

## CHAPTER 3-000 LIFESPAN RESPITE SUBSIDY PROVIDERS

3-001 Locating Providers: Clients must locate their own providers. The Department may refer eligible clients to community resources with expertise in the appropriate area or to Network Coordinators.

3-002 Contracts/Provider Agreements: The Department does not provide or require contracts or provider agreements.

3-002.01 Provider Employment Status: Providers are not employees of the State of Nebraska. They may be considered to be employees of the clients they serve by the Internal Revenue Service and the Social Security Administration.

3-003 Provider Approval: The providers must meet any applicable local, state, and federal laws and regulations. It is the responsibility of the caregiver to make this determination.

3-003.01 Services Provided Outside Nebraska: RSP uses services in Nebraska. RSP may cover respite care outside Nebraska or services by a provider residing outside Nebraska only when the service is not available within reasonable driving distance from the client's home.

3-003.02 When the Service is Not Available in the State: When respite services are not available in the state, the following criteria must be met for approval:

1. The client must contact the Respite Network Coordinator for assistance in locating a provider within a reasonable driving distance.
2. If none is available, the Respite Network Coordinator must notify Central Office that the service is not available within a reasonable driving distance.
  - a. The Respite Network Coordinator may notify Central Office by any means: a letter, a phone call, by e-mail or any other method within reason.
3. Central Office must document in the case file that the Respite Network Coordinator has verified the service is not available within a reasonable driving distance.
4. The out-of-state provider must meet that state's licensure laws and regulations, if they exist.
5. The Central Office staff responsible for determining eligibility must give specific prior approval for the service.

3-003.03 Supportive Services: Any services provided in connection with the respite services must be considered in the rate negotiated with the client. The RSP will not pay for supportive services billed separately. Supportive Services includes, but is not limited to, transportation, administering medications, escort services, housekeeping services and personal care services.

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NEBRASKA HEALTH AND  
HUMAN SERVICES MANUAL

RESPITE SUBSIDY PROGRAM  
464 NAC 3-004

3-004 **Fraud:** Any person, including vendors and providers of respite services, who willfully provides false information or attempts to obtain payment for which s/he is not entitled, may be prosecuted for fraud. See also 464 NAC 1-007.