

## LRI Personal Care FAQ

**1. What are the agencies' responsibilities for staff training and competency for the medical support a person may have?**

Agency providers must provide the same staff training and competency, including training on medical support, for employees who are Legally Responsible Individuals (LRIs) of the participant they are serving, as they do to any other employee.

**2. Is there a different training approach since this is an LRI providing the service?**

There should be no difference in training or treatment of LRI employees.

**3. What are the agencies' responsibilities for reporting incidents? Would General Event Reports only be required while service is being provided or billed?**

Agency providers are only responsible for reporting incidents and General Event Reports (GERs) when services are being delivered/billed.

**4. If administering medication is one of the needs, does the agency need a Medication Administration Record (MAR)? Is the MAR required to be always completed by the LRI throughout the day, or just when the service is being used?**

Yes, a MAR is required when the spousal LRI is administering medication as part of delivering LRI Personal Care services for participants over the age of 18. This does not score on the Extraordinary Care tool for individuals 0-18, thus an LRI would not be able to bill for this task.

**5. What are the requirements for oversight of the service provision? Is there anything specific expected?**

The agency provider must provide the same oversight for this service as they do for other non-habilitative services.

**6. Is this service on the AD Waiver and the DD Waiver? As an agency provider, are there different expectations if providing it under the AD Waiver vs. DD Waivers?**

Yes, LRI Personal Care is offered on the AD Waiver and all three DD Waivers. Provider expectations are the same under all waivers.

**7. The service is listed as non-habilitative. What is required for documentation of service provision?**

This service requires the Extraordinary Care Tool and Electronic Visit Verification (EVV). EVV visits document the start time, end time, location, service provided, and signature of the participant when LRI Personal Care services have been provided.

**8. What service code is correct?**

There are separate service codes for agency vs independent providers, and AD vs DD Waivers. The service cannot be authorized until the provider is fully enrolled.

**Agency Providers:**

DD LRI Personal Care – Agency: 8317

AD LRI Personal Care – Agency: 7995

**Independent Providers:**

DD LRI Personal Care – Independent: 3593

AD LRI Personal Care – Independent: 5011

**9. What types of background checks satisfy the requirements to provide LRI services? Is there a full list of checks somewhere that I could reference?**

The background checks completed for LRI Personal Care service employees have the same requirements as all other agency provider employees. More information can be found at <https://dhhs.ne.gov/Pages/PSE-for-HCBS-Providers.aspx>.

**10. Should these employees be classified as W-2 employees or 1099 Contractors?**

Employees of these services are W-2 employees.