



Client/Authorized Representative Acknowledgement of Travel and Overtime Responsibilities in the Fiscal Employer Agent Model

Client Information				
Name:		Medicaid ID #:		
Address:		City:	Zip:	
Phone:		E-mail:		
Authorized Representative's (AR) Contact Information				
Name:		Relationship to client:		
Address:		City:	Zip:	
Phone:		E-mail:		

Are you an Authorized Representative for more than one Consumer Directed Attendant Support Services (CDASS) client?

Yes **No**

Are you a CDASS client yourself and also act as an Authorized Representative (AR) for another CDASS client?

Yes **No**

If yes to either question, you may have a joint employer relationship according to the Department of Labor.

Joint employment exists when an employee is employed by two (or more) employers and the employers are responsible, both individually and jointly, for that employee under the law.

As a CDASS client or an AR, you must comply with the Fair Labor Standards Act (FLSA). This means you are responsible for the overtime and travel time that your attendants work. Overtime is when an attendant works over 40 hours in a week or more than 12



hours in a day. Travel time is when an attendant travels from one client’s house to another while sharing an AR.

The U.S. Department of Labor (DOL) considers you the employer whether or not you hold the Federal Employer Identification Number (FEIN) for everyone whose care you manage. As a CDASS client or an AR, you are responsible for:

- Managing attendant work hours
- Ensuring that attendants hired and working for multiple clients do not incur travel time and overtime costs;
- Monitor travel time and overtime while sharing attendants. There is not a system in place to split these costs among clients who share an attendant.

Example: You or your AR manages the care of two clients active with CDASS. These clients live 1 mile apart and share the same CDASS attendant. The CDASS attendant works 30 hours a week for one client and 25 hours for the other client. The Authorized Representative has created the schedule and has the attendant working 55 hours in a work week. The attendant is required to receive overtime compensation for all hours past 40 for that work week. Because the Colorado CDASS program cannot reimburse for travel time or overtime, the attendant will not be able to get paid for 15 hours worked.

We appreciate that you have volunteered to be an AR for a CDASS client. By signing this form, you acknowledge you have received information regarding travel time and overtime compensation, and you have been informed the CDASS program does not have a reimbursement method to compensate a CDASS attendant for travel time or overtime that is accrued across multiple clients. Preventing travel and overtime costs not attributable to one client is within your control and you may be responsible for overtime and travel time wages. For more information about the FLSA please contact Consumer Direct Colorado at <http://consumerdirectco.com/> or 1-844-381-4433.

Authorized Representative Name (Printed)	Date	Signature
Client Name (Printed)	Signature	Date