

APPENDIX D-4B

**ALABAMA MEDICAID AGENCY
TECHNOLOGY ASSISTED (TA) WAIVER FOR ADULTS
PRIVATE DUTY NURSING –RIGHTS AND DUTIES**

If you qualify for Private Duty Nursing Services under Medicaid's Technology Assisted Waiver for Adults . . .

When you signed up for Medicaid, you agreed to be a part of Medicaid and to follow Medicaid's rules. This also means that you have the following rights and duties when you qualify for Private Duty Nursing Services under Medicaid's TA Waiver for Adults:

If you are the person receiving care . . .

1. You have the right to change the company that provides nursing care or equipment for you. Your case manager can give you a list of companies you may choose from.
2. You have the right to stop your care at any time. To do this, you need to tell the case manager, the nurse or person providing nursing care of your wishes.
3. You have the right to be treated with respect by all people who care for you or who bring equipment or supplies for you. If this is not the case, tell your case manager.
4. You have the right to ask that Medicaid reconsider any decision to deny services. To do this, you must write Medicaid.
5. You have the right to ask for a hearing if you do not agree with the decision made by Medicaid about your care. To do this, you must write to Medicaid's Legal Division at: Alabama Medicaid Agency, 501 Dexter Avenue, PO Box 5624, Montgomery, AL 36103-5624.
6. You have the right to call or write Medicaid if you have a problem with your care that you are not able to solve on your own. For help, write to Medicaid's Long-Term Care Program Management Unit at 501 Dexter Avenue, PO Box 5624, Montgomery, AL 36103-5624, or call (334) 242-5658.

If you are the qualified caregiver . . .

1. You have the duty to help plan and carry out the care that is provided to the patient, with the help of skilled nurses.
2. You have the duty to work with the nurses to learn how to care for the patient on your own.
3. You have the duty to provide care for the patient when no nurse is present.
4. You have the duty to provide care or set up care when a nurse cannot come because of a good reason, such as illness or bad weather.
5. You have the duty to tell the nursing agency ahead of time when a nurse is not needed for a visit that has already been set up.
6. You have the duty to take good care of all medical equipment provided for the patient. This means that you do not let others play with or damage the equipment.
7. You have the duty to tell the case manager or the supply company when supplies are sent that are not needed. This also applies when too much of an item is brought to the home.
8. You have the duty to tell the case manager or nursing agency of any change in the patient's condition, good or bad. You must tell the case manager if the patient must go to the hospital.
9. You have the duty to first work with your case manager, the nurses and/or the company providing care to solve any problems before contacting Medicaid.

DATE : _____

Page 90.

STATE : ALABAMA

The nursing agency has the duty to:

1. Provide skilled nursing services based on the plan of care that has been approved for the patient.
2. Provide nurses who are on time, clean, professional and who pay attention to the health care needs of the patient.
3. Send a RN supervisor at least every 60 days to the home for a visit to check on the patient's care.
4. Provide care for the patient's health needs only. For example, nurses are not to perform duties that would be done by sitters or drivers.
5. Set up a make-up visit within one (1) day of any shift that has been missed. The nursing agency's supervisor has the duty to make sure the health and safety needs of the patient are met.
6. The nurses and others who give direct patient care have the duty to show and teach the patient's caregiver how to care for the patient on their own. This means that the nurses and others will provide help and feedback to the caregiver so they may learn all that is needed to care for that patient.

The direct service provider(s) has the duty to:

1. Periodically check to make sure that the patient continues to qualify to be a part of the TA Waiver for Adults. This is to be done by the case manager and Medicaid.
2. Work with the patient, caregiver, case manager and physician to develop a plan of care that matches the patient's medical needs and to update the plan whenever the patient's condition changes.
3. Work with the patient and caregiver to plan and prepare for eventual discharge from private duty nursing when medically appropriate.

Signed:

Client/Patient (if applicable)_____ Date_____

Qualified Caregiver_____ Date_____

Case Manager_____ Date_____

Direct Service Provider _____ Date_____

Physician _____ Date_____

DATE : _____

STATE : ALABAMA