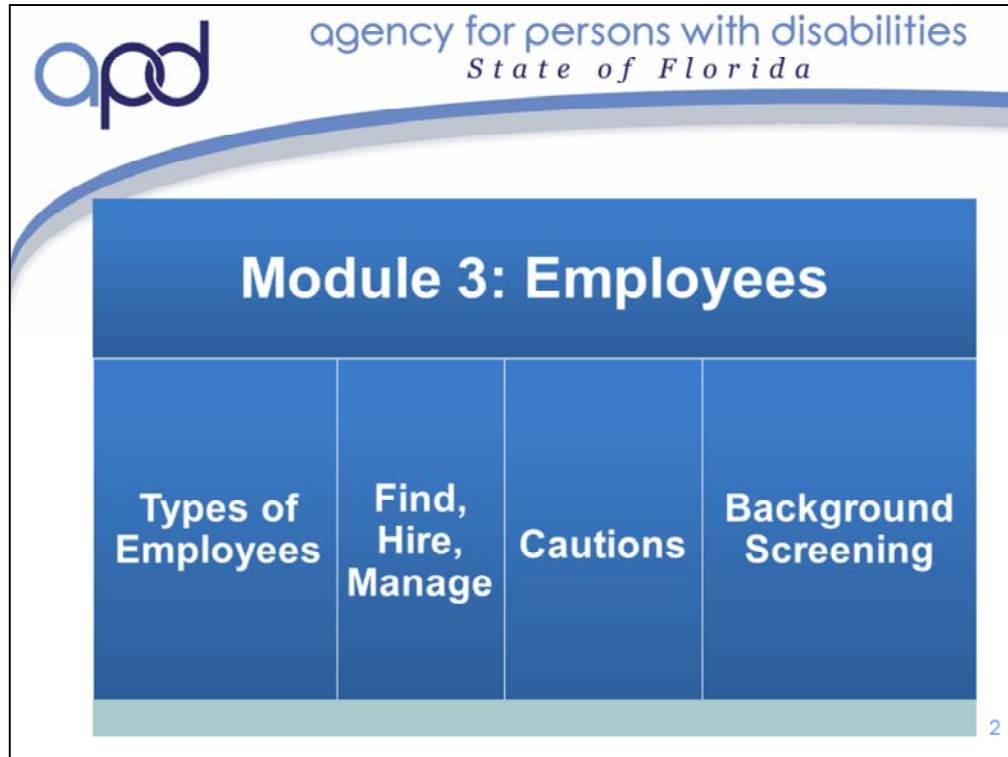


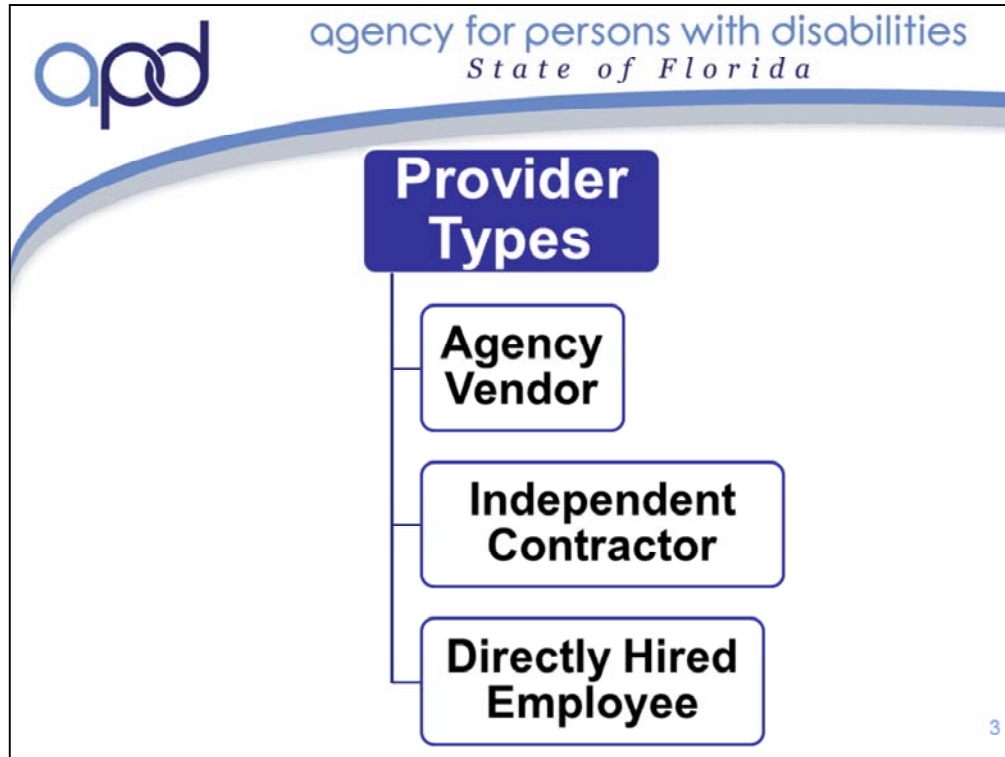


Welcome to the Consumer Directed Care Plus Consumer/Representative Training. This is Training Module 3: Employees. We are very glad to have you join us. We hope that you will find this an informational training that will help you determine if the CDC+ program is right for you.



**This is Representative Training Module 3: Employees. In this section, we will :**

- 1) Learn the three different types of Employees
- 2) Discuss ways to effectively Find, Hire and Manage Employees
- 3) Discuss laws that you need to be aware of when hiring people
- 4) Talk about Background Screening requirements



Before you can hire employees, you need to know what Type of Provider you are looking for.

In CDC+ there are three types of Providers:

Agency Vendors, Independent Contractors and Directly Hired Employees

In many cases, it is the type of service being purchased that will determine the type of provider you will need to hire.

In the CDC+ Handbook, each service that can be purchased in CDC+ is listed in Chapter 4, any provider qualifications which would include the provider type can be found there as well.



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## Agency Vendors

- **Established Business**
- **Provides Services or Supplies**
  - **Examples: ADT programs, Dentist, Consumable Medical Supply Companies**

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An Agency Vendor (AV) is a business that has already been established and is in business to provide the services or supplies you are looking to purchase.

If you hire an Agency Vendor, you will only be able to control the outcome of the service, not necessarily how the service is provided. The agency has been hired to provide care in the home, the agency will decide which of their employees will provide the service and their employees are trained by them.

There are established Agencies for many different services. A few examples are: Adult Day Training programs, Dentists, Nursing Agencies, Consumable Medical Supply companies. Any agency that is already an established APD provider would also be considered an A/V. Agency Vendors will send you an invoice stating the amount you owe them for the services they have provided.

A sample invoice will be shown later in training.



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## Independent Contractor

- **Single Person**
- **Licensed or Certified Professional**

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An Independent Contractor is someone who is in business for him or her self such as an Individual/sole proprietor or single-member LLC. They will have specialized training to provide the service that you hire them to provide. Just like with an Agency Vendor, you will only be able to control the outcome of the work performed.

Most of the time, an Independent Contractor will provide services like: Nursing, Therapies, or Dietary services. These are not the only types of services that could be provided by an Independent Contractor. Independent Contractors will send you an invoice stating the amount you owe them for the services they have provided. A Sample invoice will be shown later in training.

It is important that you properly classify your employees; you may be required to pay tax penalties for anyone you have miss-classified. If you are not sure if the person you are hiring qualifies as an Independent Contractor or a Directly Hired Employee, you will need to complete IRS form SS-8 and have them make the determination for you.



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## Directly Hired Employee

- **Everyone else**

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Everyone else you hire will be classified as a Directly Hired Employee. A Directly Hired Employee is any individual who is hired directly – not through an agency.

You will be able to control the details of the job – both what and how the job will be done. All DHEs will submit a timesheet to you at the end of each workweek that shows the

beginning and ending time per day for the services they have provided.



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## Finding and Hiring Employees

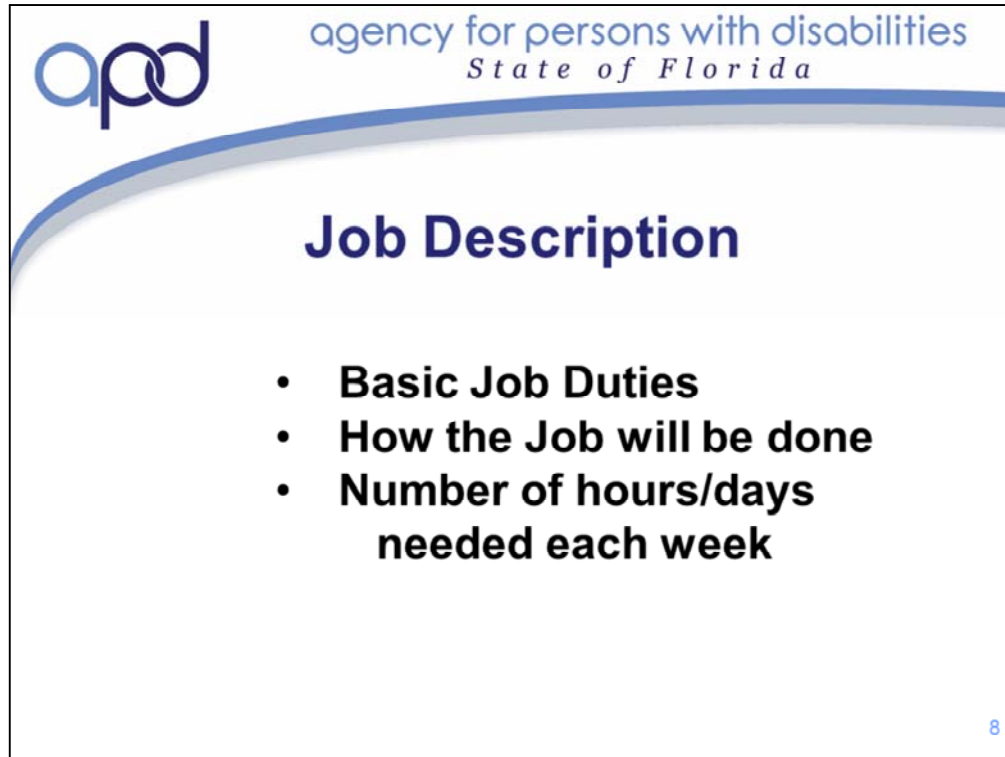
- **Job Description**
- **Interview Questions and Reference Checks**
- **Special Considerations**

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Before enrolling on CDC+, you will need to find people to work for you. Many of us have never had to hire or manage employees before and may not know exactly where to start in this process.

There are some steps you should take and things to consider before you hire *anyone* – even if you already have someone in mind.

You will want to decide the What and How of the job before you hire anyone. You will also want to set up some interview questions. It is also a good idea to review some basic rules and laws before you start so that you and your employee can make good and effective decisions.



Before you begin looking for employees, it is suggested that you start by writing a job description. By beginning with writing the Job Description, you will have a clear picture in your mind as to what the employee will be doing and how the services will be delivered. All Employees are required to sign a job description and an Employer/Employee Agreement; there is a form that can be used for both of these located in the Appendix to the How-to Guide.

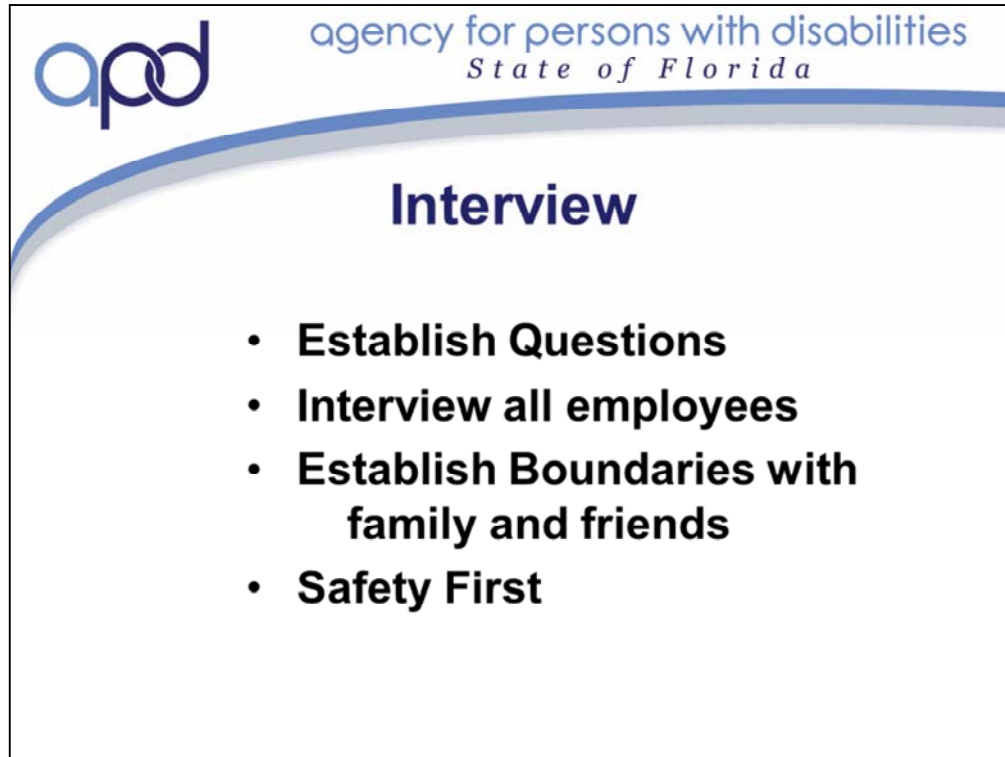
To write a Job Description, begin by looking at the stated needs and goals and thinking about the individual the employee will be working with.

Is Personal Care needed? If so, what are the needs and goals? What level of assistance is required? Is someone needed to complete the task for you, or just help out? Or do you need someone to help teach you how to complete the task on your own? Are there regular events or activities (such as Church) that you attend and will need either assistance getting to or assistance while you are there? Do you need an employee assistance with meal preparation or with eating? Is there a particular way you want the job done? These are all things that should be included in the Job Description.

- If one employee is going to provide more than one service, they will need a separate Job Description for each service. Keep in mind that if an employee works more than 40 hours a week they will have to be paid overtime. Overtime is based on time worked; regardless of how many services were provided.



Overtime is not considered a cost effective use of your CDC+ Funds.




Now that you have written a Job Description, you should use it to write up some interview questions. When creating interview questions, you should also consider any special qualifications you may need them to have. For example, do you need an employee who knows what to if you have a seizure? Do you needs someone who is familiar with behavioral challenges? Are you looking to hire someone who has experience assisting with transfers?

We recommend you interview all potential employees; even if it is a friend or family member. This can help to establish boundaries and differences between them as your employee and them as your family member. For example, if you live with your parents and will be hiring your mother or father to provide care for you; they will still need to be “mom” and “dad” after you hire them. Discuss what duties and or times they will be paid for and when they will be able to assist you as mom and dad; it isn’t fair to you if they are a paid employee all the time; you deserve to still have mom and dad be mom and dad. This is true for all friends and family you hire. If they are your friends and family, you should still have time to be with them without having to pay them to be with you. It is important to establish these boundaries up front so there are no questions or surprises once you fully enrolled in the program.

If you are planning to hire employees you do not already know, the interview will be even more important. Before you can interview, you must find someone to

interview. Finding potential employees can be as simple as letting others know you are looking for someone. You can also advertise through websites such as Care.com or your local newspaper. If there are any local colleges or universities; you might consider contacting people there. You could call the heads of departments such as Education or Social Work. When setting an interview with someone you have not met yet, begin with a telephone screening. Asking a couple of questions over the phone. If you like their answers, set up a face to face interview. We encourage you to use common sense when interviewing strangers. Set up the face to face interview in a public place such as a café or a park. If you are a Rep; it would be a good idea for the Employer/consumer to attend the interview as well. Bring an employee packet with you to the interview. That way, if the interview goes well and you decide to hire them, you can begin the process immediately.



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## Family and Friends

Benefits	Risks	Cautions
<ul style="list-style-type: none"> <li>• Easy to find</li> <li>• More affordable</li> <li>• Might already be a Live-in</li> </ul>	<ul style="list-style-type: none"> <li>• Harder to fire</li> <li>• Difficult to manage</li> <li>• Might make own decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Public Assistance</li> <li>• No contribution to SS</li> <li>• No contribution to Medicare</li> </ul>

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There are many things to consider when hiring employees.

There are benefits to hiring friends and family: You already know them; and they know you. They are easy to find and will likely be willing to work for a lower rate of pay; or they might be a live-in, which means they could feasibly work more than 40 hours a week without being paid overtime.

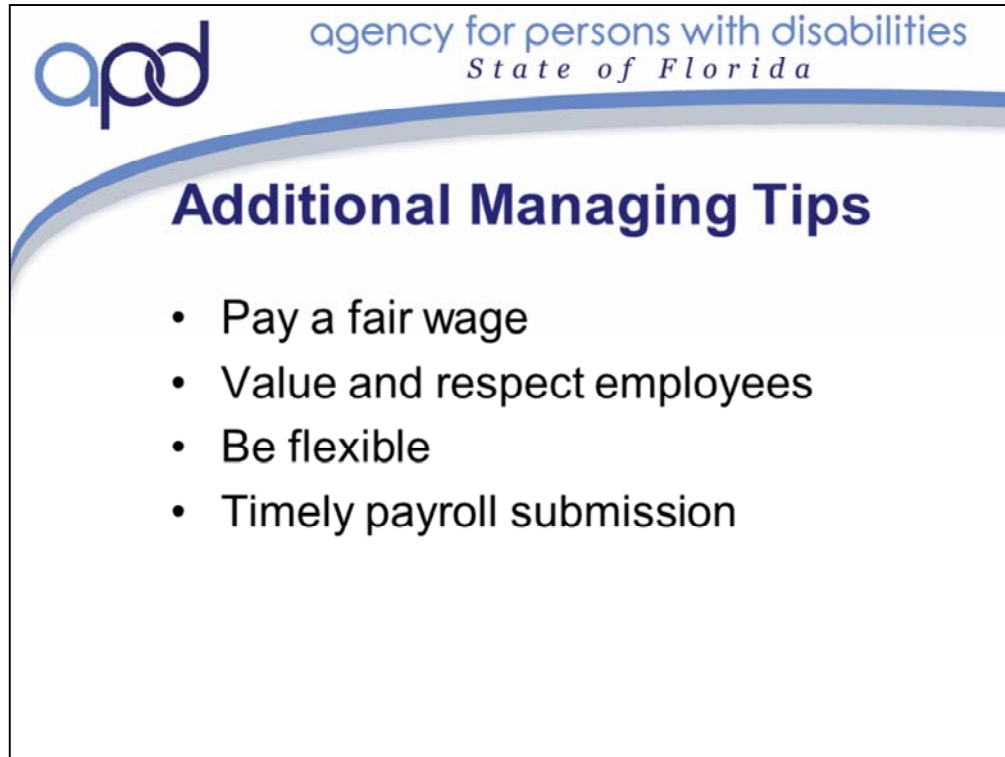
There are also some risks to hiring friends and family: it might be more difficult to fire them. It also may be more difficult to direct how they are doing the job. The change to the dynamic of your relationship could be difficult. They may decide that they know better than you do or may decide on their own to work different hours.

Before you hire your friends and family, make sure they know that: the paycheck they receive from you *does* count as income. The amount they receive will be included when calculating the total household income. If they or their household receive public assistance – such as food assistance, Medicaid, Social Security, or any other income dependent benefit or assistance, these benefits could be affected. They would need to check with their tax preparer or CPA.

If you hire your parent, step-parent or spouse (Relationship is to the CONSUMER, not the Rep) you will not pay employer taxes on their wages (per IRS Publication 926, Household Employer's Tax Guide). . This is important because it affects your parents' or your spouse's Social Security retirement benefits. It can also affect the future Social Security Disabled Adult Child benefit that adult children with disabilities

are entitled to when their parent who paid into Social Security dies, retires, or becomes disabled. If your parent does not pay into Social Security and then dies, retires, or becomes disabled, you will not be entitled to the Social Security Disabled Child benefit.

If your parent's or spouse's primary income over an extended period of time is from working for you, your parent or spouse should consider talking with their financial advisor to discuss ways to help compensate for the negative impact on their future Social Security retirement income. On the other hand, if a parent or spouse works a regular job and only works for you on an occasional or part-time basis, or for a brief period of time, the impact on the Social Security contribution may be minimal. This is an important issue to discuss before you hire your parent, step-parent or spouse.



Being a good manager will help you to retain your employees.

While there are certain reasons that would you qualify you to request additional funding in iBudget; giving raises to your employees is *not* one of them!

You will be unable to offer you employees health care, paid vacation or paid sick leave.

Happy employees tend to perform better on the job then unhappy ones – so, without being able to guarantee raises, health care, vacation or sick leave, how are you able to keep your employees happy?

Often, very simple things go a long way to let an employee know you care and value them as an employee.

Pay them a fair wage. Treat your employee with respect. Be polite when you are speaking with them. Tell them “Thank you” at the end of the day. Be flexible if they need time off. If they call in sick, use a back-up employee. Encourage them to take time off – even though they won’t be paid for time off, they will still need a break every now and then.

Also, be timely in your payroll submissions. Submitting Payroll timely will ensure that your employee will be paid timely for the work they have done. It is a program requirement that you submit payroll in a timely manner. We’ll discuss payroll submission in more detail in Module 4.



In January of 2014, the IRS issued Notice 2014-7 addressing the income tax treatment of certain payments to an individual care provider under a state Home and Community-Based Services Waiver (Medicaid waiver) program.

For more information, go to the Q & A link on the APD CDC+ homepage under Announcements and or speak to your tax professional.

CDC+ staff are not tax professionals and will not be able to provide any guidance to you about your specific tax filings or exemptions.

Please note that there is no requirement to renew the exemption, however it is the employees responsibility to notify us if there are any changes and they no longer qualify for the exemption.



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## Department of Labor

- **Minimum wage**
- **Child Labor laws**
- **Workers Compensation Insurance**

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As an employer, you are required to adhere to all rules and regulations put out by the Department of Labor.


This includes minimum wage requirements, child labor laws, and workers compensation requirements. Links to DOL forms are available on the “Household Employer Forms” page of the APD CDC+ Website

If you hire more than 3 regularly scheduled Directly Hired Employees, you are required to buy workers compensation insurance.



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## Background Screening

 AGENCY FOR HEALTH CARE ADMINISTRATION

HOME ABOUT US MEDICAID LICENSURE & REGULATION FIND A FACILITY REPORT FRAUD

### AHCA Portal - Login

This Portal Login page will allow an authorized user access to external systems maintained by the Agency for Health Care Administration (AHCA) for the purpose of viewing and maintaining information.

#### AHCA Portal Login

User ID:

Password:

[Forgot Your Password?](#)  
[Reset Password Instructions](#)  
[New User Registration](#)

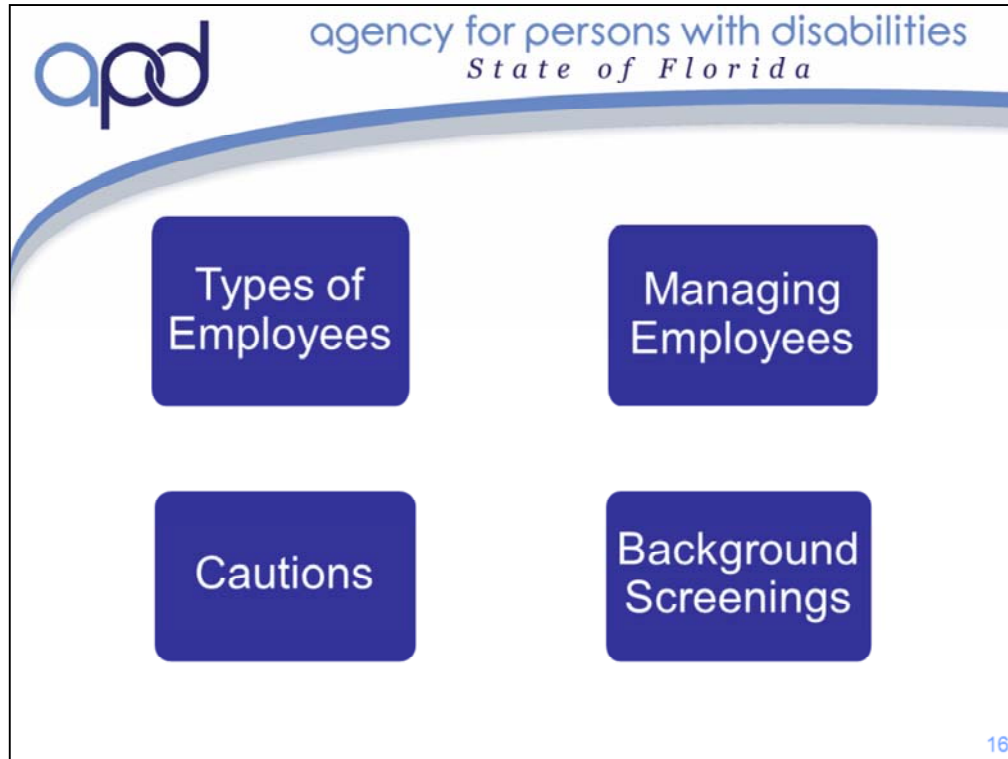
Everyone one who works for you must pass a Level 2 background screening.

CDC+ participates in the Background Screening Clearinghouse. The Clearinghouse gives you greater control over background screenings. Before you can send an employee to be screened, you must first register to use the Clearinghouse. Once you have completed your registration and have been accepted as a user, you will want to log in to the system every few months to keep your registration active. If your registration becomes inactive you will have to register again. Since registration takes a few days to a few weeks to be accepted, it can slow down the process if you need to hire a new employee quickly.



There is a Background Screening Clearinghouse PowerPoint presentation in the Training and Education portion of the APD CDC+ Website. This PowerPoint walks you through how to register in the Clearinghouse as well as how to enter in Employee information, find Background screening Results and how to add an employee to your Roster in the Clearinghouse system.

Once you have received your Budget Authorization Form from CDC+, you will be able to register for the Clearinghouse to begin the screening process. You will need to follow the steps outlined in the PowerPoint. If you have any questions along the way, call CDC+ Customer Service and someone will be able to assist you.



You should now know the different types of Employees you can hire on CDC+. You learned about hiring, firing and other tips for managing employees. You are, also, now aware of some additional cautions to consider when hiring someone. We have also discussed the background screening requirements and where you need to go to learn more about registering for the background screening clearinghouse.

Module 4, will discuss more about how Payroll and what you are required to do to ensure all employees are paid.



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## **Thank you for your participation**

For additional questions, please call:

**Mindy Whitehead**

[Mindy.Whitehead@apdcares.org](mailto:Mindy.Whitehead@apdcares.org)

**850-414-6691**

**CDC+ Customer Service**

**1-866-761-7043**

*CDC+ Website <http://apdcares.org/cdcplus/>*

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Thank you for your participation.