

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS
ON REFERRAL BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of:)
)
 B W) OAH No. 14-1991-MDS
) Agency Case No.

DECISION

I. Introduction

The issue in this case is whether the State of Alaska Division of Senior and Disabilities Services (DSDS or Division) correctly assessed B W's eligibility for Medicaid Personal Care Assistant (PCA) services. The Division conducted a functional assessment and concluded that Ms. W does not require at least limited assistance with at least one activity of daily living (ADL), and is not at least independent with difficulty as to at least one Instrumental Activity of Daily Living (IADL).¹ Based on these findings, the Division denied Ms. W's application for PCA services.²

This decision concludes that Ms. W requires limited assistance with transfers and toileting, and that she is eligible to receive PCA services on that basis. Ms. W is not, however, eligible for PCA assistance with IADLs because she lives with her spouse, and she did not prove that her spouse is unable to assist her with the IADLs. Accordingly, the Division's denial of Ms. W's application for PCA services is reversed, but at present Ms. W is only eligible only for assistance with transfers and toilet use.

II. Facts

A. Ms. W's Diagnoses and Medical Problems

Ms. W is 77 years old.³ She lives in a private residence with her husband, four adult children, and four children under the age of 18.⁴ Ms. W's primary language is Tagalog.⁵ She has primary diagnoses of cerebrovascular disease and benign essential hypertension, and secondary diagnoses of asthma, difficulty walking, dizziness, gastritis, gout, musculoskeletal and nervous system problems not elsewhere classified, mixed hyperlipidemia, osteoarthritis, and osteoporosis.⁶

Ms. W reported being hospitalized on September 1, 2014 due to a stroke.⁷

¹ Exs. D, E.
² Ex. D.
³ Ex. E1.
⁴ Ex. E1.
⁵ Ex. E1.
⁶ Ex. E3.
⁷ Ex. E3.

At hearing, Ms. W testified in relevant part as follows:

1. She needs assistance to stand up, and she needs assistance using the toilet. Her son helps her sit down on the toilet, and then covers her with a towel while she uses the toilet.
2. She can raise her right hand, but it hurts because her shoulder is bad. Her doctor wants to give her an injection to help this, but she has not yet gotten the injection because she is afraid to do so.
3. She is not currently receiving physical therapy, but her family gives her massages.
4. She sometimes gets dizzy. She most recently went to her doctor in January and February 2015, and her doctor gave her some medicine for this. She takes it as needed.

At hearing, K W testified in relevant part as follows:

1. He is the son of B W. He is not currently working outside of the home. He is the primary person providing physical assistance to his mother and father. He also prepares their meals.
2. He must assist his mother with transfers and when she uses the toilet. He walks with her into the bathroom, helps her sit down on the toilet, and then he covers her with a towel while she uses the toilet. He must assist her with this four to six times during the day, and an additional one to two times per night.
3. He has consulted with an orthopedic physician concerning his mother's shoulder problems. His mother's left knee is swelling, and she needs to see a doctor about that also.

B. Ms. W's Functional Abilities as Determined by the Division

On September 9, 2014 Ms. W was assessed for PCA eligibility by Scott Chow, R.N. of DSDS.⁸ Mr. Chow's assessment is recorded and scored on the Division's Consumer Assessment Tool or "CAT."⁹ Mr. Chow found that Ms. W has the following abilities and limitations with regard to her activities of daily living (ADLs):¹⁰

Functional Assessment:¹¹ Mr. Chow reported that Ms. W has a strong grip in both hands, is able to touch her hands together over her head and behind her back, can stand up with her arms crossed on her chest, and can touch her hands to her feet while sitting. Ms. W told Mr. Chow, however, that there is something wrong with her right shoulder.

⁸ Ex. E.

⁹ The CAT's scoring methodology is explained in Section III, below.

¹⁰ Exs. E4 - E12.

¹¹ Ex. E4.

Body Mobility:¹² Mr. Chow reported Ms. W told him that she has a hard time moving while in bed, but was unable to explain why. Mr. Chow also reported that Ms. W's adult son told him that he helps turn his mother in bed, but was unable to explain why this is necessary. Mr. Chow reported that he observed Ms. W shift her weight, reposition, and make adjustments to her limbs without assistance while seated (scored 0/0).

Transfers:¹³ Mr. Chow reported that Ms. W told him at the beginning of the assessment that she can stand up without assistance using her walker, but told him later in the assessment that she cannot stand up without assistance. Mr. Chow reported that he observed Ms. W stand up independently (using her walker) at the beginning of the assessment, and stand up later in the assessment with her son holding her arm (scored 0/0).

Locomotion (walking):¹⁴ Mr. Chow reported that, at the beginning of the assessment, Ms. W told him that she can walk independently using her walker, but that, later in the assessment, she told him that she cannot walk without assistance. Mr. Chow reported that he observed Ms. W walk in the living area of her home, at the beginning of the assessment, using her walker without any assistance (scored 0/0).

Dressing:¹⁵ Mr. Chow reported that Ms. W told him that she prefers to have her daughter help her dress because it is difficult for her to get dressed on her own. Mr. Chow reported that he observed that Ms. W had a strong grip in both hands, good fine motor skills, and no limitations in her range of motion, and should therefore be able to dress herself (scored 0/0).

Eating:¹⁶ Mr. Chow reported that Ms. W told him that she is independent with eating and is able to take her medications with water. Mr. Chow reported that he observed Ms. W bring her hands to her face during the assessment (scored 0/0).

Toileting:¹⁷ Mr. Chow reported that Ms. W told him that it is difficult for her to use the toilet by herself, and that she usually asks for help. Mr. Chow reported that he observed Ms. W stand independently at the beginning of the assessment using her walker, and that she displayed good fine motor skills and had no limitations on her range of motion (scored 0/0).

¹² Ex. E6.

¹³ Ex. E6.

¹⁴ Ex. E7.

¹⁵ Ex. E8.

¹⁶ Ex. E9.

¹⁷ Ex. E9.

Personal Hygiene:¹⁸ Mr. Chow reported that Ms. W told him (1) that she can wash her face and brush her teeth; (2) that her son must comb her hair because there is something wrong with her shoulder; and (3) she had her shoulder x-rayed in July 2014, but does not yet know the results. Mr. Chow reported that she observed that Ms. W has good grip strength, good fine motor skills, and no diagnosis to support a claim of limitation of range of motion in the arms or legs (scored 0/0).

Bathing:¹⁹ Mr. Chow reported that Ms. W told her that she gets help with the "whole thing," but could not explain what specific aspects of bathing she requires assistance with. Mr. Chow reported that he observed that Ms. W displayed a steady gait, and has no medical diagnosis supporting a limitation in the range of motion of her arms or legs (scored 0/0).

The assessment of September 9, 2014 also scored Ms. W as follows concerning her ability to perform her instrumental activities of daily living (IADLs):²⁰ (1) independent as to financial management, telephone use, and light meal preparation (all scored 0/0); and (2) independent with difficulty, and requiring set-up help, as to main meal preparation, light housework, routine housework, grocery shopping, and laundry (all scored 1/2).

C. Relevant Procedural History

Ms. W applied for PCA services and was assessed on September 9, 2014.²¹ The Division denied her application on October 7, 2014.²² Ms. W requested a hearing on October 20, 2014 to contest the Division's determination.²³

Ms. W's hearing was held on January 30 and February 26, 2015. Ms. W participated in the hearing by phone, represented herself, and testified on her own behalf. She was assisted by her son, K W, who testified by phone on his mother's behalf. C Q, a Tagalog interpreter, translated for Ms. W.

Gena O'Neal participated in the hearing by phone and represented the Division. Scott Chow, R.N. and T H also participated by phone and testified on behalf of the Division. The record closed at the end of the hearing.

¹⁸ Ex. E10.

¹⁹ Ex. E11.

²⁰ Ex. E26.

²¹ Ex. D1, Ex. E. The exact date that Ms. W's application was submitted to DSDS is not in the record.

²² Ex. D.

²³ Ex. C.

III. Discussion

A. *The PCA Program - Overview*

The Medicaid program provides personal care assistant (PCA) services to eligible persons; "[t]he purpose of personal care services is to provide to a recipient *physical assistance* with activities of daily living (ADL), *physical assistance* with instrumental activities of daily living (IADL), and other services based on the *physical condition* of the recipient" ²⁴ [Emphasis added]. Accordingly, "[t]he department will not authorize personal care services for a recipient if the assessment shows that the recipient only needs assistance with supervision, cueing, and setup in order to independently perform an ADL or IADL." ²⁵

B. *Alaska's PCA Program - Use of the Consumer Assessment Tool (CAT)*

The Department of Health and Social Services (DHSS) conducts an assessment for PCA services using the Consumer Assessment Tool or "CAT." ²⁶ The goal of the assessment process is to determine the level of physical assistance that an applicant or recipient requires in order to perform their activities of daily living (ADLs) and instrumental activities of daily living (IADLs). ²⁷ The CAT seeks to make the assessment process more objective by standardizing the evaluation of the applicant or recipient's functional impairments. ²⁸

The ADLs scored by the CAT are body mobility, transfers (non-mechanical), transfers (mechanical), locomotion (in room), locomotion (between levels), locomotion (to access apartment or living quarters), dressing, eating, toilet use, personal hygiene, and bathing. ²⁹ In addition, the CAT scores five other ADL-like activities which are not technically ADLs. These are medications, vital signs/glucose levels, dressings/bandages/oxygen, sterile wound care, and documentation.

The CAT numerical scoring system for ADLs has two components. The first component is the *self-performance score*. These scores rate how capable a person is of performing a particular activity of daily living (ADL). The relevant scores are **0** (the person is independent and requires no

²⁴ 7 AAC 125.010(a).

²⁵ 7 AAC 125.020(e). This regulation defines "cueing" as "daily verbal or physical guidance provided to a recipient that serves as a signal to the recipient that the recipient needs to perform an activity;" "setup" as "arranging items for use or getting items ready for use so that the recipient can independently perform an ADL or IADL;" and "supervision" as "observing and giving direction, as needed, so that the recipient can independently perform an ADL or IADL." *Id.*

²⁶ 7 AAC 125.020(b). The CAT has been adopted into DHSS regulations by reference. *See* 7 AAC 160.900(d)(6).

²⁷ *See* 7 AAC 125.010(a).

²⁸ Ex. E.

²⁹ *See* Division of Senior and Disability Services' *Personal Care Assistance Service Level Computation* (accessed online at <http://www.hss.state.ak.us/dsds/pca/documents/PCA%20Service%20Computation.pdf>) (accessed April 22, 2015); *see also* Exs. E6 - E11.

help or oversight); **1** (the person requires supervision); **2** (the person requires limited assistance³⁰); **3** (the person requires extensive assistance³¹); and **4** (the person is totally dependent³²).

The second component of the CAT scoring system for ADLs is the *support score*. These scores rate the degree of assistance that a person requires for a particular activity of daily living (ADL). The relevant scores are **0** (no setup or physical help required); **1** (only setup help required); **2** (one person physical assist required); and **3** (two or more person physical assist required).

The CAT also scores certain activities known as "instrumental activities of daily living" (IADLs).³³ These are light meal preparation, main meal preparation, light housekeeping, routine housekeeping, laundry, and grocery shopping. Finally, the CAT scores one other IADL-like activity which is not technically an IADL (oxygen maintenance).

The CAT scores IADLs slightly differently than ADLs.³⁴ The *self-performance scores for IADLs* are **0** (independent either with or without assistive devices - no help provided); **1** (independent with difficulty; the person performed the task, but did so with difficulty or took a great amount of time to do it); **2** (assistance / done with help - the person was somewhat involved in the activity, but help in the form of supervision, reminders, or physical assistance was provided); and **3** (dependent / done by others - the person is not involved at all with the activity and the activity is fully performed by another person).

The *support scores* for IADLs are also slightly different than the support scores for ADLs.³⁵ The relevant support scores for IADLs are **0** (no support provided); **1** (supervision / cueing provided); **2** (set-up help); **3** (physical assistance provided); and **4** (total dependence - the person was not involved at all when the activity was performed).

If a person receives self-performance scores of 2, 3, or 4 and support scores of 2, 3, or 4 as to *any one* ADL, then the person is eligible to receive PCA services.³⁶ Alternatively, if a person

³⁰ Pursuant to 7 AAC 125.020(a)(1), limited assistance with an ADL "means a recipient, who is highly involved in the activity, receives direct physical help from another individual in the form of guided maneuvering of limbs, including help with weight-bearing when needed."

³¹ Pursuant to 7 AAC 125.020(a)(2), extensive assistance with an ADL "means that the recipient is able to perform part of the activity, but periodically requires direct physical help from another individual for weight-bearing support or full performance of the activity."

³² Pursuant to 7 AAC 125.020(a)(3), dependent as to an ADL, or dependent as to an IADL, "means the recipient cannot perform any part of the activity, but must rely entirely upon another individual to perform the activity."

³³ Ex. E26.

³⁴ *Id.*

³⁵ *Id.*

³⁶ 7 AAC 125.020. The CAT PCA scoring matrix at page 31 of the CAT attempts to restrict the ADLs through which one may qualify for PCA services to transfers, locomotion, eating, toilet use, dressing, and bathing. This is contrary to the express terms of the regulation, which indicates that a person can qualify to receive PCA services by receiving a score of 2/2 or better as to "any" ADL. Accordingly, the limitation stated in the CAT may not be valid.

receives self-performance scores of 1, 2, or 3 and support scores of 3 or 4 with regard to any IADL, then the person is eligible to receive PCA services.³⁷

C. Does Ms. W Require Limited Assistance With one or More Activities of Daily Living?

As stated above, in order to qualify for PCA services through ADL scores, an applicant or recipient must receive a CAT score of 2/2 or better as to at least one ADL.³⁸ Ms. W's ADL scores are discussed below.

1. Body Mobility

For the ADL of body mobility, PCA time is allowed when a person requires physical assistance to reposition in a bed or chair, or to perform range of motion and stretching exercises.³⁹ Mr. Chow reported that, during the assessment, he observed Ms. W shift her weight, reposition, and make adjustments to her limbs without assistance while seated (scored 0/0). Mr. Chow reported, however, that Ms. W told him that she has a hard time moving while in bed, but was unable to explain why. Mr. Chow also reported that Ms. W's adult son told him that he helps turn his mother in bed, but was also unable to explain why this is necessary.

At hearing, neither Ms. W nor her son asserted or testified concerning any need for assistance with body mobility. As an initial applicant for PCA services, Ms. W bears the burden of proof on this issue. She did not satisfy her burden of proof. Accordingly, the preponderance of the evidence indicates that Ms. W does not require assistance with body mobility, and the Division's factual findings to that affect are therefore affirmed.

2. Transfers

For the ADL of transfers, PCA time is allowed when a person requires physical assistance to move between one surface and another (including to or from a bed, chair, or wheelchair), and/or when a person requires physical assistance to move from a lying or sitting position to a standing

Fortunately, it is not necessary to resolve this legal issue in this decision because, as scored by this decision, Ms. W has received a score of 2/2 or better as to one or more of the six ADLs referenced in the CAT.

³⁷ 7 AAC 125.020. The CAT PCA scoring matrix at page 31 of the CAT attempts to restrict the IADLs through which one may qualify for PCA services to light meal preparation, main meal preparation, light housework, routine housework, grocery shopping, and laundry. This is contrary to the express terms of the regulation, which indicates that a person can qualify for PCA services by receiving a score of 1/3 or better as to "any" IADL. Accordingly, the limitation stated in the CAT may not be valid. Fortunately, it is not necessary to resolve this legal issue in this decision because, as scored by this decision, Ms. W is eligible to receive PCA services based on her ADL scores.

³⁸ 7 AAC 125.020. The minimum standard applicable to ADLs, "limited assistance," is defined by 7 AAC 125.020(a)(1) as a situation in which the recipient, although "highly involved in the activity, receives direct physical help from another individual in the form of guided maneuvering of limbs, including help with weight-bearing when needed."

³⁹ 7 AAC 125.030(b)(1).

position.⁴⁰ Mr. Chow reported that he observed Ms. W stand up independently (using her walker) at the beginning of the assessment, and stand up later in the assessment with her son holding her arm (scored 0/0). Mr. Chow also reported that Ms. W told him at the beginning of the assessment that she can stand up without assistance using her walker, but told him later in the assessment that she cannot stand up without assistance.

At hearing, Ms. W and her son both testified that she sometimes requires limited assistance with transfers. While not observed by Mr. Chow during the assessment, requiring assistance with transfers would be completely consistent with Ms. W's medical diagnoses of difficulty walking, dizziness, gout, musculoskeletal and nervous system problems not elsewhere classified, and osteoarthritis. Accordingly, the preponderance of the evidence indicates that, although Ms. W may sometimes be independent with transfers, she sometimes requires limited, non-weight bearing, one-person physical assistance with transfers (CAT score 2/2).

The record does not contain testimony regarding the specific number of transfers with which Ms. W requires assistance on a daily or weekly basis. However, in these cases the number of transfers with which a recipient requires assistance is generally similar to the number of assists which the recipient requires for toilet use. There is testimony in the record concerning Ms. W's frequency of assistance with toilet use (see below). Accordingly, I find that Ms. W requires five assisted transfers per day, or 35 assisted transfers per week.

3. Locomotion / Walking

For the ADL of locomotion, PCA time is allowed when a person requires assistance with walking (whether with the support of a walker, cane, gait belt, braces, crutches, or manual wheelchair), either between different locations in the recipient's home, or outside the home to keep a medical or dental appointment; PCA time is also allowed when walking and simple exercises have been prescribed by a physician.⁴¹ Mr. Chow reported that he observed Ms. W walk in the living area of her home, at the beginning of the assessment, using her walker without any assistance (scored 0/0). While Ms. W apparently told Mr. Chow during the assessment that she cannot walk without assistance, she did not assert this when under oath at hearing, and neither did her son. Accordingly, the preponderance of the evidence indicates that Ms. W is independent with locomotion through the use of her walker (CAT score 0/0).

⁴⁰ 7 AAC 125.030(b)(2).

⁴¹ 7 AAC 125.030(b)(3).

4. Dressing and Undressing

For the ADL of dressing, PCA time is allowed for the donning, fastening, unfastening, and removal of the recipient's street clothing, support hose, or prosthesis.⁴² Mr. Chow reported that Ms. W told him that she *prefers* to have her daughter help her dress because it is difficult for her to get dressed on her own. However, when under oath at hearing, neither Ms. W nor her son asserted that she is unable to dress or undress without assistance. Accordingly, the preponderance of the evidence indicates that Ms. W is independent with ADL of dressing (CAT score 0/0).

5. Eating and Drinking

For the ADL of eating and drinking, PCA time is allowed for feeding through a feeding tube, enteral feeding, and supervising the eating and drinking of a recipient who has swallowing, chewing, or aspiration difficulties.⁴³ Mr. Chow reported that Ms. W told him during the assessment that she is independent with eating and drinking. Likewise, while under oath at hearing, neither Ms. W nor her son asserted that she is unable to eat or drink without assistance. Accordingly, the preponderance of the evidence indicates that Ms. W is independent with ADL of eating (CAT score 0/0).

6. Toilet Use

For the ADL of toilet use, PCA time is, by regulation, allowed only to assist with moving to and from the toilet or urinal and transfers on and off the toilet.⁴⁴ The CAT's definition of "toilet use" is somewhat broader, encompassing post-toileting hygiene and clothing adjustments.⁴⁵

Mr. Chow concluded that, based on Ms. W's grip strength, fine motor skills, and range of motion, she should be able to use the toilet independently. At hearing, however, Ms. W testified that she needs assistance using the toilet. She stated that her son helps her sit down on the toilet, and then covers her with a towel while she uses the toilet. Similarly, K W testified that he must walk with his mother into the bathroom, help her sit down on the toilet, and then he covers her with a towel while she uses the toilet; he testified that he must do this four to six times during the day, and an additional one to two times per night. Requiring assistance with transfers would be completely consistent with Ms. W's medical diagnoses of difficulty walking, dizziness, gout,

⁴² 7 AAC 125.030(b)(4).

⁴³ 7 AAC 125.030(b)(5).

⁴⁴ 7 AAC 125.030(b)(6). For reasons that do not appear in the record, the regulation does not cover assisting the recipient with necessary personal hygiene after using the toilet. The PCA regulation for personal hygiene, 7 AAC 125.030(b)(7), likewise fails to cover such necessary activities.

⁴⁵ The CAT form defines toilet use as "[h]ow person uses the toilet room (or commode, bedpan, urinal); transfers on/off toilet, *cleanses* . . . manages ostomy or catheter, *adjusts clothes*" (Ex. E9, emphasis added).

musculoskeletal and nervous system problems not elsewhere classified, and osteoarthritis. Accordingly, the preponderance of the evidence indicates that Ms. W requires at least limited, non-weight bearing, one-person physical assistance with toileting at least five times per day (CAT score 2/2; frequency 5/7).

7. Personal Hygiene

For the ADL of personal hygiene, PCA time is allowed for washing and drying the face and hands, nail care, skin care, mouth and teeth care, brushing and combing the hair, shaving when done separately from bathing, and shampooing the hair when done separately from bathing.⁴⁶

Mr. Chow concluded that, based on Ms. W's grip strength, fine motor skills, and range of motion, she should be able to perform her personal hygiene tasks independently. Mr. Chow reported that Ms. W told him at the assessment that she can wash her face and brush her teeth, but that her son must comb her hair. However, while under oath at hearing, neither Ms. W nor her son asserted that she is unable to perform her personal hygiene tasks without assistance. Accordingly, the preponderance of the evidence indicates that Ms. W is independent with ADL of personal hygiene (CAT score 0/0).

8. Bathing

For the ADL of bathing, PCA time is allowed for "the taking of a full-body bath, shower, or sponge bath and the required transfers in and out of the bathtub or shower."⁴⁷ Mr. Chow concluded that, based on Ms. W's grip strength, fine motor skills, and range of motion, she should be able to bathe independently (scored 0/0). Mr. Chow reported that Ms. W told him during the assessment that she gets help with bathing, but that she could not explain the specific aspects of bathing she requires assistance with. However, while under oath at hearing, neither Ms. W nor her son asserted that she is unable to shower or bathe without assistance. Accordingly, the preponderance of the evidence indicates that Ms. W is independent with ADL of bathing (CAT score 0/0).

D. Does Ms. W Require Assistance With any Instrumental Activities of Daily Living?

An applicant or recipient can also qualify for PCA services by being independent with difficulty as to at least one Instrumental Activity of Daily Living (IADL), by needing assistance with at least one IADL, or by being dependent as to at least one IADL (*i.e.* by having self-performance scores of 2, 3, or 4), *and* by requiring physical assistance for support or being totally

⁴⁶ 7 AAC 125.030(b)(7).

⁴⁷ 7 AAC 125.030(b)(8). The definition of bathing contained in the CAT is essentially identical (*see* Ex. E11).

dependent for support (*i.e.* by having support scores of 3 or 4).⁴⁸ However, before examining Ms. W's IADL scores, there is a threshold issue regarding her IADLs that must be addressed.

The Division asserts that Ms. W is not eligible for PCA assistance with her IADLs, even if she demonstrates that she requires assistance with them, because she resides with her spouse, and there is no evidence that he is physically unable to assist her with performing her IADLs.⁴⁹ As the applicant, Ms. W bears the burden of proving that her spouse is not reasonably able to assist her with IADLs. She did not contest the Division's determination on this issue at hearing. Accordingly, based on the record, Ms. W is not currently entitled to receive PCA assistance with IADLs.

IV. Conclusion

Ms. W has scored a 2/2 with regard to the ADLs of transfers and toileting. A score of 2/2 with regard to any one of these ADLs qualifies her to receive PCA services. Accordingly, Ms. W is eligible for PCA services. The Division's determination that Ms. W is not eligible for PCA services is therefore reversed.⁵⁰

DATED this 28th day of April, 2015.

Signed _____
Jay D. Durych
Administrative Law Judge

Adoption

The undersigned, by delegation from of the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 7th day of May, 2015.

By: *Signed* _____
Name: Jay D. Durych
Title: Administrative Law Judge, DOA/OAH

[This document has been modified to conform to the technical standards for publication.]

⁴⁸ See Ex. E-31 and 7 AAC 125.020(a). The minimum standard applicable to IADLs, "independent with difficulty," is defined by 7 AAC 125.020(a)(4) as a situation in which "the recipient can perform the activity without the help of another individual, but does so with difficulty or takes a great amount of time to perform it."

⁴⁹ See 7 AAC 125.040(a)(13).

⁵⁰ This decision does not calculate the number of hours per week of PCA services which Ms. W is eligible to receive. If Ms. W disagrees with the Division's calculation of the specific number of hours of PCA services for which she is eligible, she may request a new hearing on that issue.