

(BY SOME UNCONSTITUTIONAL MANNER OR METHOD) WHO DECIDED (TO GIVE UP THEIR RIGHT) TO SELF-DIRECT AT ANY TIME "SOME OR ALL " OF THEIR SERVICES.... WITH THOSE PARTICIPANTS WHO WANTED TO EXERCISE THEIR FULL RIGHT TO SELF-DIRECT.

NOR DID THE STATE EVER DEFINE WHAT IT MEANT BY "ALTERNATIVE" SERVICE DELIVERY MODELS.

Although this paper asserts that Participant Direction is inherent in every aspect as it applies the provision of the "SERVICE" of Personal Assistance Service (PAS). REGARDLESS OF THE SERVICE DELIVERY MODEL CHOSEN BY THE CONSUMER, THIS PAPER ENDS BY ASKING THESE DIRECT QUESTION(S) TO THE STATE OF PENNSYLVANIA:

1 DOES THE WAIVER (1915C COMMUNITY HEALTH CHOICES HOME AND COMMUNITY BASED SUPPORT WAIVER) INCLUDE IN IT'S (EXPRESSED INTENT) FOR THE TARGET POPULATION (AS DEFINED) THAT EACH AND EVERY INDIVIDUAL HAS THE RIGHT TO SELF-DIRECT "SOME OR ALL" OF THEIR "SERVICES" AS OFFERED THROUGH THE WAIVER?

2 WITH REGARDS TO THE "SERVICE" OF PERSONAL ASSISTANT SERVICE (PAS)... "EMPLOYER AUTHORITY" (AS DEFINED) IS IT THE STATES/OLTL'S EXPRESSED INTENT THAT EVERY INDIVIDUAL (AS IDENTIFIED IN THE TARGET GROUP) ... HAS THE RIGHT TO EXERCISE THEIR RIGHT TO SELF-DIRECT "SOME OR ALL" OF THE PROVISION OF THE "SERVICE" OF PERSONAL ASSISTANT SERVICES (PAS) AS DEFINED UNDER "EMPLOYER AUTHORITY", REGARDLESS OF THE SERVICE DELIVERY MODEL?

IF "NO". PLEASE EXPLAIN BY WHAT LEGAL AUTHORITY THE STATE/OLTL BELIEVES THAT IT CAN VOID OUT A RIGHT THAT IS CONSTITUTIONALLY PROTECTED? : And Please specify: What "alternative" service delivery methods are available to the participant? And whether or NOT these alternative services are consider HCBS waiver services.

NOTE: I ask this question in light of what is cited on page 16 of the Application for 1915c Home and Community-Based Waiver [version 3.5 , Includes CHANGES IMPLEMENTED through November 2014], under the heading APPENDIX E: Participant Direction of Services. It reads...

"This Appendix permits a stat to specify the opportunities afforded to waiver participants to direct and manage their waiver services. This appendix is completed ONLY when the waiver offers ONE or BOTH of the participant direction opportunities contained in the Appendix. The NEW application enables a state to offer participant direction in a waiver in which other service delivery models also are used OR, alternatively, provide that participant direction is the principle service delivery method that is used in the waiver".

To the common man, this statement means that Participant Direction MUST BE inherent in ANY SERVICE DELIVERY MODEL.