



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: Good Cause Waivers

The Division of Senior and Disability Services (DSDS), has received numerous inquiries regarding whether or not persons with a finding on the Family Care Safety Registry (FCSR) are allowed conditional employment pending the results of a good cause waiver application. This memorandum is being sent to clarify the employment requirements for personal care attendants who provide Consumer-Directed Services (CDS).

Section 208.909.4, RSMo states "No state or federal financial assistance shall be authorized or expended to pay for personal care assistance services provided by a personal care attendant who is listed on any of the background check lists in the family care safety registry under sections 210.900 to 210.937, RSMo, unless a good cause waiver is first obtained from the department in accordance with section 660.317, RSMo." This requirement is reiterated in 19 CSR 15-8.400 (7) (B) which went into effect July 30, 2006.

Although the Department allowed for conditional employment for a one-year transition period, vendors will not be reimbursed after September 1, 2006 using state or federal funds for services provided by any individual who has a finding on the FCSR until a good cause waiver has first been obtained.

- Effective September 1, 2006, consumers choosing to employ an attendant whose good cause waiver determination is pending, will not have access to reimbursement using state or federal funds for the period of employment pending the determination.
- Individuals who have a good cause waiver application pending **prior to** September 1, 2006, may continue to be reimbursed pending the waiver decision.
- Vendors who, prior to September 1, 2006, have been reimbursed for services provided by an attendant during the period of time pending the determination of a good cause waiver application will not be subject to recoupment of those reimbursements.

Any questions regarding this memorandum may be directed to the Bureau of Quality Assurance by e-mail at ihcontracts@dhss.mo.gov.

BFC/RS/cs

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