

Personal Assistance Services Program (PASP) – Regulatory Change Fact Sheet

Statutory Citation: N.J.S.A. C.30:4G-21
Regulatory Citation: N.J.A.C. 10:140

The proposed N.J.A.C. 10:140 makes various changes in the PASP rules to comply with the legislation signed by former Governor Corzine on November 20, 2009.

What Is Changing With The Personal Assistance Services Program (PASP)?

The Personal Assistance Services Program (PASP) published proposed amendments to the rules in the New Jersey Register on October 3, 2011 making major changes in program operations to comply with the changes in the program's enabling legislation.

Specific areas addressed in the proposed rule include:

- Changes to Cash Model
- Change in Cost Share
- Changes in the Age Criteria for Eligibility

I. Cash Model

What Is Cash Model?

The Personal Assistance Services Program (PASP) Cash Model offers consumers more choice, flexibility, control and the opportunity to manage their personal care services through the receipt of a cash allowance. Consumers, with the assistance of the PASP County Coordinator, will be required to develop and use a cash management plan that is designed to meet their personal assistance needs. The Cash Model Program allows consumers to have more control over their life.

As a participant in the PASP Cash Model, consumers will be able to:

- Decide exactly which services they need and want.
- Choose who will provide them.
- Tailor the services to meet their schedule.
- Have more flexibility in deciding what they want, when they want it, and who they will hire.

Why Can't The Program Be Run Both The Traditional Way As Well As Cash Model?

Managing the program two ways would be both an administrative as well as a fiscal hardship for the county designated agencies. The cash model service delivery system would allow consumers to maximize their personal care service benefit by employing their own workers and therefore eliminating the counties from having to subcontract with provider agencies.

How Will Grants Be Managed and Bills Paid?

The Fiscal Intermediary Service Organization provides all fiduciary responsibilities regarding the status of their cash grant account.

If Consumers Do Not Want To Hire Workers, Can They Continue To Receive Services From An Agency?

Yes. Consumers can buy services directly from an agency of their choice to meet all or some of their personal assistance needs; or they can mix and match.

How Will The Workers Be Paid?

Under the Cash Model Program the Fiscal Intermediary Service Organization (FISO) will handle the money, pay bills, develop payroll checks for your workers, and handle payment of taxes. They will charge a small fee for their services. Consumers will still have to record the number of hours each employee worked, and submit time sheets to allow the FISO to process payroll checks.

Does Cash Model Require A Great Deal of Paperwork?

Consumers report that it takes about ½ hour to complete. Besides that, signing worker(s) bi-weekly timesheets and revising the cash management plan (as necessary).

II. Change In Cost Share

How Will Cost Share Obligation Be Determined Under Cash Model?

The new sliding fee scale will be based on the Federal Poverty Level at 350%; and will only take into consideration the consumer's annual gross income.

III. Changes In The Age Criteria for Eligibility

What Changes Were Made To The Age Criteria?

The age limitation was extended from age 65 to 70. In accordance with program legislation, a consumer can only receive (1) age waiver after age 70.

IV. What Other Changes Are Being Proposed?

- An increase in the hourly reimbursement rate from \$13.26 weekdays and \$15.30 on weekends/holidays to a flat rate of \$15.00 per hour.
- Eligible applicants must reside within the geographic boundaries – residency determined by physical domicile in New Jersey.
- No more than 40 hours per week of personal assistance services from this or in combination with any other program.
- All consumers must have a documented program activity for a minimum of (20) hours a month from volunteer or community services entities.
- Acceptable and unacceptable program activities have been clarified in order to bring program operations into better compliance with the legislative intent of the program. An avocation or hobby is an unacceptable program activity.

- Consumers must utilize any federally funded programs for which they are entitled before receiving services from the PASP.

V. Why Is This Change Being Made?

N.J.S.A. C.30:4G-21 was amended to enable the Personal Assistance Services Program to be operated on a statewide “cash model” service delivery system, wherein the consumer can exercise control over the individual workers the consumer employs, and manage and direct their own service plan.

The proposed amendments include changes to both the eligibility criteria and changes to the requirements for; and definition of the required programmatic activity.

The transition to a statewide cash model service delivery system will not cost the state any additional money. The Division has proposed amendments that will allow the program to operate efficiently, while supporting individuals with disabilities who are working or preparing for work.

VI. How Do I Make A Comment?

Public comment should be forwarded to Carolyn M. Selick, Program Administrator **no later than Friday, December 2, 2011.**

**Carolyn M. Selick, Program Administrator
Division of Disability Services
NJ Department of Human Services
(609) 633-2392**

**Joseph Amoroso, Director
Division of Disability Services
NJ Department of Human Services
(609) 292-7800**