

PARTICIPANT EDUCATION, TRAINING, AND ADVOCACY SUPPORTS

I. APPLICABILITY

A. This policy applies to:

1. People receiving Developmental Disabilities Administration (DDA) funded services through its Traditional or Self-Directed Services Delivery Model;
2. Their families and/or legal representatives; and
3. Coordinators of Community Services; Self-Directed staff, vendors, Support Brokers; Financial Management and Counseling Services agencies; DDA providers; and DDA staff.

II. IMPLEMENTATION DATE

- A. This policy begins 30 days after posting and overrides any other policies or guidance related to Participant Education Training and Advocacy Supports.
- B. In the event of a public health or state of emergency, this policy can be overruled by any and all federal authorities.

III. PURPOSE

This policy describes the requirements and guidance for Participant Education, Training and Advocacy Supports, funded through a DDA-operated Medicaid Waiver Program ~~(i.e., Community Pathways Waiver, Community Supports Waiver, or Family Supports Waiver)~~ or State funds.

IV. DEFINITIONS

- A. "Coordination of Community Services" are targeted case management services ~~provided~~ to help ~~people~~ participants receiving and or requesting services funded by the DDA. Targeted case management services are provided in accordance with [COMAR 10.09.48](#).
- B. "Coordinator of Community Services" or "CCS" is an individual who

provides Coordination of Community Services. They can be either ~~as~~ an employee or contractor of a DDA provider ~~of Coordination of Community Services~~.

- C. "DDA Medicaid Waiver Program" is one of three Medicaid Home and Community-Based Waiver Programs operated by the Developmental Disabilities Administration that serve eligible children and adults with intellectual and developmental disabilities. These programs are approved by the Centers for Medicare & Medicaid Services and include the:
1. Family Supports Waiver;
 2. Community Pathways Waiver; and
 3. Community Supports Waiver.
- D. "DDA Provider" is an individual or entity that is licensed or certified and/or approved by the Maryland Department of Health to provide DDA-funded services to people participants(s) in accordance with the DDA's requirements.
- E. "Department" is the Maryland Department of Health.
- F. "Financial Management and Counseling Services" or "FMCS" [formerly called Fiscal Management Services or FMS] are services provided to support a person participant using the DDA Self-Directed Services Delivery Model in using their budget authority and, if applicable, employer authority. FMCS services include, but are not limited to:
1. Processing claims for payment for Waiver Program services in accordance with the person's participant's self-directed budget allocation; and
 2. Verifying that the DDA provider, vendor, or direct support staff meet all qualifications to provide the Waiver Program service.
- G. "Legal guardian" is either:
1. A natural or adoptive parent of a person under the age of 18;
or

2. An individual person who has been appointed by a court order as guardian of the person. ~~or property of another person.~~
- H. "Legally Responsible Person" is an individual who has a legal obligation under the provisions of Maryland law to care for another individual. This includes:
1. A parent of a minor (either natural or adoptive), legal guardian; or
 2. An individual otherwise legally responsible for the care of a minor.
- I. "Organized Health Care Delivery System" or "OHCDS" is a public or private organization that delivers health services. OHCDS are approved by the Department of Health to provide Waiver Program services to a person participants, in accordance with, COMAR 10.22.20
- ~~J. "Participant" is an individual who receives DDA-funded services.~~
- J. "Participant Education, Training and Advocacy Supports" is a service that includes education and training for a person participants directly related to building or acquiring skills.
- ~~K. "Person" is an individual who receives DDA-funded services.~~
- L. "Person-Centered Plan" or "PCP" is a written plan that is developed by a planning process driven by the person individual with a developmental disability in order to:
1. Identify their goals and preferences ~~of the individual with a developmental disability~~;
 2. Identify services to support them to the individual in pursuing the individual's personally defined outcomes in the most integrated community setting;
 3. Direct the delivery of services that reflect their individual's personal preferences and choice; and
 4. Identify their individual's specific needs that must be

addressed to ensure the individual's health and welfare.

M. "Relative" is a natural or adoptive parent, step-parent, or sibling of an applicant or person getting DDA-funded services participant who is not also a legal guardian or Legally Responsible Person.

N. "Self-Directed Services-~~(SDS)~~-Delivery Model" or "SDS Delivery Model" is a model of service delivery that the DDA provides through its Waiver Programs. In the SDS Model the person participant (not the provider) has:

1. The power and responsibility for overseeing, coordinating and directing the services they have been approved to receive;
2. Budget authority over how the Medicaid funds are spent to purchase authorized services; and
3. Employer authority to recruit, hire, train, and supervise the staff and service providers they want to hire.

O. "Traditional Services Delivery Model" is a service delivery model that the DDA provides through its Waiver Programs. In the Traditional Model the person participant chooses a DDA Provider who is responsible for overseeing, coordinating, and providing their approved services.

P. "Waiver Program Service" is a service funded by a DDA-operated Medicaid Waiver Program.

V. POLICY

A. Participant Education, Training, and Advocacy Supports provides funding for the costs associated with training programs, workshops, and conferences to help the person participant to:

1. Develop self-advocacy skills;
2. Exercise their civil rights; and
3. Develop and enhance skills needed to control and be responsible for their support services.

- B. Participant Education, Training, and Advocacy Supports are available to ~~people participants~~ who need them as documented in their Person-Centered Plan (PCP).

VI. STANDARDS

A. Participant Education, Training and Advocacy Supports:

Participant Education, Training and Advocacy Supports include:

1. Enrollment fees ~~enrollment fees~~ to access the training program, conferences, and workshops;
2. Books and other educational materials; and
3. Transportation so the ~~person participant~~ can attend and participate in the training program, workshop, or conference.

B. Exclusions

Participant Education, Training, and Advocacy Supports does not include:

1. Tuition;
2. Airfare; or
3. Cost of meals or lodging.

C. Criteria to be Eligible

- 1 A ~~person participant~~ may be eligible to receive Participant Education, Training, and Advocacy Supports if:
 - a The ~~person participant~~:
 - i Is enrolled in a DDA-~~operated~~ Medicaid Waiver Program;
 - ii Has an assessed need for this service, which is documented in their approved PCP.
 - b All other available and appropriate funding sources have

been explored, exhausted, and documented in the ~~person's participant's~~ file prior to accessing DDA funding for this service, including, but not limited to:

- i Maryland Medicaid State Plan;
 - ii Division of Rehabilitation Services (DORS);
 - iii State Department of Education; and
 - iv Department of Human Services; and
- c The request for funding of this Waiver Program service meets all requirements in this policy, guidance, and the DDA Medicaid Waiver Program application.

2 If the ~~person participant~~ requires more Participant Education, Training, and Advocacy Supports than are covered and provided by the Medicaid State Plan, a request can be made under this Waiver service. However, the DDA Medicaid Waiver Program may only pay for additional costs that are:

- a Not covered;
- b Consistent with the DDA Medicaid Waiver Program's objectives of avoiding institutionalization; and
- c Necessary to meet the goals in the PCP.

D. Special Service Requirements and Limitations

1. Participant Education, Training and Advocacy Supports is limited to ten (10) hours of training per ~~person participant~~ per Person-Centered Plan year.
2. The amount of training or registration fees for registration costs at specific training events, workshops, seminars or conferences is limited to \$500 per ~~person participant~~ per Person-Centered Plan year.
3. Participant Education, Training and Advocacy Supports cannot ~~shall not~~ be provided at the same time as ~~the direct provision~~

~~of~~ Transportation Services.Requirements to be Paid for Services

1. A provider of Participant Education, Training and Advocacy Supports, ~~the provider~~ must be a:
 - a. Participant Education, Training and Advocacy Supports Agency; or
 - b. Participant Support Professional.
2. Under the Traditional Services Delivery Model the DDA Provider must:
 - a. Be a DDA-certified provider of Participant Education, Training and Advocacy Supports; and
 - b. Ensure that staff meet all qualifications as outlined in the approved DDA Medicaid Waiver Program application at the time of service delivery;
 - c. Keep documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance, and the DDA Medicaid Waiver Program application.
3. Under the Self-Directed Services Delivery Model all qualifications must be met:
 - a. As outlined in the approved DDA Medicaid Waiver Program application at the time of service delivery; and
 - b. As confirmed by the Financial Management and Counseling Services (FMCS) agency.
4. People in the Self-Directed Services Delivery Model and their FMCS agencies must keep documentation and records regarding delivery of services in accordance with the applicable laws, regulations, policies, and guidance, and the DDA Medicaid Waiver Program application.
5. Required documentation for Participant Education, Training,

and Advocacy Supports includes the following:

- a. A copy of the training or conference agenda;
- b. An invoice detailing the costs of the training, conference or materials; or
- c. A signed and dated acknowledgement from the person ~~participant~~ of attendance or receipt of materials.

F. Rates/Billing

1. Rates shall be reasonable, customary, and necessary, as determined by the person's ~~participant's~~ needs and recommended by their team.
2. Rates under the Traditional Service Delivery Model are posted on the [DDA Rates and Invoices](#) webpage and [LTSSMaryland](#) webpage.
3. ~~People in Participants under~~ the Self-Directed Service Delivery Model determine pay rates based on the reasonable and customary rates posted on the [DDA Self-Directed Forms](#) webpage.
4. Providers of Participant Education, Training, and Advocacy Supports and FMCS agencies must follow authorization and documentation in accordance with the [DDA Guidelines for Service Authorization and Provider Billing Documentation](#).
5. Under the Traditional Service Delivery Model, Participant Education, Training, and Advocacy Supports are billed in LTSSMaryland or PCIS2, based on [DDA guidance for Operating in PCIS2 and LTSSMaryland](#).
6. Under the Self-Directed Service Delivery Model the person ~~participants~~ must submit invoices as per their FMCS agency's policies and practices.

G. Legally Responsible Individuals, Legal Guardians, or Relatives Requirements

A Legally Responsible Person, relative, or legal guardian ~~of the participant~~ cannot be paid by the Waiver Program , either directly or indirectly, to provide this Waiver Program service.

VII. LEGAL REFERENCES

- A. [Family Supports Waiver](#)
- B. [Community Pathways Waiver](#)
- C. [Community Supports Waiver](#)
- D. [COMAR 10.09.48](#)
- E. [COMAR 10.22.20](#)

VIII. RELATED POLICIES

- A. Family and Peer Mentoring Supports
- B. Family Caregiver Training and Empowerment Services
- C. Transportation Services

IX. REFERENCE MATERIALS

- A. [DDA Self-Directed Forms](#)
- B. [DDA - Service Authorization and Provider Billing Documentation Guidelines - Revised 2.5.2021](#)

X. ATTACHMENTS

- ~~A.~~ Participant Education Training and Advocacy Supports At A Glance