



Medicaid Long-Term Care Managed Care Enrollees ***The Right to Participant Directed Care***

Frail and elderly Floridians whose disabilities require a nursing home level of care and who receive home and community-based services (HCBS) through the Florida Medicaid Long-Term (LTC) Waiver program have certain “rights” to direct their own care. This Know Your Rights Q&A provides important information about this right.

Q. What is participant directed care?

A. During the care planning process, eligible enrollees can choose to “self-direct” certain services, including adult companion, homemaker, attendant care, intermittent and skilled nursing, and personal care. This is called the “participant directed option.” Participants who opt to self-direct these services are then responsible for training workers, setting work schedules, and submitting time sheets. However, they do not set the pay rate.

Q. How do I know if I am eligible for the participant directed option?

A. Enrollees who live in their own home or the home of a family member are eligible.

Q. My sister, who is a nurse, has been providing my skilled nursing care through this program, but she has had trouble getting paid on time and was told that she cannot be reimbursed for back pay. Is that correct?

A. NO. Your approved direct service workers (DSWs) are entitled to full reimbursement of the amounts owed to them. You should request reimbursement from your plan.

Q. What should I do if my request for reimbursement for my DSW is denied or delayed?

A. You should:

- File a complaint through the [AHCA complaint portal](#);
- Contact your [local legal services program](#);

Q. How do I get more information or help regarding these rights?

A. This “Know Your Rights” publication is based on information in the [*Advocate’s Guide to the Florida Long-Term Care Waiver*](#) and in the consumer video for navigating the [Florida Medicaid LTC Waiver HCBS Program](#), prepared by the Florida Health Justice Project (FHJP).

Because of our limited capacity, FHJP provides legal services or direct assistance to only a limited number of individuals. You can complete our [online intake form](#). We also offer technical assistance to local legal services staff. You can find the contact information for your local legal services office [here](#).

If you are having difficulty getting needed HCBS services and want to share your story, you can contact the FHJP [STORIESproject](#).