

A legally responsible adult (LRA) can be paid to provide in-home care to medically fragile, technology-dependent participants when they meet certain requirements and provide care within defined limits.

This guidance aims to provide a common understanding of these rules and limitations to those involved with the prescription, employment, use, supervision, and monitoring of paid LRA caregivers.

Definitions

- An **LRA** is a person with legal authority to act on behalf of the participant.
 - For minor children, the parent or legal guardian is the LRA.
 - If a court appoints a guardian, that person is the LRA. In some cases, the Department of Children and Family Services (DCFS) serves as the LRA. For youth in DCFS care, please contact your designated Division of Specialized Care for Children (DSCC) Nursing Agency Liaison.
 - Participants who are their own LRA **cannot** be paid to provide their own care.
- **Trained caregivers** must demonstrate professional competency in the skills necessary to keep the participant safely in the home before they can be considered trained caregivers. A professional competent in these skills, such as from a hospital, nursing agency or transitional care facility, must sign off on these skills.

LRA Requirements

Paid LRA caregivers must:

- Hold one of the following valid licenses or certifications and follow the appropriate guidelines listed below:
 - Licensed practical nurse (LPN) or registered nurse (RN) – see the Guidelines for Nurses Working in Home Care form (15).
- Pass the same background and DSCC nursing staff checks as RNs and LPNs who are not LRAs.

- Be employed by a DSCC-approved home nursing agency providing Home Care nursing services and stay in good employment standing to keep the position.
- Only document services allowed within the scope of their license. For example, a trained caregiver working as an LPN may be able to provide all necessary skilled care, but they should only document tasks in the scope of an LPN.
- Document report at start and close of shift to trained caregiver. Paid LRAs who are also trained caregivers do not need to complete handoff to another trained caregiver.
- Be supervised by a registered nurse from the approved agency every 60 days.

Agency Requirements

Nursing agencies employing LRAs must:

- Continue to apply all DSCC Requirements of Participating Nursing Agencies.
- Submit billing to DSCC using the U7 modifier to identify paid LRA caregivers and provide data on the number of LRA caregivers and hours billed to DSCC at any time upon request.
- Review this document with each LRA employee, submitting the signed and dated attestation below to the DSCC Nursing Agency Liaison before paid care begins.

Service Limits

- Licensed parents/LRAs may not provide respite services under the waiver.
- Licensed parents/LRAs cannot be reimbursed for nurse training.
- The total nursing hours may not exceed the approved resource allocation nor DSCC's requirements for hours continuously worked.

Please note that licensed parents/LRAs **may provide overtime**; there is no exclusion.

If you have questions, please contact the DSCC Home Care Quality Improvement Office.

Attestation and Acknowledgement

Agency Name and Branch: _____

Agency Staff Name and Title: _____

Agency Representative Signature: _____ Date: _____

Paid LRA Name: _____

DSCC Participant: _____

Paid LRA Signature: _____ Date: _____