


DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

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MEMORANDUM

To: Employers Using DAIL Service Funding to Hire Independent Direct Support Providers

From: Stuart Schurr, Deputy Commissioner, Department of Disabilities, Aging and Independent Living (DAIL) 

Date: January 29, 2015

Re: IMPORTANT UPDATE: Rescinding "Policy" on Bonuses and Payment for Sick, Vacation or Other Leave

The Department has recently become aware of the attached "Bonus Policy for DDAS Programs with Flexible Spending 4/28/10" memo. Please be aware that this "policy" was never finalized and is not a policy that is approved by the Department. To that end, the attached memo is rescinded.

Even though you may not have ever billed sick, vacation or other time off as if billing for services provided, you are receiving this memo because you employ an independent direct support worker for an individual funded through DAIL.

In sum, DAIL will no longer allow for payment of sick, vacation or other time off for these workers, even if it is noted on the employee's time sheet that the employee was sick, on vacation or otherwise not working. The Department is evaluating the "bonus policy;" however, at this time, bonus payments will also not be allowed. We apologize for any inconvenience this may cause, but please understand that DAIL is taking this action in order to ensure that billing and payment through DAIL programs comply with all relevant Medicaid rules, terms and conditions and that Medicaid is only billed for services that are actually provided.

As a result, ARIS Solutions has been instructed not to process payment for time off or bonuses at this time.

If you have questions about this memo as they relate to Developmental Services, you may contact DAIL's Developmental Disabilities Services Division at (802) 871-3065. Questions about this memo concerning Choices for Care may be directed to DAIL's Adult Services Division at (802) 871-3069.

cc: Designated Agency Executive Directors, Developmental Services Providers,
Transition II, Area Agency on Aging Executive Directors, Home Health Agency Executive
Directors

Bonus Policy for DDAS Programs with Flexible Spending

4/28/10

The Department of Disabilities, Aging and Independent Living, Division of Disability and Aging Services (DDAS) has several programs that include a flexible funding option with consumer (self)/family managed services. Consumers/families who manage their services through a flexible spending option have several options they may choose from to create incentives for hiring and retaining staff (workers). Employers may choose to pay different wage rates, benefits for time off, and/or raises. The purpose of this policy is to describe a bonus option as an additional hiring and retention tool.

Consumers if they choose may plan for and budget to give care giving staff/workers a bonus. The bonus can be based on successful completion of a probation period, a merit reward for outstanding assistance during a crisis or for a good job performance at time of performance evaluation. At hire, the employer establishes a wage rate of pay. A bonus **may** be used as an incentive.

DDAS programs use different terminology to describe the person who employs staff and "staff". Program specific terminology will be used in the program procedure following the bonus **Maximums and Limitations.**

Maximums and Limitations:

- Bonuses must be **planned** for in the consumer budget whether or not it is used.
- Funding plans must be authorized per program requirements.
- Bonuses can only be paid if that amount remains in the consumer budget at time of payment.
- Additional dollars will not be added to a consumer's funding total for the purpose of a bonus.
- Bonuses in total cannot exceed 2% of the consumer's annual or semiannual funding. This amount includes only those funds managed by the consumer, family or shared living provider.
- Bonuses are included with payroll so all applicable taxes are withdrawn.
- A bonus may not be given simply because there is left over funds in a participants allowance at the end of the authorization period.