



Missouri Department of Health and Senior Services

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Director

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MEMORANDUM FOR VENDORS OF CONSUMER DIRECTED SERVICES

From: Brenda F. Campbell, Director *Brenda F. Campbell*
Division of Senior and Disability Services

Subject: Organized Health Care Delivery System (OHCDS)

Vendors of Consumer-Directed Services (CDS) are enrolled as an Organized Health Care Delivery System (OHCDS) with the Department of Social Services, Division of Medical Services (DMS). Therefore, since Personal Care Attendants (attendants) are not employees of the Vendor, the Vendor must have a contract in place with each consumer's attendant in order to receive Medicaid reimbursement in accordance with 42 C.F.R. §447.10 (2005).

Requirements for this contract are outlined in 42 C.F.R. §434.6 (2005) and should include, but *are not limited to*, the processing of payroll on behalf of the consumer, the submittal of claims for reimbursement to DMS on behalf of the consumer, and any other expectation of the attendant. The Department of Health and Senior Services (DHSS), by virtue of the contractual agreement between DHSS and Vendors, holds Vendors accountable for many items. Therefore, the contract with the attendant can prescribe what the Vendor expects from the attendant in order to fulfill the Vendor's obligations to DHSS.

The two federal regulations mentioned above can be found at http://www.access.gpo.gov/nara/cfr/waisidx_05/42cfrv3_05.html. It is recommended that Vendors consult their legal counsel to ensure all federal requirements are met.

If you have questions regarding this memo, please contact programintegrity@dhss.mo.gov.

BFC/GH

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