



Financial & Payroll Services for the Nonprofit Sector

## Enrollment Forms for: VDC Program Employers

This packet contains the necessary forms and instructions that will authorize ARIS Solutions to act in your behalf as your Financial Management Service provider.

\*\*BELOW FORMS MUST BE SIGNED/DATED AND RETURNED TO ARIS SOLUTIONS\*\*

- Employer / Veteran Information Form
- Form SS-4 - Application for Employer Identification Number
  - ❖ Form SS-4 allows ARIS to request a Federal Employer Identification Number from the IRS for you.
- Workers Compensation Application (if applicable)
- Form 2678 - Employer/Payer Appointment of Agent
  - ❖ Allows ARIS to file your employment tax forms.
- Form 8821- Tax Information Authorization
  - ❖ Allows ARIS to receive & review copies of tax filings from the IRS.
- State Tax Forms
  - ❖ State Department of Revenue (if applicable)
  - ❖ State Department of Labor
- Employer Confirmation of Receipt
- Fraud & Abuse Statement
- Employer/Authorized Representative Background Check Release Form
- HIPAA Notice of Privacy Practices & Agreement
- Electronic Timesheet Submission: (2 different options)
  - ❖ Electronic Timesheets Application. Followed by instructions on Electronic Timesheets.
  - ❖ Timesheet Submission Portal and applicable information.

If you have questions contact the Veterans Department at 866.970.3301

### Return Packet to: ARIS Solutions-Veteran Program

PO Box 4409  
 White River Jct., VT 05001  
 Phone: 866.970.3301 (toll free)  
 Fax: 802.295.9812  
 Email: [veteranpayroll@arissolutions.org](mailto:veteranpayroll@arissolutions.org)



## New Employer/Veteran Information

### You are now an Employer!

Welcome to the Veteran Directed Care Program employment model. You will now manage and direct the services you receive or the services the Veteran you represent receives. In this employer model you, or a representative who you appoint, are the employer and you direct the work of your employee.

### The Role of ARIS Solutions as Your Financial Management Services "FMS" Provider

ARIS Solutions will serve as your FMS Provider to support you and complete many of the administrative employer obligations. This means that ARIS will process your timesheets, conduct criminal background checks on potential employees manage your employer tax responsibilities on the federal and state level, apply for workers compensation insurance, and pay your employees.

### Roles and Responsibilities Chart

<b>Your Role (as Employer)</b>	<b>Employee's Role (as Employee)</b>	<b>ARIS Solutions' Role (as FMS Provider)</b>
Select and hire an employee  Schedule employees (staying within your authorized budget)  Train employees  Sign timesheets  Review employees job performance	Meet your requirements for hiring  Complete required employment paperwork  Submit a background check  Submit signed timesheets to ARIS	Assist with paperwork, as needed  Establish you as an employer  Establish your worker as your employee  Conduct criminal background checks
Dismiss employees  Establish clear boundaries  Let your employee know what the rules are and what their responsibilities are  Prevent fraud	Respect employer's boundaries, rules and responsibilities  Provide home care services to your employer as directed by your employer  Prevent fraud	Provide payroll services Prepare and disburse payroll checks  Pay employer taxes  Prepare year-end tax reports  Apply for and secure Workers Compensation insurance on behalf of the employer



## Contact Information

You can remove this page from the packet and post it somewhere prominent so you always have the information you need to contact the Veterans Program team.

ARIS Solutions-Veteran Program staff are available for support Monday through Friday from 8:00 am to 4:00pm (EST) and can be reached at **866.970.3301** (toll free), our veteran dedicated email address: [veteranpayroll@arissolutions.org](mailto:veteranpayroll@arissolutions.org) or our Website at [www.arissolutions.org](http://www.arissolutions.org)

*ARIS Solutions is not open on state or federal holidays.*

Financial & Payroll Services for the Nonprofit Sector



**ARIS**  
SOLUTIONS

**Employer/Veteran Information Form**

**NAME OF EMPLOYER**

**Name** \_\_\_\_\_  
(Last) (First) (Middle)

**Address** \_\_\_\_\_  
(Street) (Apt) (City) (State) (Zip)

**Phone** ( ) \_\_\_\_\_ **Email** \_\_\_\_\_

**DOB** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **Social Security Number** \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_

**GENDER** \_\_\_\_\_

**FEIN** (If previously issued) \_\_\_\_\_

**Relationship to Veteran** \_\_\_\_\_

**Veteran IS EMPLOYER** YES NO

*If yes please skip next section.*

**CASE MANAGER / OPTIONS COUNSELOR / CARE COORDINATOR :**

**NAME OF VETERAN**

**Name** \_\_\_\_\_ **GENDER** \_\_\_\_\_

**Address** \_\_\_\_\_  
(Street) (APT) (City) (State) (Zip)

**Phone** ( ) \_\_\_\_\_

**Date of Birth** \_\_\_\_\_

**Social Security Number** \_\_\_\_\_

# SS-4

## Application for Employer Identification Number

Form (Rev. December 2019)

(For use by employers, corporations, partnerships, trusts, estates, churches, government agencies, Indian tribal entities, certain individuals, and others.)

EIN

Department of the Treasury  
Internal Revenue Service

▶ Go to [www.irs.gov/FormSS4](http://www.irs.gov/FormSS4) for instructions and the latest information.  
▶ See separate instructions for each line. ▶ Keep a copy for your records.

<b>Type or print clearly.</b>	<b>1</b> Legal name of entity (or individual) for whom the EIN is being requested <p style="text-align: right;">HCSR</p>	
	<b>2</b> Trade name of business (if different from name on line 1)	<b>3</b> Executor, administrator, trustee, "care of" name
	<b>4a</b> Mailing address (room, apt., suite no. and street, or P.O. box) ARIS Solutions PO Box 4409	<b>5a</b> Street address (if different) (Don't enter a P.O. box.)
	<b>4b</b> City, state, and ZIP code (if foreign, see instructions) White River Jct., VT 05001	<b>5b</b> City, state, and ZIP code (if foreign, see instructions)
	<b>6</b> County and state where principal business is located	
	<b>7a</b> Name of responsible party	<b>7b</b> SSN, ITIN, or EIN
<b>8a</b> Is this application for a limited liability company (LLC) (or a foreign equivalent)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>8b</b> If 8a is "Yes," enter the number of LLC members ▶	
<b>8c</b> If 8a is "Yes," was the LLC organized in the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>9a</b> Type of entity (check only one box). <b>Caution:</b> If 8a is "Yes," see the instructions for the correct box to check.		
<input type="checkbox"/> Sole proprietor (SSN) _____ <input type="checkbox"/> Estate (SSN of decedent) _____ <input type="checkbox"/> Partnership _____ <input type="checkbox"/> Plan administrator (TIN) _____ <input type="checkbox"/> Corporation (enter form number to be filed) ▶ _____ <input type="checkbox"/> Trust (TIN of grantor) _____ <input type="checkbox"/> Personal service corporation _____ <input type="checkbox"/> Military/National Guard <input type="checkbox"/> State/local government _____ <input type="checkbox"/> Church or church-controlled organization _____ <input type="checkbox"/> Farmers' cooperative <input type="checkbox"/> Federal government _____ <input type="checkbox"/> Other nonprofit organization (specify) ▶ _____ <input type="checkbox"/> REMIC <input type="checkbox"/> Indian tribal governments/enterprises _____ <input checked="" type="checkbox"/> Other (specify) ▶ HCSR Group Exemption Number (GEN) if any ▶ _____		
<b>9b</b> If a corporation, name the state or foreign country (if applicable) where incorporated	State	Foreign country
<b>10</b> Reason for applying (check only one box)		
<input checked="" type="checkbox"/> Started new business (specify type) ▶ Personal Care/Home Care <input type="checkbox"/> Hired employees (Check the box and see line 13.) <input type="checkbox"/> Created a trust (specify type) ▶ _____ <input type="checkbox"/> Compliance with IRS withholding regulations <input type="checkbox"/> Created a pension plan (specify type) ▶ _____ <input type="checkbox"/> Other (specify) ▶ _____		
<b>11</b> Date business started or acquired (month, day, year). See instructions.		<b>12</b> Closing month of accounting year June
<b>13</b> Highest number of employees expected in the next 12 months (enter -0- if none). If no employees expected, skip line 14.		<b>14</b> If you expect your employment tax liability to be \$1,000 or less in a full calendar year <b>and</b> want to file Form 944 annually instead of Forms 941 quarterly, check here. (Your employment tax liability generally will be \$1,000 or less if you expect to pay \$5,000 or less in total wages.) If you don't check this box, you must file Form 941 for every quarter. <input type="checkbox"/>
Agricultural	Household	
<b>15</b> First date wages or annuities were paid (month, day, year). <b>Note:</b> If applicant is a withholding agent, enter date income will first be paid to nonresident alien (month, day, year) ▶		
<b>16</b> Check <b>one</b> box that best describes the principal activity of your business.		
<input type="checkbox"/> Construction <input type="checkbox"/> Rental & leasing <input type="checkbox"/> Transportation & warehousing <input type="checkbox"/> Health care & social assistance <input type="checkbox"/> Wholesale-agent/broker <input type="checkbox"/> Real estate <input type="checkbox"/> Manufacturing <input type="checkbox"/> Finance & insurance <input type="checkbox"/> Accommodation & food service <input type="checkbox"/> Wholesale-other <input type="checkbox"/> Retail <input checked="" type="checkbox"/> Other (specify) ▶ Home and community based personal care.		
<b>17</b> Indicate principal line of merchandise sold, specific construction work done, products produced, or services provided. Home and Community Based personal care to veteran participant.		
<b>18</b> Has the applicant entity shown on line 1 ever applied for and received an EIN? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If "Yes," write previous EIN here ▶		
<b>Third Party Designee</b>	Complete this section <b>only</b> if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of this form.	
	Designee's name ARIS Solutions Fiscal Agent	Designee's telephone number (include area code) 802.280.1911
	Address and ZIP code PO Box 4409 White River Jct., VT 05001	Designee's fax number (include area code) 802.295.9812
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.		<b>Applicant's telephone number (include area code)</b>
<b>Name and title (type or print clearly) ▶</b>		<b>Applicant's fax number (include area code)</b>
<b>Signature ▶</b>		<b>Date ▶</b>



## Worker's Compensation Insurance

### *Information on Worker's Compensation Insurance/frequently asked questions:*

- ❖ *All employers are required to obtain Worker's Compensation insurance before employees may begin to work.*
  - *Employers will be notified as soon as policy is in place.*
- ❖ *Worker's Compensation Insurance is an insurance policy which pays for the cost of an employee's medical expense and lost wages in the event of a work related injury.*
- ❖ *ARIS Solutions assists employers in obtaining a Worker's Compensation Policy.*
- ❖ *The cost for Worker's Compensation insurance can vary somewhat, most policies are atleast \$1000 per year.*
  - *The exact cost is determined by the insurance company and depends upon the number of full or part time employees and the total annual wages to be paid in the year.*
  - *The cost of the policy is paid from the participant's budget and is broken down into equal monthly amounts.*
    - *ARIS Solutions pays the policy upfront and is repaid through the VA as billing is done each month.*



# VDC Vermont Workers' Compensation Form

<b>Employer Legal Name:</b>
<b>Employer Date of Birth:</b>
<b>Veteran name</b> (if different than Employer name):
<b>Relationship to Veteran:</b> <input type="checkbox"/> Spouse <input type="checkbox"/> Child <input type="checkbox"/> Sibling <input type="checkbox"/> Other (specify):
Employer FEIN # :
<b>Employer Phone:</b>
<b>Street Address (where service is provided):</b>
<b>City, State, ZIP (where service is provided):</b>
<b>Estimated Number of Employees:</b> Full Time: _____ Part Time: _____
Estimated Annual Payroll:
Effective Date of Coverage (start date):
<b>Employer Signature and Date:</b>

**INDIVIDUALS INCLUDED/EXCLUDED**

PARTNERS, OFFICERS, RELATIVES TO BE INCLUDED OR EXCLUDED. (Remuneration to be included must be part of rating information section.)								
#	NAME	DATE OF BIRTH	TITLE/RELATIONSHIP	OWNER-SHIP %	DUTIES	INC/EXC	CLASS CODE	REMUNERATION
			Owner	100%	Manage budget and employees.	Excl	8835	0

**PRIOR CARRIER INFORMATION/LOSS HISTORY**

PROVIDE INFORMATION FOR THE PAST 5 YEARS AND USE THE REMARKS SECTION FOR LOSS DETAILS							LOSS RUN ATTACHED
YEAR	CARRIER & POLICY NUMBER	ANNUAL PREMIUM	MOD	# CLAIMS	AMOUNT PAID	RESERVE	
	CO: POL #:						
	CO: POL #:						
	CO: POL #:						
	CO: POL #:						
	CO: POL #:						

**NATURE OF BUSINESS/DESCRIPTION OF OPERATIONS**

GIVE COMMENTS AND DESCRIPTIONS OF BUSINESS, OPERATIONS AND PRODUCTS: MANUFACTURING-- RAW MATERIALS, PROCESSES, PRODUCT, EQUIPMENT, CONTRACTOR-- TYPE OF WORK, SUB-CONTRACTS, MERCANTILE--MERCHANDISE, CUSTOMERS, DELIVERIES, SERVICE--TYPE, LOCATION, FARM--ACREAGE, ANIMALS, MACHINERY, SUB-CONTRACTS.

Vermont Veterans Program

**GENERAL INFORMATION**

EXPLAIN ALL "YES" RESPONSES	YES	NO	EXPLAIN ALL "YES" RESPONSES	YES	NO
1. DOES APPLICANT OWN, OPERATE OR LEASE AIRCRAFT/WATERCRAFT?		✓	16. ARE PHYSICALS REQUIRED AFTER OFFERS OF EMPLOYMENT ARE MADE?		✓
2. DO/HAVE PAST, PRESENT OR DISCONTINUED OPERATIONS INVOLVE(D) STORING, TREATING, DISCHARGING, APPLYING, DISPOSING, OR TRANSPORTING OF HAZARDOUS MATERIAL? (e.g. landfills, wastes, fuel tanks, etc)		✓	17. ANY OTHER INSURANCE WITH THIS INSURER?		✓
3. ANY WORK PERFORMED UNDERGROUND OR ABOVE 15 FEET?		✓	18. ANY PRIOR COVERAGE DECLINED/ CANCELLED/NON-RENEWED (Last 3 years)? NOT APPLICABLE IN MO		✓
4. ANY WORK PERFORMED ON BARGES, VESSELS, DOCKS, BRIDGE OVER WATER?		✓	19. ARE EMPLOYEE HEALTH PLANS PROVIDED?		✓
5. IS APPLICANT ENGAGED IN ANY OTHER TYPE OF BUSINESS?		✓	20. IS THERE A LABOR INTERCHANGE WITH ANY OTHER BUSINESS/SUBSIDIARY?		✓
6. ARE SUB-CONTRACTORS USED? (IF YES, GIVE % OF WORK SUBCONTRACTED)		✓	21. DO YOU LEASE EMPLOYEES TO OR FROM OTHER EMPLOYERS?		✓
7. ANY WORK SUBLET WITHOUT CERTIFICATES OF INS.?		✓	22. DO ANY EMPLOYEES PREDOMINANTLY WORK AT HOME?		✓
8. IS A WRITTEN SAFETY PROGRAM IN OPERATION?		✓	23. ANY TAX LIENS OR BANKRUPTCY WITHIN THE LAST 5 YEARS?		✓
9. ANY GROUP TRANSPORTATION PROVIDED?		✓	24. ANY UNDISPUTED AND UNPAID WORKERS COMPENSATION PREMIUM DUE FROM YOU OR ANY COMMONLY MANAGED OR OWNED ENTERPRISES? IF YES, EXPLAIN INCLUDING ENTITY NAME(S) AND POLICY NUMBER(S).		✓
10. ANY EMPLOYEES UNDER 16 OR OVER 60 YEARS OF AGE?		✓	<b>CONTACT INFORMATION</b>		
11. ANY SEASONAL EMPLOYEES?		✓	IN- SPECTION	PHONE: 802-280-1191	
12. IS THERE ANY VOLUNTEER OR DONATED LABOR?		✓	NAME:	Theresa Towle	
13. ANY EMPLOYEES WITH PHYSICAL HANDICAPS?		✓	ACCTNG RECORD	PHONE: 802-280-1191	
14. DO EMPLOYEES TRAVEL OUT OF STATE?		✓	NAME:	Theresa Towle	
15. ARE ATHLETIC TEAMS SPONSORED?		✓	CLAIMS INFO	PHONE: 802-280-1191	
			NAME:	Theresa Towle	

APPLICABLE IN TENNESSEE: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO ANY PARTY TO A WORKERS COMPENSATION TRANSACTION FOR THE PURPOSE OF COMMITTING FRAUD. PENALTIES INCLUDE IMPRISONMENT, FINES AND DENIAL OF INSURANCE BENEFITS. ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR ANOTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS THE PERSON TO CRIMINAL AND [NY: SUBSTANTIAL] CIVIL PENALTIES. (Not applicable in CO, HI, NE, OH, OK, OR, TN or VT; in DC, LA, ME and VA, insurance benefits may also be denied)

REMARKS	YES	NO
Does insured have any locations outside of this state?	No	
Is travel radius greater than 200 miles?	No	
Are operations 24 hours?	No	
Are cancer treatments provided?		No
Do they give immunizations or shots?		No
Do they take safety precautions with pregnant employees?		No
Do they have procedures for reporting unsafe conditions?		No
Are all clients/patients ambulatory (ie: able to walk on their own)?		No

APPLICANT'S SIGNATURE	DATE	PRODUCER'S SIGNATURE	NATIONAL PRODUCER NUMBER
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# Form 2678 Employer/Payer Appointment of Agent

(Rev. August 2014) Department of the Treasury — Internal Revenue Service

**Use this form if you want to request approval to have an agent file returns and make deposits or payments of employment or other withholding taxes or if you want to revoke an existing appointment.**

**For IRS use:**

- If you are an employer or payer who wants to request approval, complete Parts 1 and 2 and sign Part 2. Then give it to the agent. Have the agent complete Part 3 and sign it.

**Note.** This appointment is not effective until we approve your request. See the instructions for filing Form 2678 on page 3.

- If you are an employer, payer, or agent who wants to revoke an existing appointment, complete all three parts. In this case, only one signature is required.

### Part 1: Why you are filing this form...

(Check one)

- You want to **appoint** an agent for tax reporting, depositing, and paying.
- You want to **revoke** an existing appointment.

### Part 2: Employer or Payer Information: Complete this part if you want to appoint an agent or revoke an appointment.

1 Employer identification number (EIN)

□ □ - □ □ □ □ □ □ □ □

2 **Employer's or payer's name**  
(not your trade name)

\_\_\_\_\_

3 Trade name (if any)

\_\_\_\_\_

4 **Address**

\_\_\_\_\_

Number Street Suite or room number

\_\_\_\_\_

City State ZIP code

\_\_\_\_\_

Foreign country name Foreign province/county Foreign postal code

5 Forms for which you want to appoint an agent or revoke the agent's appointment to file. (Check all that apply.)

	For ALL employees/ payees/payments	For SOME employees/ payees/payments
--	---------------------------------------	--

Form 940, 940-PR (Employer's Annual Federal Unemployment (FUTA) Tax Return)*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Form 941, 941-PR, 941-SS (Employer's QUARTERLY Federal Tax Return)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Form 943, 943-PR (Employer's Annual Federal Tax Return for Agricultural Employees)	<input type="checkbox"/>	<input type="checkbox"/>
Form 944, 944(SP) (Employer's ANNUAL Federal Tax Return)	<input type="checkbox"/>	<input type="checkbox"/>
Form 945 (Annual Return of Withheld Federal Income Tax)	<input type="checkbox"/>	<input type="checkbox"/>
Form CT-1 (Employer's Annual Railroad Retirement Tax Return)	<input type="checkbox"/>	<input type="checkbox"/>
Form CT-2 (Employee Representative's Quarterly Railroad Tax Return)	<input type="checkbox"/>	<input type="checkbox"/>

\*Generally you cannot appoint an agent to report, deposit, and pay tax reported on Form 940, Employer's Annual Federal Unemployment (FUTA) Tax Return, unless you are a home care service recipient.

- Check here if you are a home care service recipient, and you want to appoint the agent to report, deposit, and pay FUTA tax for you. See the instructions.

I am authorizing the IRS to disclose otherwise confidential tax information to the agent relating to the authority granted under this appointment, including disclosures required to process Form 2678. The agent may contract with a third party, such as a reporting agent or certified public accountant, to prepare or file the returns covered by this appointment, or to make any required deposits and payments. Such contract may authorize the IRS to disclose confidential tax information of the employer/payer and agent to such third party. If a third party fails to file the returns or make the deposits and payments, the agent and employer/payer remain liable.

**X Sign your name here**

\_\_\_\_\_

Print your name here \_\_\_\_\_

Print your title here **HHCSR**

Date / /

Best daytime phone \_\_\_\_\_

**Now give this form to the agent to complete.**

### Tax Information Authorization

► Go to [www.irs.gov/Form8821](http://www.irs.gov/Form8821) for instructions and the latest information.  
► Don't sign this form unless all applicable lines have been completed.  
► Don't use Form 8821 to request copies of your tax returns or to authorize someone to represent you. See instructions.

OMB No. 1545-1165
<b>For IRS Use Only</b>
Received by: _____
Name _____
Telephone _____
Function _____
Date _____

**1 Taxpayer information.** Taxpayer must sign and date this form on line 6.

<b>Taxpayer name and address</b>	<b>Taxpayer identification number(s)</b>
	<b>Daytime telephone number</b> Plan number (if applicable)

**2 Designee(s).** If you wish to name more than two designees, attach a list to this form. **Check here if a list of additional designees is attached**

Name and address ARIS Solutions PO Box 4409 White River Jct., VT 05001 <b>Check if to be sent copies of notices and communications</b> <input type="checkbox"/>	CAF No. <u>0313-84964R</u> PTIN _____ Telephone No. <u>866.970.3301</u> Fax No. <u>802.295.9812</u> Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address <b>Check if to be sent copies of notices and communications</b> <input type="checkbox"/>	CAF No. _____ PTIN _____ Telephone No. _____ Fax No. _____ Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>

**3 Tax information.** Each designee is authorized to inspect and/or receive confidential tax information for the type of tax, forms, periods, and specific matters you list below. See the line 3 instructions.

By checking here, I authorize access to my IRS records via an Intermediate Service Provider.

(a) Type of Tax Information (Income, Employment, Payroll, Excise, Estate, Gift, Civil Penalty, Sec. 4980H Payments, etc.)	(b) Tax Form Number (1040, 941, 720, etc.)	(c) Year(s) or Period(s)	(d) Specific Tax Matters
Employment	941, 940, 941R, 941X, W2, W3, W2C, SS4	2023-2026	Tax Liability
Authority to obtain existing FEIN	SS4, 8821	2023-2026	Tax Liability

**4 Specific use not recorded on the Centralized Authorization File (CAF).** If the tax information authorization is for a specific use not recorded on CAF, check this box. See the instructions. If you check this box, skip line 5 . . . . .


**5 Retention/revocation of prior tax information authorizations.** If the line 4 box is checked, skip this line. If the line 4 box isn't checked, the IRS will automatically revoke all prior tax information authorizations on file unless you check the line 5 box and **attach a copy** of the tax information authorization(s) that you want to retain . . . . .   
To revoke a prior tax information authorization(s) without submitting a new authorization, see the line 5 instructions.

**6 Taxpayer signature.** If signed by a corporate officer, partner, guardian, partnership representative (or designated individual, if applicable), executor, receiver, administrator, trustee, or individual other than the taxpayer, I certify that I have the legal authority to execute this form with respect to the tax matters and tax periods shown on line 3 above.

► IF NOT COMPLETED, SIGNED, AND DATED, THIS TAX INFORMATION AUTHORIZATION WILL BE RETURNED.

► DON'T SIGN THIS FORM IF IT IS BLANK OR INCOMPLETE.

<b>Signature</b>	<b>Date</b>
<b>Print Name</b>	Title (if applicable)

	<h2 style="margin: 0;">Special Power of Attorney</h2> <p style="margin: 0;"><b>for use by Individuals, Businesses, Estates and Trusts</b>                  (joint filers must each file a Power of Attorney form)</p>	FORM <h1 style="margin: 0;">PA-1</h1>
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**TAXPAYER**

1. <b>Name of Taxpayer (Principal)</b>	2. Social Security Number <b>or</b>
Address of Taxpayer	Federal ID Number <b>or</b> (if applicable) State ID Number

**AGENT**

3. Name of Agent ARIS SOLUTIONS - VETERAN DEPARTMENT (EMILIE DONKA)	4. Telephone Number of Agent 866-970-3301
5. Address of Agent 72 SOUTH MAIN STREET, WHITE RIVER JUNCTION, VERMONT 05001	

6. The Taxpayer hereby appoints the above-named person as agent for the Taxpayer and authorizes said agent to perform the following acts on behalf of the Taxpayer:

**(Check all applicable boxes)**

<input type="checkbox"/> Receive the Taxpayer's tax returns and information regarding Taxpayer's returns which have been filed with the Department of Taxes	<input type="checkbox"/> Represent the Taxpayer in appeals before the Commissioner of Taxes at a formal hearing if the agent is an attorney or CPA licensed to practice in the State of Vermont.
<input checked="" type="checkbox"/> Represent the Taxpayer in discussions and at informal conferences with Vermont Department of Taxes personnel regarding the Taxpayer's tax returns and/or liabilities	<input checked="" type="checkbox"/> Prepare and file Vermont state tax returns
<input checked="" type="checkbox"/> Negotiate the assessment and payment of tax liabilities	<input type="checkbox"/> Perform any legal act on the Taxpayer's behalf with respect to the taxes and tax periods identified below

7. This power of attorney is effective for the following taxes and tax periods:

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8. Special skills or expertise of Agent (i.e., CPA, RPA, Tax Preparer, Attorney-at-Law). If none, write "None".  
 PAYROLL

9. All prior powers of attorney on file with the Department of Taxes are hereby revoked except:

**SIGNATURE**

10. <b>Signature of Individual Taxpayer on Line 1</b>	<b>Date</b>	
11. Signature of person authorized to sign for Entity Taxpayer	Date	12. Printed name and title of person signing POA for Entity Taxpayer

**ATTESTATION OF AGENT**

I hereby attest that:

- I accept appointment as agent for the Taxpayer;
- I understand my duties under this Power of Attorney and under law;
- I understand that I am expected to use the skills and expertise identified above on behalf of the Taxpayer.

13. Signature of Agent (person on Line 3)	Date
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**VERMONT DEPARTMENT OF LABOR**  
**ATTN: Employer Services**  
**P.O. Box 488**  
**Montpelier, VT 05601-0488**  
**Phone: 802-828-4344**  
**Fax: 802-828-4248**  
**Limited Power of Attorney and**  
**Tax Information Authorization**  
*(Business, Estate or Trust)*

<b>VT Unemployment Account Number</b>
<b>Federal Identification Number</b>
<b>Client Number</b>

**Taxpayer's Legal Business Name:** \_\_\_\_\_

Trade Name(s): \_\_\_\_\_

hereby appoints ARIS SOLUTIONS as its agent to perform the following acts on its behalf:

This Limited Power of Attorney form is effective for the period beginning \_ \_\_\_\_\_ and will remain in effect until this department is otherwise notified. *(Quarter/Year)*

**(check all that apply):**

- Receive, prepare and file new and amended Vermont Employer's Quarterly Wage & Contribution Report forms.
- Obtain from and provide to this agency information regarding its returns filed for periods on or after the date below.
- Discuss matters as they pertain to the rate assignments and experience rating.

Address in Fact: PO BOX 4409 WHITE RIVER JUNCTION VT 05001

*(C-101 Forms, Rate* \_\_\_\_\_

*Notices, Statements)* \_\_\_\_\_

Telephone No.: 866-970-3301

Please specify the client address where benefit claim related information should be mailed.

**Client Address:** \_\_\_\_\_

*(Only Benefit Claim* \_\_\_\_\_

*Related Information)* \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_

It applies only to the items which have been selected above as they pertain to the Unemployment Insurance Tax and/or Benefit related matters for the client.

This limited Power of Attorney revokes all prior Powers of Attorney on file with the Vermont Department of Labor.

\_\_\_\_\_  
**Person Completing and Signing Power of Attorney**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature**

HHCSR  
 \_\_\_\_\_  
*Title of Person Signing Power of Attorney*





## PROGRAM INTEGRITY and FRAUD PREVENTION

Maintaining and improving program integrity is one of the most important aspects of the Veteran Directed Program. Program integrity including fraud prevention is critical to sustaining this program model. Participants, authorized representatives, and providers are vital to preventing fraud and maintaining program integrity.

Fraud and abuse with funds from the Veteran's Administration can cost billions of dollars each year, diverting funds that could otherwise be used for additional services or to assist more people that need care. As a participant, authorized representative, care provider or recipient of funds, you must comply with all State and Federal laws and prevent misuse or fraud of any funds within this programs. Honesty and integrity are expected of all who participate in the Veteran Directed Program.

### *Examples of Fraud and Abuse Include*

- Submitting timesheets for services not actually provided
- Approving/authorizing hours that employees didn't actually work
- Recording more time or stating different times than you actually work
- Changing hours on a timesheet after it has been approved
- Not providing the services the veteran needs
- Falsifying a worker's compensation claim
- Falsifying or misrepresentation on applications or documentation
- Billing for services while in the hospital or other care facility
- Submitting twice for the same service
- Requiring an employee to "share" their paycheck with the employer

### Results

Fraud is a felony conviction that can lead to substantial penalties, including imprisonment of up to ten years, or a fine of up to \$1,000 or an amount equal to twice the amount of assistance or benefits wrongfully obtained, or both. If convicted of fraud you may be excluded for a minimum of five years from any employment with a program or facility that receives Medicaid funding.

### REPORTING

If you suspect or know of fraud or abuse occurring, it is your duty and responsibility to report this immediately to the Area Agency on Aging and the Veteran's Administration. Or call ARIS Solutions at 866.970.3301 and the proper people will be contacted.



## Employer/Authorized Representative Background Checks

Effective February 1, 2024 any new Employer of Record or Authorized Representative whom is other than the Veteran, are required to undergo and pass a background check in accordance with the Veterans Administration (VA) and state polices as specified by the VDC provided to be designated as a Veteran's representative.

Per VA policy, any representative candidate who has a felony for fraud, abuse or exploitation for an individual may be not authorized as a representative for a Veteran.

Examples of Disqualifying Events as a Result of a Background Check would include:

1. A misdemeanor conviction against any individual that involves:

- a. Physical or sexual assault;
- b. Violence or exploitation;
- c. Child pornography;
- d. Threatening or reckless conduct;
- e. Theft;
- f. Fraud;
- g. Driving under the influence of drugs or alcohol;
- h. Any other conduct that represents evidence of behavior that could endanger the safety or well-being of an individual.

2. A conviction of a felony against an individual.

3. Additional factors considered in determining suitability may include, but not limited to:

- a. Relevance of the crime to the position sought;
- b. The nature of the work and/or activity to be performed;
- c. Time elapsed since the conviction;
- d. Age of the candidate at the time of the offense;
- e. The number of offenses;
- f. Whether the individual has pending charges;
- g. Any relevant evidence of rehabilitation or lack thereof;
- h. Any other relevant information, including information submitted by the individual or requested by the hiring authority.



## Employer/Authorized Representative Background Check Release Form

### Veteran Directed Care Program

Care Coordinator \_\_\_\_\_ AAA

Veteran Demographic Information		
Last Name:	First Name:	
Home Phone:	Cell Phone:	ID # (Last 4 SS#):
Is Veteran using a Representative?    Yes ___    No ___ <b>(If no, skip Authorized Representative Information)</b>		
Authorized Representative Demographic Information		
Full Name <b>(If also a POA please attach documentation)</b> :		
Alias/Maiden Name (if more than one):		
Home Phone Number:	Cell Phone:	Work Phone:
Address:		
Address outside of state within 5 years:		
Place of Birth:	Driver License Number:	
Date of Birth:	Full Social Security Number:	

By signing below, I am consenting to reviewing the list of excluded convictions, substantiations, and findings. I understand that ARIS Solutions will conduct background checks on behalf of the Veteran. I understand that the Veteran will be made aware of all findings and that any finding on the list of program background check exclusions will eliminate me from consideration as the Veteran's employer or Authorized Representative.

As so, I authorize ARIS Solutions to perform the following background check(s) on behalf of the Veteran. The cost of these background check(s) will be an expense to the Veterans budget.

- \* Vermont DMV Record Request      \* Office of Inspector General      \* Vermont Criminal Records
- \* Vermont Agency of Human Services Adult & Child Abuse Registry Check

#### **Signatures:**

Employer/Authorized Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Veteran: \_\_\_\_\_ Date: \_\_\_\_\_





## Employer Confirmation of Receipt

I, \_\_\_\_\_, have read the "Program Integrity and Fraud Prevention" documents provided by ARIS Solutions.

I understand and accept my role or my designated representative's role as an employer in the Veteran Directed Program employment model.

I acknowledge that I am the employer of any employee I may choose to hire to provide home health care service in the Veteran Directed Program employment model.

I understand I am responsible for hiring, firing, training, and supervising my employees, as well as, maintaining program integrity by preventing and reporting fraud.

I understand and acknowledge that as a FMS Provider, ARIS Solutions, **will not** act as the employer of any employee I may choose to hire through this program.

Signed,

---

Signature of Employer

---

Date



## FRAUD & ABUSE STATEMENT

**Fraud** is defined as **recklessly or purposefully** making false statements or representations to obtain some benefit or payment that you would not be entitled to without those statements or facts. These acts may be committed either for the person's own benefit or for the benefit of someone else. In other words, fraud includes the obtaining of something of value through misrepresentation or concealment of facts. Fraud is committed when a person or business deceives or distorts facts or information to get something they would not be otherwise entitled to. Fraud can range from a solo act to a broad-based operation by an institution or a group. Anyone can commit fraud.

### **Examples of Medicaid/Veteran Administration Fraud include, but are not limited to:**

- Knowingly and/or purposefully filling out an employee timesheet incorrectly for hours or services that were not provided during the times listed or on the day listed;
- Knowingly and/or purposefully allowing the Vendor F/EA FMS-Support Broker entity to bill Medicaid/Veteran Administration for services that were not provided;
- Knowingly and/or purposefully using the Veteran's budget for any other purpose than what has been approved in the Veteran's service plan.
- Knowingly and/or purposefully allowing an employee to document services or hours that were not provided.
- Knowingly and/or purposefully submitting invoices to the Vendor F/EA FMS-Support Broker entity for goods and services that were not provided.
- Knowingly and/or purposefully having the Vendor F/EA FMS-Support Broker entity pay an employee or vendor for goods and/or services actually provided by someone else. (This is also tax fraud.)
- Knowingly and/or purposefully making a "side deal" with an employee to split their pay check with the Veteran or his/her representative. (This is also tax fraud).
- Knowingly or purposefully withholding information from authorities during an investigation
- Knowingly and/or purposely having the Vendor F/EA FMS-Support Broker entity pay for an approved good included in the Veteran's budget, and then return the approved good to get the cash or use it for something else that has not been approved.

**Abuse** is defined as practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to Medicaid/Veteran Administration and other programs, or in reimbursement for services that are not medically necessary or fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary costs to the Medicaid/Veteran Administration program.

**Examples of Medicaid/Veteran Administration Abuse include:**

- Making errors when filling out the employee’s timesheet and not immediately reporting the error to the Vendor F/EA FMS-Support Broker entity to remedy the situation.
- Being late in handing in Veteran/representative-employer related paperwork to the Vendor F/EA FMS-Support Broker entity.

**The difference between Fraud and Abuse**

Fraud is anything intentionally, purposefully or recklessly done to get something for your own benefit that you normally would not be entitled to. Abuse is anything that wasn’t done intentionally or purposefully but was still completed incorrectly for your own benefit and not immediately reported.

**Medicaid/Veteran Administration Fraud and Abuse** is a crime against all taxpayers and is both a state and federal offense. All reports or allegations of fraud and abuse within the Veteran Directed Home and Community Based Services Program will be referred to the Veteran’s Administration for possible criminal investigation. Veteran’s suspected of Medicaid/Veteran Administration Fraud or Abuse also face termination from the Veteran Directed Home and Community Based Services Program.

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Veteran’s Signature Date

---

Authorized Representative Signature Date

---

FMS Provider Signature Date

## HIPAA NOTICE OF PRIVACY PRACTICES & AGREEMENT

This notice describes how medical information about you may be used and disclosed and how we may obtain access to this information. Please review it carefully & keep for your records.

### DEFINITION OF MEDICAL INFORMATION

When ARIS Solutions/ VDC Program refers to medical information, we mean protected health information (PHI). PHI is information that is individually identifiable health information including demographic information collected.

### USES AND DISCLOSURES OF PHI

**Health Care Operations-** Your medical information may be used and disclosed in connection with our health care operational including:

- *Case management and care coordination.*
- *Quality assessment and improvement activities and protocol assessment.*
- *Reviewing the competence or qualifications of health care professionals, evaluating provider performance, conducting training programs, accreditation, certification activities, and credentialing activities.*
- *Conducting legal services, compliance programs, fraud and abuse detection*
- *Business planning and development.*

**Additional disclosures-PHI may be disclosed;**

- *To another entity that has relationship with the organization for their health care operations relating to quality improvement and assessment activities, reviewing competence or qualifications of health care professionals.*
- *To other entities that assist us in conducting our health care operations.*

*We will not disclose your medical information to those persons or entities unless they agree to keep it protected.*



**HIPAA NOTICE OF PRIVACY PRACTICES & AGREEMENT  
continued...**

**For the Public Benefit- as authorized by law for the following purposes:**

- *As required by law*
- *For public health activities, including disease and vital statistic reporting, FDA oversight, and for work related illness or injury*
- *To health oversight agencies*
- *In response to court and administrative orders*
- *To avert a serious threat to health and human safety*

*Your written authorization is required for all other uses and disclosures of your PHI. You may revoke your authorization at any time. However, your revocation will not affect any use or disclosure you permitted to your revocation.*

**YOUR RIGHTS**

*Access to your information — You have the right to inspect or obtain a copy of the medical information about you that is contained in a “designated record set”. The organization may ask you to submit your request in writing.*

*Accounting of disclosures – You have the right to receive a list of instances in which we or our associates disclosed your PHI for purposes other than health care operations or those authorized by you.*

*Confidential Communication – You have the right to request that we communicate with you about your PHI by a different means or at a different location. You make this request in writing.*

*Amending your PHI – You have the right to request that we amend your PHI contained in the “designated record set” if it is not correct or complete. We may require that this request be in writing.*

*Complaints – You have the right to file a complaint if you believe your privacy rights have been violated. You may file this complaint with ARIS Solutions/ VDC Program and/or the Secretary of the Department of Health and Human Services. All complaints to ARIS Solutions/ VDC Program must be made in writing. We support your right to protect your PHI.*

**\*\*PLEASE KEEP THIS FOR YOUR RECORDS\*\***

## HIPAA NOTICE OF PRIVACY PRACTICES & AGREEMENT

*\*PLEASE SIGN/DATE & RETURN TO ARIS SOLUTIONS\**

*At ARIS Solutions/ VDC Program, we respect the confidentiality of your medical information and will protect information in a responsible manner. We have a privacy program in place that meets the requirements of HIPAA, the government legislation that sets standards for the privacy of medical information.*

*This notice will be effective for all medical information that we maintain, including medical information we created or received before \_\_\_\_\_ (date)  
\_\_\_\_\_(initials)*

## HIPAA PRIVACY NOTICE ACKNOWLEDGEMENT AND CONSENT

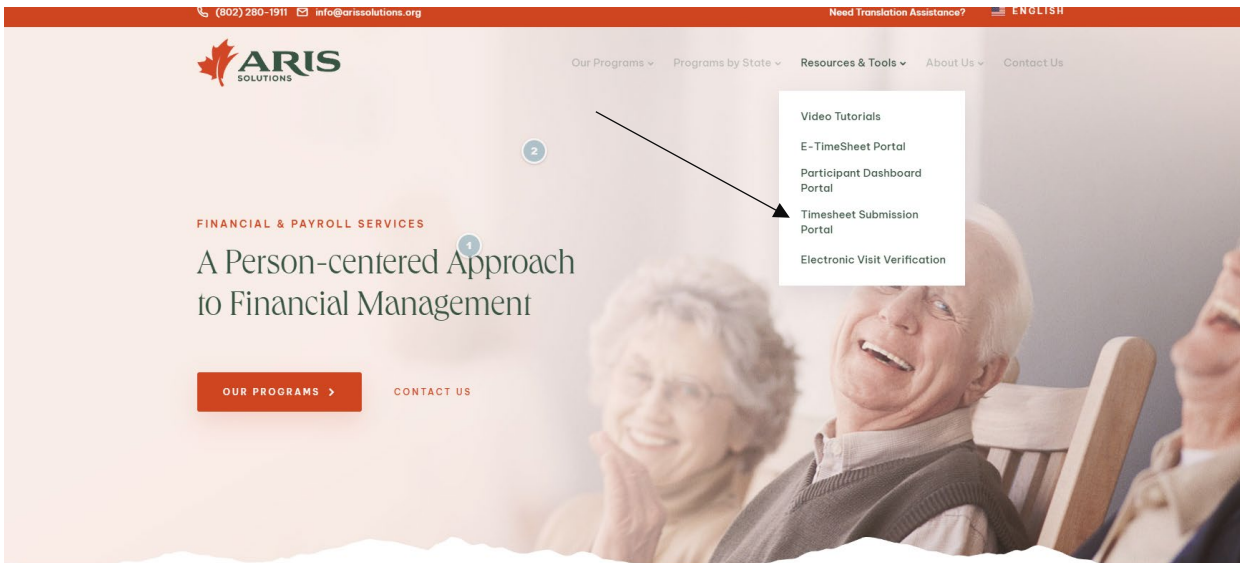
*I acknowledge that I have been provided with a notice of privacy practices and have been advised of how health information about me may be used and disclosed by ARIS Solutions/ VDHCB Program and how may I obtain access to and control of this information.*

\_\_\_\_\_  
*Signature of Employer*

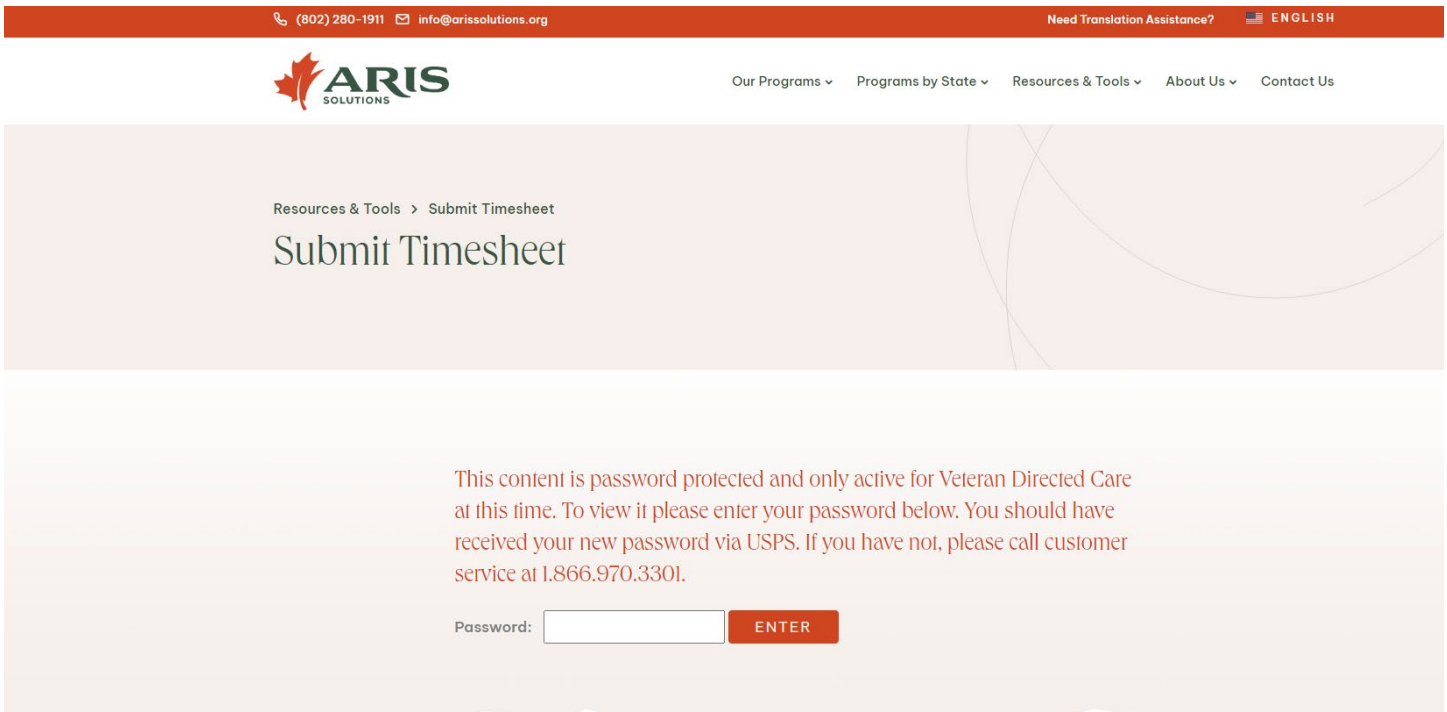
\_\_\_\_\_  
*Date*



If you utilize the **Timesheet Submission Portal**, you can find it under the “Resources and Tools” tab on the home page. Please note it now requires a case sensitive password that we have provided below:



Once you click on “Timesheet Submission Portal” you will be brought to this screen:



Your password will be:

**ArisTime?4409**

Then, enter your first and last name and upload the timesheet file. You will receive a unique submission number for that timesheet. Record this number. If you are unsure if the file was successfully submitted, we can be reached at 1.866.970.3301.



## e-Timesheets Registration and Agreement Form

Each Employer and Employee must complete a separate form. If you are filling out this form as an Employee, you (and your Employer) must sign up for e\_Timesheets with each Employer that you work for.

Please remember that each Employer and Employee must have individual email addresses (**cannot** share one with any other employer or employee).

**Name:** \_\_\_\_\_  
Required (Please print clearly)

**E-mail Address:** \_\_\_\_\_  
Required (Please print clearly)

**Phone Number:** \_\_\_\_\_ **Last 4 digits of Social Security Number:** \_\_\_\_\_  
Required

**Registering as:** **Employer** \_\_\_\_\_  
**Employee** \_\_\_\_\_ **My Employer's name is:** \_\_\_\_\_  
Required if enrolling as employee

You are also agreeing that:

- You understand that ARIS Solutions reports suspected fraud to the Office of Attorney General and will automatically do that, even if the timesheet is sent through e\_Timesheets,
- You will not share your User Name or Password with anyone,
- You will notify ARIS Solutions immediately if you change your email address,
- You will notify ARIS Solutions immediately if there is a change in employment status of any employee who uses e\_Timesheets,
- You will notify ARIS Solutions immediately if there is a change in the employer of record for anyone who uses e\_Timesheets, and
- Submitting hours or services that were not worked may be considered fraud.

**Signature** \_\_\_\_\_  
Required

**Print Name** \_\_\_\_\_  
Required

**Date** \_\_\_\_\_  
Required



## About the Electronic Timesheets Module

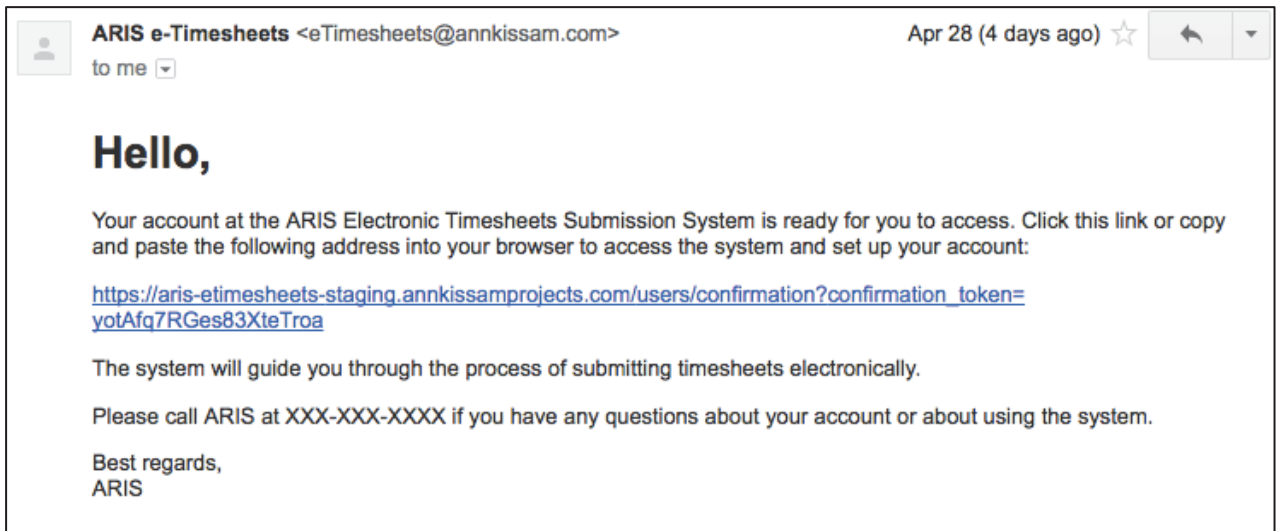
The Electronic Timesheets Module is a web-based interface through which Consumers, Employers, Representatives and Employees can respectively enter and view relevant timesheet information.

## Electronic Timesheets Agreement

In order to use the Electronic Timesheets Submission interface, a Consumer, their Representative or Employer (if applicable) and their Employee must sign an Electronic Timesheets Agreement which states that they both have valid e-mail addresses, and agree to use the electronic timesheets submission interface as a method of submitting time.

## Getting Started

1. An admin will create a user for the Consumer, Employer, Employee and Representative (if applicable).
2. The Consumer, Employer, Employee and Representative (if applicable) will each receive an e-mail alerting them that their account has been set up, and instructions for activating this account. Each user will click a one-time login link that expires after access to set up a password.



- Each user will be prompted to accept the Terms of Service, and set up a password for their account.

**Electronic timesheets user**

**Terms of Service**

**USE OF USER ID AND PASSWORD:**

1. If you register and/or set up an account on the Electronic Timesheets System Interface, you will be solely responsible for maintaining the confidentiality of your Registration Information. You may not authorize others to use your Registration Information. You may not sub-license, transfer, sell or assign your Registration Information and/or this Agreement to any third party. Any attempt to do so will be null and void and shall be considered a material breach of this Agreement.
2. You are solely responsible for all usage or activity on your account including, but not limited to, use of the account by any person who uses your Registration Information, with or without authorization, or who has access to any computer on which your account resides or is accessible.
3. If you have reason to believe that your account is no longer secure (for example, in the event of a loss, theft or unauthorized disclosure or use of your Personal Identifiable Information stored on the Electronic Timesheets System Interface), you must promptly change the affected Registration Information by using the appropriate update mechanism on the Electronic Timesheets System Interface, if available, or notify ARIS.

Please set your password for your account here.

**New Password**

**Confirm Password**

I have read and accept the above terms of service.

**Submit**

- Once each user accepts the Terms of Service and creates a password, he or she may start using the system.

Time sheets are due on Mondays by 11:59pm Eastern Standard Time  
Due dates do not change if they fall on a holiday.

**Time Sheet and Reimbursement Schedule 2024**  
**VDC- AK-DC-MO-MT-NC-PA-VT**

<b>Pay Period</b>	<b>Pay Period Start Date</b>	<b>Pay Period End Date</b>	<b>Timesheet Submission Due Date</b>	<b>Payment Date</b>
1	12/24/2023	1/6/2024	1/8/2024	1/12/2024
2	1/7/2024	1/20/2024	1/22/2024	1/26/2024
3	1/21/2024	2/3/2024	2/5/2024	2/9/2024
4	2/4/2024	2/17/2024	2/19/2024	2/23/2024
5	2/18/2024	3/2/2024	3/4/2024	3/8/2024
6	3/3/2024	3/16/2024	3/18/2024	3/22/2024
7	3/17/2024	3/30/2024	4/1/2024	4/5/2024
8	3/31/2024	4/13/2024	4/15/2024	4/19/2024
9	4/14/2024	4/27/2024	4/29/2024	5/3/2024
10	4/28/2024	5/11/2024	5/13/2024	5/17/2024
11	5/12/2024	5/25/2024	5/27/2024	5/31/2024
12	5/26/2024	6/8/2024	6/10/2024	6/14/2024
13	6/9/2024	6/22/2024	6/24/2024	6/28/2024
14	6/23/2024	7/6/2024	7/8/2024	7/12/2024
15	7/7/2024	7/20/2024	7/22/2024	7/26/2024
16	7/21/2024	8/3/2024	8/5/2024	8/9/2024
17	8/4/2024	8/17/2024	8/19/2024	8/23/2024
18	8/18/2024	8/31/2024	9/2/2024	9/6/2024
19	9/1/2024	9/14/2024	9/16/2024	9/20/2024
20	9/15/2024	9/28/2024	9/30/2024	10/4/2024
21	9/29/2024	10/12/2024	10/14/2024	10/18/2024
22	10/13/2024	10/26/2024	10/28/2024	11/1/2024
23	10/27/2024	11/9/2024	11/11/2024	11/15/2024
24	11/10/2024	11/23/2024	11/25/2024	11/29/2024
25	11/24/2024	12/7/2024	12/9/2024	12/13/2024
26	12/8/2024	12/21/2024	12/23/2024	12/27/2024
27	12/22/2024	1/4/2025	1/6/2025	1/10/2025
28	1/5/2025	1/18/2025	1/20/2025	1/24/2025
29	1/19/2025	2/1/2025	2/3/2025	2/7/2025

Time sheets, reimbursements, employee paperwork and check requests received by  
Send to:

ARIS Solutions  
PO Box 4409  
White River Junction, VT 05001  
FAX: 1.802.295.9812

Questions?  
Veterans Department  
<https://arissolutions.org/submit-timesheet/>



## WHAT EMPLOYERS NEED TO KNOW

*Author(s): Lucia Cucu, J.D.*

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## **How to Protect Yourself and Your Worker: A Guide for Employers**

Being an employer brings not only rights but also responsibilities. This guide describes a few important issues that every employer should know about.

### **Maintaining a Safe Workplace**

It is important to keep your home safe for your employee. Slips and falls are a common cause of injuries, so you should clean up or warn your employee of spills and wet surfaces, and keep stairs and flooring in good repair. If you have pets in your home, make sure they cannot bite or scratch your employee.

### **Making Hiring and Firing Decisions**

#### **Terminating Employees**

Do not hesitate to terminate an employee who does not meet your needs. Most employment relationships are considered employment “at will,” which means you can terminate an employee for any reason or no reason at all, so long as your reason is not discriminatory, retaliatory (see discussion below) or otherwise unlawful.

#### **Avoiding Promises about the Length of Employment**

To avoid a claim for breach of contract, do not make any promises to your employee that you will keep him employed for a certain period of time or that you would only fire him for a specific reason. Remember that a contract does not always have to be in writing to be legally binding. Spoken statements and promises can sometimes create legal obligations.

#### **Avoiding Illegal Discrimination and Retaliation**

In many states it is illegal to discriminate against employees based on certain factors, which can include race, color, religion, sex, national origin, marital status, sexual orientation. This means that you must not hire, fire, or harass employees based on such factors. While your employee is with you, be careful not to express any personal opinions that could be interpreted as discriminatory. Even if you are in your own home, the home is considered a workplace while your employee is there, and workplace discrimination and harassment are prohibited by law.

Do not allow friends or family to behave in ways that could be considered discriminatory or harassing towards your employee. As the employer, you could be held responsible for their behavior if you allow it to continue.

Sexual harassment is also illegal. It includes unwelcome sexual advances that can be physical or verbal, such as offensive comments or gestures that create a hostile environment. Remember that the harasser can be someone other than the employer, such as a guest visiting your home or someone who lives with you.

It is also illegal to fire employees in retaliation for reporting a crime or irregularity. For example, if an employee believes that an employer is misusing Medicaid funds and reports it to the authorities, it would be illegal to fire the employee in retaliation.

### **Providing References for Former Employees**

Be careful when talking about your reasons for terminating employees, because you could risk a claim of discrimination or defamation (saying things about the employee who harms them). If you are asked for a reference about a former employee and cannot provide a positive one, it is safest not to provide a reference at all.

## **What Family Members and Authorized Representatives Need to Know**

### **Your Duty as Representative**

In participant-directed programs, usually the participant (the person receiving services) is the employer. It is not unusual, however, for the participant to be unable or unwilling to serve as the employer. In those cases, the participant will designate a “representative” to serve as the employer. If you are designated as an authorized representative, you have a *fiduciary* duty to the participant. “Fiduciary” means you must always act in the best interest of the participant and not in your own interest. Program funds must always be spent for the participant’s benefit, not your own benefit.

### **Hiring and Training Employees**

If the participant is likely to injure himself or others, you have a duty to warn employees of the risk and instruct them how to best handle it. Make sure to hire only employees who can deal with situations that arise. Ask them to confirm that they understand the risks and are willing and able to handle them.

If you are a parent, you must exercise reasonable care to control your minor child as best as you can, even if you are not listed as an authorized representative for the child. It is important to hire employees who are able to deal with any risks they may encounter when caring for your child. You should warn employees ahead of time of risks, and explain how to best handle situations that may come up.

### **Mandatory Reporter Duty**

As an authorized representative, you may have a legal duty to report to the authorities if you suspect or notice that the participant is being abused by a family member, an employee, or some other person. Many states have “mandatory reporter” laws that could require you to report abuse of a child, an elderly adult or a person with a disability. You may have a duty to report the abuse even if the abuser is a member of your own family or the participant’s family.

## **Worker's Compensation Insurance**

It is important to maintain a worker's compensation insurance policy, because such insurance will pay for claims if an employee is injured on the job.

If an employee is injured while at work, the employer is liable even if the injury is not the employer's fault. For example, if your employee drives to the grocery store on your behalf and is injured when a careless driver hits her car, the employee could ask you for compensation even though you could not have prevented the accident. This is because employers have to compensate employees for injuries sustained on the job. A worker's compensation insurance policy will pay for such claims.

## **Liability Insurance**

Worker's compensation will pay when your employee is injured, but what happens when someone else is injured? As an employer you may be liable when your employee injures someone else, even if the injury is not your fault. For example, if your employee causes a car accident while driving you to an appointment and injures a third party, the third party could sue you because your employee caused the accident while on the job.

Employment-related claims like wrongful termination, discrimination, or defamation are another source of liability that is not covered by worker's compensation insurance.

Some homeowner's, renter's, or liability insurance policies will cover such claims. However the terms of insurance policies vary, so you should read the terms and consult with an insurance agent before you start your participant direction program. You may consider an addition to your homeowner's or renter's policy, or a separate liability insurance policy, to be covered for liability risks related to domestic employees.