

SECTION IV. 4. Respite Care Services

A. Definition of Respite Care

“Respite Care Services” provide planned short term and time limited breaks for unpaid care givers. This specific Respite Care Service applies to people living in the home-based setting and is reimbursed at an hourly rate.

Note: Respite in an Adult Family Care home setting is covered under the Adult Family Care service standards (Section IV.11). Participants may also receive respite in a nursing home or swing bed setting, which is accomplished by a CFC change in setting.

B. Respite Care Standards

Respite Care Services providers who manage and supervise respite employees must be authorized to provide Choices for Care (CFC) services by the Department of Disabilities, Aging and Independent Living (DAIL) and comply with the following:

1. All Applicable State and/or Federal Rules and Regulations
2. Participant and Surrogate-Directed Employer Responsibilities (Participant/Surrogate Employers only) as outlined in the Employer Handbook.
3. Standards for Adult Day Services in Vermont (*Adult Day providers only*)
4. CFC Universal Provider Qualifications and Standards (*Section III.*)
5. CFC Services (*Section IV.*)

C. Provider Types

The following provider types are approved to provide Respite Care Services when authorized by DAIL and identified on the individuals Service Plan:

1. Home Health Agencies (*as defined by State statute*)(*Revenue Code 073*)
2. Employees of Certified Participant or Surrogate Directed Employers via an Intermediary Services Organization (*Revenue Code 075 and 080*)
3. Adult Day Providers (*Revenue Code 084*)
4. Enhanced Residential Care Providers (*Revenue Code 074*)

D. Approved Activities

Respite Care Services may include the following approved activities:

1. Personal Care

2. Supervision
3. Socialization

E. Limitations

1. Respite Care Services as defined in this section are limited to participants approved by DAIL for services in the Home-Based setting.
2. Respite Care Services are limited to participants who have identified an unpaid caregiver who will benefit from respite.
3. Respite Care Services are limited to a maximum of 720 hours per calendar year in combination with Companion Services.
4. Respite Care Services provided in an Enhanced Residential Care setting must be utilized in 24/hour blocks.
5. Respite Care workers with a substantiated record of abuse, neglect, or exploitation of a child or a vulnerable adult shall not be paid to provide CFC services (*DAIL Background Check Policy*).
6. Respite Care workers who have been excluded from participation in Medicaid or Medicare services, programs, or facilities by the federal Department of Health and Human Services' Office of the Inspector General shall not be paid to provide CFC services (*DAIL Background Check Policy*).
7. Respite Care Workers who have a criminal conviction for an offense involving bodily injury, abuse of a vulnerable person, a felony drug offense, or a property/money crime involving violation of a position of trust shall not be paid to provide CFC services (*DAIL Background Check Policy*).
8. A spouse or a civil union partner shall not be paid to provide respite care services.
9. A legal guardian, appointed by the probate court, shall not be paid to provide respite care services.
10. An unlicensed private home shall not be paid to provide respite services to the participant living in their home.
11. Respite Care Services shall not be provided to a participant while out of the state of Vermont for more than 7 consecutive days.
12. Participant or Surrogate-Directed employees must be 18 years of age or older.
13. A surrogate employer shall not be paid to provide Respite Care Services.
14. Respite Care Services do not include the cost of room and board except when provided as part of respite care furnished in a Nursing Facility setting.

15. CFC shall not be used to provide Respite Care Services that are otherwise being purchased privately or paid for through another funding source.
16. CFC services shall not contribute to the cost of the participant's room and board in a shared living arrangement (except in a nursing facility).
17. A Respite Care employee shall not require the participant to pay privately for services already available through the CFC program.