



AGING PROGRAM DIRECTIVE

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Program Area: Aging Services	Disposition: Rescinds APD # 18-01-04
Origin: Bureau of Aging Services	Contact: Older Americans Act Services Division RA-PAgingServices@pa.gov

Subject: ISSUANCE OF REVISED AGING SERVICES POLICY AND PROCEDURE MANUAL – CHAPTER VI: CAREGIVER SUPPORT PROGRAM

To: Pennsylvania Department of Aging
Area Agencies on Aging
Pennsylvania Association of Area Agencies on Aging
Pennsylvania Council on Aging

From: 
Robert Torres
Secretary

Purpose: The purpose of this Aging Program Directive (APD) is to provide notification of updated Caregiver Support Program (CSP) policy and procedural requirements in response to the passage of Act 20 of 2021, and identify key enhancements and revisions made to the program.



Background:

The Pennsylvania Department of Aging (PDA) previously provided the Area Agencies on Aging (AAA) with programmatic information and procedural guidance for the CSP through the issuance of Chapter VI: Caregiver Support Program of the *Aging Services Policy and Procedure Manual* via Aging Program Directive (APD) #18-01-04. On June 11, 2021, Governor Wolf signed Act 20 of 2021 into law. This updated state statutory requirements for the CSP to provide greater flexibility for the administration of the program and to bring it into better alignment with the Older Americans Act (OAA). The CSP Policy Chapter has been revised to reflect the changes of Act 20 of 2021 and a change to the limitations on spending for Grandparents/Other Older Relative Caregivers as a result of the 2020 reauthorization of the OAA. Key changes include:

- Removing the prior statutory limitations on the maximum monthly reimbursement amount and the lifetime cap that can be reimbursed for Home Modifications and Assistive Devices, and granting PDA the authority to set those limits;
- Removing the aggregate limitation which previously required AAAs to limit reimbursement to \$200/month when the AAA's average monthly reimbursement exceeded \$300 across its entire CSP caseload;
- Adding new references to the Adult Protective Services Act and child protective services as prohibitions to enrollment in the CSP;
- Updating statutory definitions and providing additional flexibility in using federal and state funds for all eligible populations; and
- Removing the previous 10% limitation on total CSP spending on older relative caregivers per the OAA of 1965 (P.L. 89-73) as amended and reauthorized in 2020 (P.L. 116-131), 42 U.S.C. §§3001 *et seq.*

Following the passage of Act 20 of 2021, PDA reviewed the current CSP Policy Chapter and made revisions in accordance with the new Act, along with some additional revisions for clarity. This updated CSP Policy Chapter, which is part of the *Aging Services Policy and Procedure Manual*, is posted on the PDA website with links to chapter appendices and additional reference documents, allowing all users to have easy access to the information. The document can also be printed by local users. PDA will not provide hard copies of the documents.



**Directives: Aging Services Policy and Procedure Manual
 Chapter VI: Caregiver Support Program**

The Caregiver Support Program provides assistance to individuals who assume primary responsibility for the provision of care for functionally dependent or disabled adults, individuals of any age with Alzheimer’s Disease or a related disorder, and dependent children who are related to, but not the children of, the Caregiver. The purpose of the program is to alleviate the stress associated with caregiving and support the caregiving relationship by focusing on the Caregiver’s well-being. This program encourages Caregiver respite and may provide financial reimbursement for caregiving-related services and supplies. The services available through the Caregiver Support Program are not an entitlement and are subject to eligibility requirements.

The following provides a brief summary of each section of the CSP policy chapter and highlights selected key revisions to each section per Act 20 of 2021, the OAA as amended and reauthorized in 2020, and other revisions made for clarity:

Section I: Program Eligibility Requirements

The primary focus of the CSP is to serve the identified Caregiver who is the eligible consumer in the program, not the Care Receiver. The Caregiver is the individual enrolled in the Social Assistance Management System (SAMS).

Section I.A identifies all eligibility requirements needed for individuals to receive services through the CSP. Caregivers must be actively involved or engaged in various aspects of care on a regular, but not necessarily daily, basis.

This section also identifies those situations when a Caregiver is not eligible for CSP. Act 20 of 2021 specified additional prohibitions relating to abuse, neglect, exploitation, or abandonment. These related prohibitions from enrollment in the CSP include:

- The Primary Caregiver is a perpetrator in a substantiated case of abuse, neglect, exploitation, or abandonment as defined in the Act of November 6, 1987 (P.L. 381, No. 79), known as the Older Adults Protective Services Act, as specified in 6 Pa. Code Chapter 15, or pursuant to any other civil or criminal statute regarding an older adult.



- The Primary Caregiver is a perpetrator in a substantiated case of abuse, neglect, exploitation, or abandonment as defined in the act of October 7, 2010 (P.L. 484, No 70), known as the Adult Protective Services Act.
- The Primary Caregiver is a perpetrator in a substantiated case of child abuse as defined in 23 Pa.C.S. Chapter 63 (relating to child protective services).

PDA no longer has the authority to authorize CSP services to continue for the Caregivers referenced above, even when services may prevent further abuse.

Section I.B describes the eligibility categories for Caregivers. Act 20 of 2021 aligned the CSP eligibility categories with the OAA which will allow the use of both state and federal funding for all eligible Caregivers. Care enrollments will no longer be designated by funding streams in SAMS. This section provides greater clarity regarding Caregivers eligible to participate in the program.

Section II: Program Enrollment Requirements

This section identifies the requirements and process for enrolling individuals in the CSP, care enrollments in SAMS, and the procedures for implementing wait lists.

Assessments

The Caregiver Assessment Tool (CAT) is used to identify and record the needs of Caregivers who participate in the program. The CAT must be completed for all Caregivers, including Caregivers who are Grandparents and Other Older Relative Caregivers of Children.

Caregivers shall be reassessed using the CAT every six months. A new CAT shall also be completed when a Care Receiver turns 18 and other Care Receivers who are children and under age 18 remain in the home.

A home visit to complete the CAT shall be scheduled and the CAT completed within 10 business days of the initial referral to the Care Manager. The CAT shall be reviewed and signed by the Care Management Supervisor within 10 business days of the home visit.



Care Receivers shall have a Needs Assessment Tool-Express (NAT-E) completed only upon enrollment of the Caregiver into the program. Completion of a NAT-E is not required for Care Receivers of Grandparents or Other Older Relative Caregivers of Children.

Care Enrollments

The Caregiver is the consumer in CSP and is the individual enrolled in SAMS. Based on the changes due to Act 20 of 2021, there are now two care enrollments in SAMS for CSP. See Appendix D for more information on entering care enrollments in SAMS. The applicable care enrollments for CSP are:

- CSP - Caregiver Support Program
- CSP – Grandparent/Other Older Relative Caregiver

Wait Lists

Only one wait list shall be maintained for CSP. Instructions for how to place Caregivers on a wait list are outlined in this section and in Appendix D of the chapter.

Section III: Caregiver Support Program Services

This section outlines the CSP services that shall be offered by the AAA to Caregivers participating in the program. All CSP services shall meet the applicable service standards for the program.

Reimbursement is available for funds expended by the Caregiver for ongoing expenses for services or supplies directly related and necessary to the care being provided to the Care Receiver. Caregivers may not receive reimbursement for caregiving expenses paid to a relative.

Act 20 of 2021 allows PDA to establish the maximum amount available to a qualified Primary Caregiver. The Caregiver's lifetime cap for Home Modifications and Assistive Devices has been raised to, and shall not exceed, \$5,000 for the purchase of a home modification or assistive device, subject to the determined reimbursement percentage.

The following items were added to the list of non-reimbursable items:



- Braces
- Medical Marijuana and Cannabidiol (CBD) Oil

Section IV: CSP Care Plans

This section outlines AAA responsibilities with respect to care plans. Care Management shall be listed as an active service in every CSP care plan. CSP care plans shall cover a six-month time period.

Care Plan Cost Caps

Act 20 of 2021 allows PDA to establish the maximum reimbursement amount available to a qualified Primary Caregiver. The monthly care plan cost cap for Caregivers enrolled in the CSP has been raised to, and shall not exceed, \$600, subject to the Caregiver's determined reimbursement percentage. Justification of the approved CSP monthly care plan cost cap shall be documented in a journal entry titled "CSP – Care Plan Cost Cap Justification" in the Caregiver's record in SAMS (see Appendix D).

Accumulation of Benefits

Caregivers are permitted and strongly encouraged to accumulate unused monthly benefits for the purchase of extended respite care or other supportive services that would allow for a longer break from caregiving responsibilities. This section outlines how accumulated benefits are earned and used. A minor revision was made for clarity to indicate accumulated benefits may not be used for reimbursement for Home Modifications or Assistive Devices.

Section V: Reimbursement Determination and Application

This section outlines how the reimbursement percentage for Caregivers receiving CSP services is determined and applied to approved expenses. Only minor revisions for clarity based on related changes in other areas were made in this section.

Section VI: Administrative Requirements

This section outlines fiscal and additional administrative responsibilities of AAAs concerning the administration of the CSP.



Funding Allocations

With the passage of Act 20 of 2021, the \$300 aggregate average monthly reimbursement cap for all CSP cases was eliminated. AAAs may authorize CSP care plan amounts up to a maximum of \$600 per month based on identified need without having to be concerned with an aggregate average limitation.

Per the OAA as amended and reauthorized in 2020, there is no longer a requirement to limit CSP spending on Grandparents/Other Older Relative Caregivers of Children and Older Relative Caregivers of an Adult with a Disability to 10% of the overall CSP funding allocation. AAAs will no longer need to track CSP expenditures to ensure funding for these Caregivers is below a specified percentage. With the passage of Act 20 of 2021, AAAs may use both state and federal funding to serve Grandparents/Other Older Relative Caregivers.

Changes to Appendices:

Appendix A.1 of the Caregiver Support Program Chapter contains a quick reference chart of the program's eligibility factors and applicable SAMS care enrollments. This chart is intended to be printed and used as a desk reference for Care Managers. This appendix was updated to reflect the two care enrollments for CSP.

In an effort to create consistency across the AAA network, and aid in the monitoring process, the Department has added a number of specific SAMS journal entry types/titles for specific activities. These are identified throughout the CSP Chapter. In addition, Appendix D of the CSP Chapter contains additional SAMS-specific data entry requirements. Appendix D was updated to clarify several SAMS-related data-entry questions posed by the AAA network since the CSP Policy Chapter was first published in July 2018.

Appendix C.1 Conditions of Participation-Certificate of Accountability Form was updated to include an additional statement. This statement reads, "*I understand that I may not receive reimbursement of costs associated with the payment for caregiving services provided to my Care Receiver by relatives.*"



Additional Directives for Implementation of Changes

New Consumers

All new Caregivers enrolled into the CSP as of August 10, 2021, shall be enrolled using one of the two care enrollments and shall be eligible for care plans, based on identified needs from the CAT and actual monthly expenditures or anticipated expenses for eligible services and supplies, up to the monthly maximum of \$600, subject to the Caregiver's determined reimbursement percentage. Caregivers are eligible for Home Modifications and/or Assistive Devices, based on identified needs from the CAT, up to the new lifetime limit of \$5,000, subject to the Caregiver's determined reimbursement percentage.

Existing Consumers

Existing Caregivers enrolled in CSP prior to August 10, 2021, shall, at the time of their next re-assessment, have their care enrollment changed to "CSP - Caregiver Support Program", if previously enrolled as CSP-State or CSP-Federal. At the time of re-assessment, existing Caregivers shall be eligible for care plans, based on identified needs from the CAT and actual monthly expenditures for eligible services and supplies, up to the monthly maximum of \$600, subject to the Caregiver's determined reimbursement percentage. The Caregiver's lifetime limit for Home Modifications and/or Assistive Devices, subject to the Caregiver's determined reimbursement percentage, shall be increased to \$5,000. Any previous costs for Home Modifications or Assistive Devices shall be applied to the new lifetime limit.

This Chapter continues to include the following Appendices:

- A.1 – CSP Eligibility Quick Reference Chart
- A.2 – CSP Service Standards
- C.1 – Conditions of Participation/Certificate of Accountability Form
- C.2 – CSP Self Employed/Independent Contractor Declaration Form
- C.3 – Caregiver Reimbursement for Services and Supplies Form
- C.4 – Caregiver Reimbursement for Personal Care and In-Home Respite Services Form
- D - SAMS Data Entry Requirements
- E.1 – 6 PA Code Chapter 20: Family Caregiver Support Program
- E.2 – Older Americans Act of 1965 (as amended in 2020)



- E.3 – Pennsylvania Family Caregiver Support Act of 2021
- F.1 – Acceptable Proof of PA Residency
- F.2 – CSP Reimbursement Percentage Guide
- F.3 – Resources for Caregivers of Children