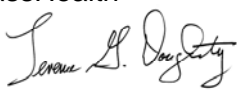




**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Office of Medicaid**  
*www.mass.gov/masshealth*



MassHealth  
Transmittal Letter PCA-18  
January 2011

**TO:** Personal Care Agencies Participating in MassHealth  
**FROM:** Terence G. Dougherty, Medicaid Director   
**RE:** *Personal Care Manual* (Changes to Personal Care Attendant (PCA) Regulations)

MassHealth has revised its personal care attendant (PCA) regulations to specify that personal care attendants (PCAs) paid through a MassHealth senior care organization (SCO) are subject to collective bargaining. No other provisions under this regulation apply, unless stated in 130 CMR 422.000 or the MassHealth SCO contract (130 CMR 422.402).

These regulations are effective February 4, 2011.

This transmittal letter and attached pages are available on the MassHealth Web site at [www.mass.gov/masshealth](http://www.mass.gov/masshealth).

### **Questions**

If you have any questions about the information in this transmittal letter, please contact MassHealth Customer Service at 1-800-841-2900, e-mail your inquiry to [providersupport@mahealth.net](mailto:providersupport@mahealth.net), or fax your inquiry to 617-988-8974.

### **NEW MATERIAL**

(The pages listed here contain new or revised language.)

#### **Personal Care Manual**

Pages 4-3 and 4-4

### **OBSOLETE MATERIAL**

(The pages listed here are no longer in effect.)

#### **Personal Care Manual**

Pages 4-3 and 4-4 — transmitted by Transmittal Letter PCA-15

<b>Commonwealth of Massachusetts</b> <b>MassHealth</b> <b>Provider Manual Series</b>  Personal Care Manual	<b>Subchapter Number and Title</b> 4 Program Regulations (130 CMR 422.000)	<b>Page</b> 4-3
	<b>Transmittal Letter</b> PCA-18	<b>Date</b> 02/04/11

Fiscal Intermediary — an entity contracting with EOHHS to perform employer-required tasks and related administrative tasks including, but not limited to, tasks described in 130 CMR 422.419(B).

Functional Skills Training — instructional services provided by a personal care agency in accordance with 130 CMR 422.421(B) to assist members who have obtained prior authorization for PCA services and their surrogates, if necessary, in developing the skills and resources to maximize the member’s management of personal health care, personal care services, activities of daily living, and activities related to the fiscal intermediary.

Holidays — New Year’s Day (January 1), July 4, Thanksgiving Day, and Christmas (December 25).

Instrumental Activities of Daily Living (IADLs) — those specific activities described in 130 CMR 422.410(B) that are instrumental to the care of the member’s health and are performed by a PCA, such as meal preparation and clean-up, housekeeping, laundry, shopping, maintenance of medical equipment, transportation to medical providers, and completion of paperwork required for the member to receive personal care services.

Intake and Orientation Services — services provided to a member who has been referred to a personal care agency for PCA services, but for whom the MassHealth agency has not yet granted a prior authorization for PCA services. These services include, but are not limited to, determination of eligibility for PCA services; instruction and orientation in the rules, policies, and procedures of the PCA Program; instruction in the member’s rights and responsibilities when using PCA services; and instruction in the role of the personal care agency and the fiscal intermediary, including the use of activity forms.

Member — a person determined to be eligible for MassHealth.

Night Hours — midnight to 6:00 A.M.

Nurse Practitioner — a registered nurse who has successfully completed a formal education program for nurse practitioners as required by the Massachusetts Board of Registration in Nursing, and who is responsible for the oversight of the member’s health care. A nurse practitioner who prescribes medication must be certified by the Federal Drug Enforcement Agency (DEA).

Occupational Therapist — a person currently licensed by the Massachusetts Division of Registration in Allied Health Professions and in good standing with the Division of Registration; and currently certified by the National Board for Certification in Occupational Therapy and in good standing with the Board.

<b>Commonwealth of Massachusetts MassHealth Provider Manual Series</b>  Personal Care Manual	<b>Subchapter Number and Title</b> 4 Program Regulations (130 CMR 422.000)	<b>Page</b> 4-4
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Overtime — activity time performed by a PCA for one member in excess of 40 hours per work-week.

Passive Range of Motion Exercises (Passive ROM) — movement applied to a joint or extremity by another person solely for the purpose of maintaining or improving the distance and direction through which a joint can move.

Pay Period — two consecutive work-weeks.

PCA Rate — the rate of payment for activity time performed by PCAs during day/evening hours and night hours in accordance with regulations of the Division of Health Care Finance and Policy (DHCFP) at 114.3 CMR 9.00.

PCA Wage Component — the portion of the PCA rate designated as the PCA’s gross hourly wage.

Personal Care Agency — a public or private agency or entity under contract with EOHHS to provide PCM services in accordance with 130 CMR 422.000 and the PCM services contract; or a public or private agency or entity that has been approved by EOHHS to provide transitional living services covered under 130 CMR 422.431 to 422.441.

Personal Care Attendant (PCA) — a person who meets the requirements of 130 CMR 422.411(A)(1) and who is hired by the member or surrogate to provide PCA services or for the sole purpose of M.G.L. c. 118G, §§28-33, a person who is hired by the member or surrogate to provide PCA services through a senior care organization (SCO) contracting with the MassHealth program pursuant to M.G.L. c. 118E, §9D. Unless explicitly stated in 130 CMR 422.000 or in the SCO’s MassHealth contract, no other provisions of 130 CMR 422.000 apply to any SCO or PCA hired by any eligible MassHealth member through a SCO.

Personal Care Attendant Program (PCA Program) — a MassHealth program under which personal care management services, fiscal intermediary services, and PCA services are available to MassHealth members including, for the sole purpose of M.G.L. c. 118G, §§28-33, those services provided through a senior care organization (SCO) as defined in M.G.L. c. 118E, §9D. Unless explicitly stated in 130 CMR 422.000 or in the SCO’s MassHealth contract, no other provisions of 130 CMR 422.000 apply to any SCO or PCA hired by an eligible MassHealth member through a SCO.

Personal Care Attendant Services (PCA Services) — physical assistance with ADLs and IADLs provided to a member by a PCA in accordance with the member’s authorized evaluation or reevaluation, service agreement, and 130 CMR 422.410.

Personal Care Management (PCM) Services — services provided by a personal care agency to a member in accordance with a contract with EOHHS, including, but not limited to, those services identified in the PCM contract and 130 CMR 422.419(A).

Personal Care Services — services provided to an eligible MassHealth member for the purpose of assisting the member to achieve independent living, including PCM services, PCA services, and fiscal intermediary services.