



CABINET FOR HEALTH AND FAMILY SERVICES	Subject: Participant Directed Services SOP Title: Representative Designation PDS-SOP-6.30
Issue Type: ☒ New ☐ Revised	Source(s) of Authority: 907 KAR 7:010 Section 6(2)(a)-(d) Forms: Employee Responsibilities and Expectations MAP-2000
Supersedes: N/A	Effective: 06/2026
Approval Date: 02/20/2026	Revision Date: N/A

PURPOSE

The Participant Directed Services (PDS) representative designation section of the standard operating procedures (SOP) describes when and how a PDS representative can be designated to perform the PDS responsibilities on behalf of the participant. The goal of this section is to ensure that the case manager follows the proper procedures to designate a PDS representative.

POLICY

Participant Directed Services Representative Designation

1. The case manager is responsible for ensuring that an individual meets the following criteria in order to be designated as a PDS representative:
 - a. Be willing to act on behalf of the participant and understand the rights, responsibilities, roles, and risks of managing the PDS services in the Person-Centered Service Plan.
 - b. Agree to assist the participant with managing the PDS services authorized on the participant's Person-Centered Service Plan.
 - c. Be willing to comply with all criteria and responsibilities of the PDS participant.
 - d. Have a strong personal commitment to the participant and know his/her preferences.
 - e. Have knowledge of the participant and be willing to learn about the resources available in the participant's community.
 - f. Participate in information and education as directed by participant and/or participant's case manager.
 - g. Agree to a pre-determined frequency of contact with the participant.
 - h. Meet the minimum age criteria.
 - a. Home and Community Based (HCB) Waiver: Be at least eighteen (18) years of age
 - b. Acquired Brain Injury (ABI), ABI Long Term Care (ABI-LTC), Home and Community Based (HCB), Michelle P (MP), and Supports for Community Living (SCL): Be at least twenty-one (21) years of age.
 - i. Not be monetarily compensated for serving as the PDS representative.
 - j. Not provide any PDS services.
 - k. Not have a vested interest in any agency that may provide waiver services.
 - l. Comply with all background and related checks.
 - a. Home and Community Based Waiver: Comply with background checks established in Kentucky Administrative Regulations (KAR) HCB Section 2(3)(j).
 - i. A person may not be a PDS representative if he/she is found in violation of the provisions established in KAR HCB section 2(3)(k).
 - b. Acquired Brain Injury (ABI), ABI Long Term Care (ABI-LTC), Home and Community Based



CABINET FOR HEALTH AND FAMILY SERVICES

Subject: Participant Directed Services
SOP Title: Representative Designation
PDS-SOP-6.30

Michelle P (MP), and Supports for Community Living (SCL): No background check requirements.

- m. Obtain approval by the participant or his/her guardian.
2. The case manager is responsible for ensuring PDS representatives are designated in the following circumstances:
 - a. A minor (under 18) who is receiving PDS services shall have a designated PDS representative. The minor's legal guardian (minor guardian defined by KRS 387.010(3))
 - b. may act as the PDS representative or another individual chosen by the participant or a family member may be chosen to act as the PDS representative.
 - i. The case manager is responsible for ensuring that a minor who is receiving PDS services has a designated PDS representative and ensuring the individual meets the minimum requirements for acting as a PDS representative.
 - c. A participant who has a court-appointed guardian and is receiving PDS services shall have a designated PDS representative. The court-appointed guardian may act as the PDS representative, or another individual may be chosen to act as the PDS representative. If a participant's legal or court-appointed guardian (defined by KRS 387.812(3))
 - d. acts as the PDS representative, then he/she must sign all PDS documents on behalf of the participant.
 - i. The case manager is responsible for determining if the participant has a legal or court-appointed guardian and ensuring the individual meets the minimum requirements for acting as a PDS representative.
 - ii. A state guardianship worker may serve as a designated PDS representative; however, he/she is not required to serve in this capacity.
 - e. A participant who has failed to adhere to the terms of a corrective action plan (refer to PDS-SOP 6.24) and chooses to continue receiving PDS must select a PDS representative.
3. To designate or change a PDS representative, the case manager must obtain the signatures of the PDS designated representative, participant/guardian, and case manager on the "Employer Responsibilities and Expectations" form and the "MAP-2000" form.
 - a. The MAP-2000 must be uploaded in the participant's file in the Medicaid Waiver Management Application (MWMA).
 - b. A complete copy of the "Employer Rights and Responsibilities" form must be present in the participant's file located at case management agency.
 - i. The case management agency is responsible for ensuring all of the necessary forms are completed to designate a PDS representative.