

COVID-19 Emergency Rules

Office of Community Living

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Overview

- Temporary Rules necessary to respond to the unprecedented COVID-19 pandemic
- Changes will provide:
 - Enhanced Flexibility
 - Reduction in programmatic limitations
 - Alignment with existing federal guidance and best practice
 - Additional support to members, case managers, providers, and other community partners

Regulations require that, as applicable, funds are available, federal approval is received, and any conflicting statute is suspended by Executive Order

Section 8.6001.1

Intermediate Care Facilities

- Waive requirements for facility licensure to allow for Group Home to provide Intermediate Care Facility for Individuals with Intellectual Disability (ICF-IID) services.
- Allow emergency placement of eligible individuals into an ICF-IID.
- Allow payment beyond current limitation.

Section 8.6001.2

Nursing Facilities

- Allow Nursing Facilities to receive additional payment.
- Guidelines for receiving additional payment.
- Guidelines for receiving COVID-19 emergency supplemental payments.
- Guidelines on temporary enrollment for non-Medicaid facilities and increasing bed capacity.

Section 8.6001.3

Case Management

- Authorize potential changes to Targeted Case Management services.

Section 8.6001.4

Level of Care Assessment

- Remove requirements for the Professional Medical Information Page (PMIP) in the Level of Care determination.
- Modify the initial and continued stay review assessments allowing for technological methods, removal of new assessment in cases of nursing facility transfers, and continuation of eligibility for those nearing review.

Section 8.6001.5

Termination from Waiver Eligibility

- Remove requirement to involuntarily terminate a member from Home and Community-Based Service waiver programs.

Section 8.6001.6

Preadmission Screening and Resident Review (PASRR)

- Suspend Level I and Level II screenings and evaluations for 30 days from date of admission.

Section 8.6001.7

Personal Care

- Waive restriction disallowing personal care services in acute and post-acute settings.
- Allow legally responsible persons to provide care in participant-directed models of service.

Section 8.6001.8

Institutions for Mental Disease (IMD)

- Waive IMD requirements for Nursing Facilities that may exceed 50% of patient census with a primary diagnoses of major mental illness.

Section 8.6001.9

Retainer Payments

- Allow certain Brain Injury Waiver services to bill for retainer payments.

Next Steps

- Stakeholder Engagement
<https://www.colorado.gov/hcpf/long-term-services-and-supports-covid-19-response>
- Continued Federal Discussion
- Operational Guidance
- Planning for Post COVID-19 Transition

Thank You!