

**INTERMEDIARY SERVICE ORGANIZATION (ISO)
SELF DIRECTED PERSONAL CARE SERVICES - UNSKILLED ONLY
PERSONAL CARE REPRESENTATIVE AGREEMENT**

I understand _____ has chosen me to direct the delivery of Personal Care Assistant (PCA) services through an Intermediary Service Organization (ISO). I have the ability and desire to direct, manage and take responsibility to direct his/her care, to choose the ISO provider, to select PCAs, to arrange the PCA's schedule and to guide the PCA in the delivery of PCA services.

I understand that as a Personal Care Representative (PCR), I must be capable of making choices about service needs, understand the impact of these choices, assume responsibility for these choices, and be capable of directing all the tasks related to PCA services delivery.

I understand that as a PCR, I must comply with all Medicaid policies and procedures as outlined in the Medicaid Services Manual (MSM), all relevant chapters, including Chapter 100, 2600, 3300, and 3500.

I understand I may direct the PCA only to provide the services approved on the active/current service plan.

This agreement does not allow for skilled services to be performed by a PCA.

I understand as a PCR, I agree to hold the State of Nevada harmless from any liability whatsoever for any injuries, damages, loss, whether physical or financial, associated with or resulting from directing the recipients care in this option.

I understand as a PCR, I am not eligible to receive reimbursement for acting as a PCR or for providing PCA services.

I understand as a PCR, I am responsible for developing a back-up plan and for obtaining back up coverage for the recipient in the absence of a regularly scheduled PCA.

I understand the ISO is the employer of record for personal care assistants.

I understand as a PCR, I am responsible for reviewing and verifying delivery service records of the recipient to ensure the service plan has been followed, thereby authorizing Medicaid to be billed. Misrepresentation within these documents constitutes fraud per NRS 422.540, (copy attached) and will be referred to the Surveillance and Utilization Review (SUR) Unit for investigation and appropriate action.

I understand as a PCR, I am responsible for selecting, scheduling and managing all PCAs who will provide services for the recipient according to the service plan.

I understand I must obtain an annual reassessment for continued services for the recipient according to regulation. This requires that a functional assessment, service plan, and all forms associated with self direction of services be completed.

I understand I may discontinue this option at any time and the recipient may receive services through a Personal Care Services (PCS) Agency, if eligible to do so and there is a PCS Agency available to provide care.

Personal Care Representative (Please Print)

Date

Personal Care Representative Signature

Date

ISO Agency (Please Print)

Date

ISO Agency Signature

Date

NRS 422.540 Offenses regarding false claims, statements or representations; penalties.

1. A person, with the intent to defraud, commits an offense if with respect to the Plan the person:
 - (a) Makes a claim or causes it to be made, knowing the claim to be false, in whole or in part, by commission or omission;
 - (b) Makes or causes to be made a statement or representation for use in obtaining or seeking to obtain authorization to provide specific goods or services, knowing the statement or representation to be false, in whole or in part, by commission or omission;
 - (c) Makes or causes to be made a statement or representation for use by another in obtaining goods or services or services pursuant to the Plan, knowing the statement or representation to be false, in whole or in part, by commission or omission; or
 - (d) Makes or causes to be made a statement or representation for use in qualifying as a provider, knowing the statement or representation to be false, in whole or in part, by commission or omission.
2. A person who commits an offense described in subsection 1 shall be punished for a:
 - (a) Category D felony, as provided in NRS 193.130, if the amount of the claim or the value of the goods or services obtained or sought to be obtained was greater than or equal to \$650.00.
 - (b) Misdemeanor if the amount of the claim or the value of the goods or services obtained or sought to be obtained was less than \$650.00.
Amounts involved in separate violations of this section committed pursuant to a scheme or continuing course of conduct may be aggregated in determining the punishment.
3. In addition to any other penalty for violation of the commission of an offense described in subsection 1, the court shall order the person to pay restitution. (Added to NRS by 1991, 1049; A 1997, 457, 2011, 174)