



CABINET FOR HEALTH AND FAMILY SERVICES	Subject: Participant Directed Services SOP Title: Participant and Representative Self-Direction Responsibilities PDS-SOP-6.4
Issue Type: ☒ New ☐ Revised	Source(s) of Authority: N/A Forms: N/A
Supersedes: N/A	Effective: 06/2026
Approval Date: 02/20/2026	Revision Date: N/A

PURPOSE

The Participant Directed Services (PDS) standard operating procedures (SOP) participant and representative self-directed responsibilities section describes the role of the participant and representative in the PDS option. The goal of this section is to ensure that all entities who operate within the PDS option understand the participant and representative rights, responsibilities, and risks.

POLICY

Introduction

1. Individuals who meet eligibility and financial requirements for one of the 1915(c) waiver programs that allows participant direction may choose to participate in the PDS option if the following criteria are met:
 - a. Must have the ability to self-direct their own care and understand the rights, responsibilities, and risks of managing their PDS services.
2. Individuals who are unable to meet the PDS requirements may designate a representative. The designated representative shall act in accordance with the needs and preferences of the participant, as documented in the participant's functional assessment and Person-Centered Service Plan.
3. The participant, case manager, Department of Medicaid Services (DMS) or designated operating agency within the Cabinet for Health and Family Services may request a representative. The process to designate a representative is outlined in PDS-SOP 6.30.

PDS Participant/Representative Rights, Responsibilities, and Risks

The following is a summary that outlines the rights, responsibilities, and risks of the participant or PDS designated representative (if applicable):

The participant/PDS representative has the RIGHT to:

1. Choose whether a waiver service will be provided by a traditional waiver provider or through the PDS option.
 - a. A participant may elect to have some waiver services provided through a traditional waiver provider and other waiver services provided through PDS. This is referred to as the blended service delivery model.
2. Work with a case manager to develop the participant's Person-Centered Service Plan that is individualized to the participant's needs.



CABINET FOR HEALTH AND FAMILY SERVICES

Subject: Participant Directed Services
SOP Title: Participant and Representative
Self-Direction Responsibilities
PDS-SOP-6.4

- a. If there is a PDS representative the representative has the right to work with a case manager to review the PDS sections of the Person-Centered Service Plan.
3. Choose who is hired to deliver PDS services approved in the participant's Person-Centered Service Plan.
 - a. There are no limits on the number of PDS employees who can be hired to deliver PDS.
 - b. Financial Management Agency (FMA) will cover up to four (4) background checks per participant per level of care/plan of care year.
4. Have a face-to-face visit with a case manager and receive education and support to effectively direct PDS (refer to PDS-SOP 6.28).
5. Contact a case manager twenty-four (24) hours per day and seven (7) days per week if a need or question arises.
6. Train or arrange training for PDS employees to provide care that is authorized in the participant's Person-Centered Service Plan.
7. Request a change in the participant's Person-Centered Service Plan if the participant's needs change.
8. Designate a PDS representative to help with decisions about the participant's Person-Centered Service Plan and PDS responsibilities.
9. Bring whomever the participant wants to meetings pertaining to PDS and the participant's Person-Centered Service Plan.
10. File a grievance or complaint if the participant has problems with his/her service deliveries (participant).
11. Voluntarily dis-enroll from PDS at any time and receive services through a traditional waiver program (participant).
12. Be treated with respect and dignity and have privacy respected.

The participant/Participant's Guardian/PDS representative has the RESPONSIBILITY to:

1. Receive PDS information, education and support on directing services and supports from the case manager prior to beginning PDS services.
2. Work with the case manager to develop a Person-Centered Service Plan that meets the participant's needs within the parameters of PDS (refer to PDS-SOP 6.16).
3. Participate in a monthly visit with the case manager (participant).
4. Provide input to the case manager for their monthly visit with the participant (personal representative).
5. Work with a case manager to determine natural supports (family and friends) who can assist the participant when his/her PDS services are not being provided by the PDS employee.
6. Hire, supervise, and when necessary, fire PDS employees who can be trusted to perform the services outlined in the participant's Person-Centered Service Plan.



CABINET FOR HEALTH AND FAMILY SERVICES

Subject: Participant Directed Services
SOP Title: Participant and Representative
Self-Direction Responsibilities
PDS-SOP-6.4

7. Ensure PDS employees submit time in the Electronic Visit Verification system according to the participant's Person-Centered Plan of Care.
8. Work with the FMA to ensure the PDS employees are cleared through the necessary criminal background check, Kentucky Nurse Aide Registry, and Central Registry Check (according to the appropriate waiver regulation) prior to starting service (refer to PDS-SOP 6.21).
9. Complete all the paperwork necessary to participate in PDS and follow all tax and labor laws.
10. Ensure all PDS employees track PDS time and type of service in the FMA's Electronic Visit Verification system and ensure completion of all paperwork required for PDS employees.
11. Manage PDS employees and ensure PDS time and service notes are documented correctly before they are submitted to the FMA.
12. Treat providers and others that work for PDS the same way you would want to be treated.
13. Stay within the authorized units in the participant's Person-Centered Service Plan.
14. Maintain participant's Medicaid eligibility (applicant or applicant's guardian or legal representative).
15. Attend all scheduled appointments with the case manager and Medicaid eligibility.

The participant/Participant's Guardian/PDS representative has the RISK of being terminated from Participant Directed Services when any of the following occur:

1. Participant or PDS representative does not comply with their Person-Centered Service Plan, including over-utilizing services or accessing waiver services that are not included in their Person-Centered Service Plan.
2. Participant, PDS representative, immediate family member, PDS employee, legal guardian or authorized representative consistently refuses services from a provider.
3. Participant, PDS representative, immediate family member, PDS employee, legal guardian or authorized representative threatens or demonstrates abusive behavior towards a provider.
4. Participant, PDS representative, immediate family member, PDS employee, legal guardian or authorized representative interferes with the delivery of case management services.
5. Participant does not use any of their PDS services within sixty (60) consecutive days (*excludes MP and HCB waivers*).
6. PDS representative does not act in the best interest of the participant.
7. Participant or PDS representative is suspected of Medicaid fraud, waste or abuse (refer to PDS-SOP 6.32).
8. Participant does not attend the regular monthly visits with the case manager.
9. Participant fails to pay their monthly patient liability, if applicable. (You will receive notification if this applies to you.)