
OVERVIEW

The Home Help program, administered by the Michigan Department of Health and Human Services (MDHHS), provides personal care services to individuals who need hands-on assistance with activities of daily living (ADLs) and assistance with instrumental activities of daily living (IADLs). MDHHS is responsible for approving Home Help agency providers for participation in the program.

DEFINITIONS**Agency Caregiver**

The direct care worker. This caregiver provides personal care services to an MDHHS Home Help client.

Agency Employee

An employee of a Home Help agency who has access to information regarding a Home Help client for the purposes of billing, answering phone calls, or assisting with setting up services for MDHHS Home Help clients.

Agency Owner

Possesses 5 percent or greater direct or indirect ownership interest of the agency and/or person with control interest.

Agency Provider

Must meet any one of the criteria below:

- A current Medicare certified Home Health agency with Medicare certification and a federal taxpayer identification number (TIN).
- An approved agency with a TIN that directly employs all (but not less than two) agency caregivers, not including the owner, who are providing services through the Home Help program and regularly receiving a monthly paycheck.
- A Community Mental Health Services Program (CMHSP) that works with clients who use arrangements that support self-determination.

Agency Representative/Resident Agent

An individual who is authorized to act on behalf of the agency owner.

Board of Directors

A group of individuals elected or selected to function as representatives of the shareholders to establish corporate management-related policies and to make decisions on major company issues.

Client

A Medicaid beneficiary who is receiving services through the MDHHS Home Help program.

Managing Employee

A general manager, business manager, administrator, director, or other individual who exercises operational or managerial control over, or who directly or indirectly conducts the day-to-day operation of the institution, organization, or agency, either under contract or through some other arrangement, whether or not the individual is a W-2 employee.

**PROVIDER
OPERATION
STANDARDS****Employee
Identification**

Agency caregivers and agency employees who have direct contact with clients must carry and present a state or Home Help agency issued photo identification whenever they enter a client's home. In addition, agency caregivers must show identification whenever requested by the MDHHS adult services worker (ASW) or other MDHHS staff working in collaboration with the Home Help program.

**Criminal History
Screening**

Agency owners, agency caregivers, and agency employees who have access to the MDHHS Home Help clients' home or personal information are subject to criminal history screenings and program exclusions consistent with the provisions outlined in current Home

Help policy. Home Help agency caregivers and agency employees must also associate in CHAMPS to the agency where they are employed. The date of this association should not be earlier than the date the criminal history check was completed to protect client safety.

Agency caregivers and agency employees who do not meet the criminal history criteria may continue to work for the agency but cannot provide Home Help services funded by MDHHS through the Home Help program. Agency caregivers and agency employees with a criminal history will not have the option of continuing services by having a Home Help client complete the MSA-119, Personal Choice and Acknowledgement of Provider Selection, form.

Required Contacts

Required Contact between Agency Representative and Resident Agents and ASW

The ASW must meet with Home Help clients every six months to complete a review of client needs. Part of this review process involves a conversation between the agency caregiver who is providing the direct hands-on care to the Home Help client and the ASW. This contact will be initiated by the ASW but may require follow-up by the agency caregiver if the initial attempt is unsuccessful. At least once per year, this contact must be a face-to-face contact between the ASW and the agency caregiver.

Note: If the agency is just beginning services with a client, the initial contact may be with either the agency owner and/or the agency caregiver. Once services have begun, subsequent contact must be with the agency caregiver who is providing the direct hands-on care to the Home Help client. Failure to cooperate with these requirements can result in suspension of payment to the agency.

The ASW will explain the following points with the Home Help client and agency caregiver:

- Home Help services are a benefit to the client and earnings to the agency provider.
- Report **all** earned income to the IRS; see www.irs.gov.
- The client employs the agency provider **not** the State of Michigan.

- As the employer, the Home Help client has the right to hire and fire the agency provider.
- Medicaid funds the Home Help program and will not authorize payments if the Home Help client's Medicaid eligibility is inactive.
- The Home Help client and/or agency provider is responsible for notifying the ASW within **10-business days** of any change; including but not limited to hospitalizations, nursing home, or adult foster care admissions.
- The client and/or agency provider is responsible for notifying the ASW within **10-business days** of a change in agency provider and/or agency caregiver or discontinuation of services. Payments must only be authorized to the agency providing approved services.
- If the agency named on the warrant does not provide services or the agency only provides services for a portion of the authorized period, the agency must return the warrant.

Note: Failure to comply with any of the above may be considered fraudulent or require recoupment.

MSA-4676, Home Help Services Agreement

The Home Help client **and** agency provider **must** sign the MSA-4676, Home Help Services Agreement, **before** payments are authorized. ASWs should not create a payment authorization for a new case opening or change in provider until receipt of the signed MSA-4676. However, the signature date on the MSA-4676 does not impact the case opening date or the start date of the payment authorization.

Note: Verbal attestation of the MSA-4676, Home Help Statement of Employment, is acceptable during the COVID-19 Public Health Emergency from 04/01/2020 through 05/11/2023.

The ASW will make two copies of the completed and signed form, along with two copies of the current time and task and distribute as follows:

- Give one copy of the MSA-4676 and current time and task to the Home Help client.

- Give one copy of the MSA-4676 and current time and task to the agency provider.
- Place the **original** MSA-4676 form and current time and task in the client's case record.

For additional information regarding the MSA-4676 see: ASM 135 Home Help Caregivers, subsection; MSA-4676, Home Help Services Agreement and Distribution.

Recruitment and Marketing

Recruitment of caregivers or clients is not allowed in MDHHS offices or anywhere on MDHHS premises. Home Help agencies may not use materials developed by MDHHS in advertising, marketing, or recruitment in a manner that misrepresents the Home Help agency's relationship with the state or the Home Help program. The use of the MDHHS logo on agency documents is prohibited. Agencies are not allowed to recruit or direct their advertising to Medicaid beneficiaries and/or their active individual caregivers who are already receiving Home Help services through MDHHS. An agency caregiver may not provide services to a Home Help client who they were assisting as an individual caregiver for 90-days after commencement of employment with the agency or for 90-days after termination of services as the client's individual caregiver, whichever comes later.

Example: Mrs. Smith is a Home Help client. She uses her adult daughter, Becky, as her Home Help individual caregiver. Becky recently had contact with a Home Help agency and would like to work for the agency. Her start date is May 1st. Becky may work for the agency and care for other clients as of May 1st. She may also continue as an individual caregiver for her mother, Mrs. Smith. If the agency wants to take Mrs. Smith as a client, they can assign a different agency caregiver for her care. Becky will not be able to care for Mrs. Smith through the agency until there is at least a 90-day break in service. Therefore, in this case, if Mrs. Smith began with the agency on May 1st, her daughter, Becky could not be her agency caregiver until July 30th, which would be 90 days.

Agencies may conduct standard employee recruitment (for example, posting openings) and general advertising outside of MDHHS offices and off MDHHS premises.

**Non-Competition
Conditions**

The agency provider will neither have, nor enforce, any agreements or requirements that prohibit an agency caregiver or agency employee from working with a different Home Help client or for another Home Help agency during or after ending employment, regardless of when the agreement was signed.

**Payment for
Services**

Home Help agencies must directly employ all agency caregivers and agency employees who work with Home Help clients, unless the agency is a Medicare certified Home Health agency with Medicare certification and a TIN, or a Community Mental Health Services Program doing self-determination arrangements. Agency caregivers and agency employees may not subcontract services to someone not directly employed by the agency. All agency caregivers and agency employees must be enrolled in CHAMPS and associated to the Home Help agency prior to providing Home Help services so that a criminal history check is completed.

Agencies will accept the authorized Home Help payment as payment in full for Home Help services rendered. Clients shall not be required or solicited to supplement Home Help payments for the same services authorized by MDHHS.

Record Retention

Agencies must maintain supporting documentation verifying that services billed to MDHHS were provided to the client. At a minimum, this includes verification of days and times worked, tasks completed, and names of clients the provider worked for each day. The agency provider must keep a copy of the approved time and task from MDHHS for each client. Keep records for seven years from the date of service.

Providers must, upon request from authorized agents of the state or federal government, make available for examination and photocopying all medical records, quality assurance documents, financial records, administrative records, and other documents and records that must be maintained. Failure to make requested records available for examination and duplication and/or extraction through the method determined by authorized agents of the state or federal government may result in the provider's suspension and/or

termination from Medicaid. Failure to produce supporting documentation for claims may also result in recoupment for Home Help payments made to the agency.

APPROVED AGENCY ENROLLMENT

Approval Process for New Agencies

New provider agencies must:

- Have a federal employer identification number (EIN).
- Submit the following documents to the MDHHS Home Help unit:
 - A letter of intent signed by the agency owners(s) specifying what services the agency will be providing. The letter must include:
 - Contact information for the Home Help agency owner and managing employee. If the owner is the managing employee, note this in the letter.
 - If the agency is managed by a separate individual, their contact information needs to be included.
- Copies of the Internal Revenue Service (IRS) form W-4, Employee's Withholding Allowance Certificate, for all agency caregivers and agency employees. This verifies that all caregivers and employees involved in the Home Help program are directly employed by the agency.
- Register with the Department of Licensing and Regulatory Affairs (LARA) or county clerk's office and then submit to MDHHS the articles of organization or similar documents.

Note: Any documents other than the articles of organization must be in a format approved by the Home Help unit.

- Provide all additional documents listed below, if an agency has not been operating previously in the Michigan Medicaid Home Help program:
 - A current copy of the IRS Form-941, Employer's Quarterly Federal Tax Return, or relevant filing statement demonstrating current compliance with the Federal Insurance Contributions Act (FICA) tax.
 - A current copy of form UIA-1028, Employer's Quarterly Wage/Tax Report, or a similar form demonstrating the agency's current compliance of state unemployment insurance filings and payment.
 - A list of current caregivers and employees who work for the agency and will provide services for Home Help clients. The list should include caregiver/employee name, date of birth, and Community Health Automated Medicaid Processing System (CHAMPS) provider ID number.
 - A copy of W-4s for all current Home Help agency caregivers and employees.
 - A copy of the IRS form W-9, Request for Taxpayer Identification Number and Certification, for the agency.
- A current Medicare certified Home Health agency is only required to provide a letter of intent and a copy of the current Medicare certification.

Submit all required documentation described above to:

MDHHS Home Help Unit
Capitol Commons Center, 5th Floor
400 S. Pine St.
Lansing, MI 48933
[Email: MDHHS-MSA-HHProviderReporting@michigan.gov](mailto:MDHHS-MSA-HHProviderReporting@michigan.gov)
Fax: 1-517-241-0067

Note: Agencies should email documents to the email address listed above with the subject line of 'agency application'. This enables staff to quickly identify these documents and confirm the documents receipt. Fax and postal mail are acceptable, however, conformation of documents receipt will not be available.

- Agencies must register their vendor account with the State of Michigan by visiting the Sigma Vendor Self Services website at www.michigan.gov/SIGMAVSS. See SOM VSS User Guide for New Vendors reference document for further instructions. Agency providers should keep a record of the new Vendor Customer ID, download and print the substitute W-9 form for agency records, and submit a copy of the form to MDHHS by one of the methods stated above.
- Home Help agencies involved in the Home Help program must register in CHAMPS and have a criminal history screening done prior to delivering services or working with MDHHS Home Help clients. Instructions on how to complete this process are located on the MDHHS website at www.michigan.gov/homehelp or by calling Provider Support Services at 1-800-979-4662.
- Agencies must revalidate their CHAMPS registration information a minimum of once every five years, or more often if requested by MDHHS.
- If the agency fails to submit the CHAMPS application within 60 days of the application start date, the agency application will be denied.

Note: Upon CHAMPS approval from MDHHS, all agency caregivers and agency employees working with the Home Help program must also register in CHAMPS, pass a criminal history screening, and be associated to the agency provider using the seven-digit provider ID number assigned to the Home Help Agency.

Agency Enrollment, Approval, or Denial

The agency provider will be notified in writing of its approval, denial, or the need for additional information within 30 calendar days of all required documents being received. Application directions are online at: www.michigan.gov/homehelp.

An agency provider shall be denied enrollment if any of the agency owners, agency representatives/resident agents, or managing employees had direct or indirect ownership interest and/or control interest of a Home Help agency that was suspended or terminated from the Michigan Medicaid program within the preceding five years.

Additional Verification Needed for New Agencies

Within 120 days of agency approval, the agency must submit the following documentation to the MDHHS Home Help unit:

- A letter identifying the agency owner(s) and administrator, along with their contact information (to include address, phone number, and e-mail information).
- A copy of the most recent IRS Form-941 demonstrating that the FICA tax is paid on a quarterly basis.
- A copy of the most recent form UIA-1028 or a similar form demonstrating the agency's payment of state unemployment insurance.
- Copies of IRS form W-4 for all agency caregivers who are currently providing services to Home Help clients.
- A list of all agency caregivers and agency employees who are currently providing services to Home Help clients, including their first and last name, date of birth, and their CHAMPS provider ID number. This list should match the providers currently listed in CHAMPS and associated to the Home Help agency.

Reporting

Agencies must report all changes affecting agency provider enrollment by updating agency information in CHAMPS. This includes, but is not limited to, changes in agency ownership, address, contact name, telephone number, email, or an agency caregiver or employee. Failure to notify MDHHS within 10 calendar days of the change may result in the termination of the agency provider's enrollment, a reduction from the agency provider reimbursement rates to individual provider rates, or the denial of claims for services provided.

The MDHHS Home Help unit will audit employment documents for a sample of agencies each year. An agency selected for audit must provide current copies of the employment documents cited in this item under the agency enrollment section along with supporting verifications of services related to a specific payment. Agencies must submit the requested information within 30 calendar days to MDHHS. Failure to provide documents by the due date may result in a reduction of payment rate. Failure to provide the required documents within 60 calendar days will result in the agency being

removed from the approved Home Help agency list for a minimum of 30 calendar days or until compliance, whichever is longer.

Other authorized areas within MDHHS may also request documents or other records needed for the Home Help program. Agencies must follow the timelines specified in those requests.

APPROVED AGENCY DISENROLLMENT

When an agency is disenrolled, any authorizations for Home Help payments are terminated in the state payment system. Notice is sent to the agency provider and the local MDHHS office within 10 calendar days of the MDHHS determination of disenrollment. MDHHS may disenroll an agency for any of the following reasons:

- An agency may be disenrolled if the agency or any of its caregivers or employees are found guilty of Medicaid fraud or client abuse, neglect, or exploitation.
- An agency may be disenrolled for falsifying information in its application documents, provider agreement, quarterly reporting, service verification, or billing.
- An agency may be disenrolled if the agency owner(s), agency representative/resident agent, or member of the board of directors has a mandatory or permissive criminal conviction as outlined in MSA Bulletin 19-03.

Note: As of April 1, 2019, when determining the eligibility of a caregiver with a permissive exclusion, Provider Enrollment will only look at a 10 year look back period for felonies and a 5 year look back period for misdemeanors. The policy on mandatory exclusion has not changed; see ASM 135, Home Help Caregivers.

- An agency may be disenrolled for failing to report changes or update CHAMPS within 10 calendar days of the change.
- An agency may be disenrolled if it fails to meet any of the requirements in this policy.

An agency may be suspended if it is being investigated for fraud, abuse, neglect, or exploitation, pending the outcome of the investigation.

Approved Agency List

MDHHS maintains a list of agencies approved to provide Home Help services to MDHHS clients. Agencies must be on the approved agency list to be eligible for the agency rate. These lists are updated monthly and posted on the Adult Services home page, to use as a resource when clients are looking for providers. MDHHS may remove an agency from the approved agency list for the following reasons:

- An agency has not provided Home Help services within the last six months.
- An agency fails to meet any of the requirements in this policy.
- An agency fails to meet any of the requirements in this policy not already listed under the disenrollment section in this item.

Agencies removed from the approved agency list may still be coded as an agency in CHAMPS and will be eligible to provide services at the individual rate for Home Help. Agencies that would like to be reinstated as an approved Home Help agency provider should send an email to MDHHS-MSA-HHProviderReporting@michigan.gov to request information on how to become reinstated.

Participation as an Agency Provider

Participation in the Home Help program as an agency provider is subject to denial, suspension, or termination in accordance with [MCL 400.111e](#).

Appeals

Agency providers and applicants have the right to appeal any adverse action taken by MDHHS. The appeal process is subject to the Social Welfare Act. PA 280 of 1939; MCL 400.01 et seq., Chapter 4 and 6 of the Administrative Procedures Act of 1969: MCL 24.271 to 24.287 and MCL 24.301 to 24.306, and the Michigan Administrative Code regarding Medical Services Administration (MSA) Provider Hearing (R 400.3401- 400.3425 and R 792.10904 - 792.10906).

Existing Agencies

MDHHS will inform an agency provider of disenrollment through an adverse action notice (also known as a negative action notice). The agency may appeal within 30-calendar days of the notice to the Michigan Office of Administrative Hearings and Rules (MOAHR). Existing agency providers may continue to provide services during the appeal period if the agency provider accepts the responsibility of the repayment of funds should the MDHHS decision be upheld. The agency provider may not accept new Medicaid Home Help clients during the appeal period. During this time, the Home Help client continues to have the right to terminate the agency provider at any time and without cause.

Note: The process described above may not reflect actions taken on behalf of MDHHS by the MDHHS Office of Inspector General (OIG). An agency provider suspended from the Home Help program by OIG cannot operate during the suspension and has 15-calendar days to appeal the OIG decision.

New Agency Applicants

MDHHS will inform new agency provider applicants of ineligibility factors identified through screening and/or evaluation. The agency provider may appeal within 30-calendar days of notification of being denied or of losing approved agency status to MOAHR. New agencies denied enrollment during the screening application process are not eligible to receive MDHHS payment for Home Help services during the appeal period.

Local Office Home Help Agency Provider Hourly Rate

Each local MDHHS office has an established agency Home Help provider rate. ASWs must **not** authorize above or below the established county rate. For the list of individual and agency hourly rates see; [ASM 138, County Rates](#).

CONTACT

For questions contact MDHHS-Home-Help-Policy@michigan.gov.