



INFORMATIONAL MEMO

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TITLE: HCBS SETTINGS FINAL RULE—RIGHTS MODIFICATION TRAINING ANNOUNCEMENT

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DIVISION AND OFFICE: POLICY, INNOVATION, AND ENGAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING

PROGRAM AREA: HCBS WAIVERS

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KEY WORDS: HOME AND COMMUNITY-BASED SERVICES SETTINGS FINAL RULE, HCBS, RIGHTS MODIFICATION, INFORMED CONSENT, TRAINING

HCPF Memo Series can be accessed online: <https://www.colorado.gov/hcpf/memo-series>

Purpose and Audience:

The purpose of this Informational Memo is to inform case management agencies and providers serving the home and community-based services (HCBS) waivers of upcoming training sessions on the rights modification process under the HCBS Settings Final Rule.

Information:

Background

In 2014, the federal Centers for Medicare & Medicaid Services (CMS) published a [rule](#) requiring HCBS to be provided in settings that meet certain criteria. The Department's [website](#) contains information about implementation of these criteria, including the [Statewide Transition Plan \(STP\)](#), [milestones](#) with current target dates for completing the steps in the STP, training materials, and additional guidance.

The Department has issued three sets of responses to Frequently Asked Questions (FAQs) regarding implementation of the HCBS Settings Final Rule: [Part I](#), [Part II](#), and [Part III](#). As stated in the cover Communication Brief/Policy Memo for each FAQ issuance, providers and case management agencies serving HCBS participants were required to read and comply with each issuance.

The Department continues to hear questions regarding the process for implementing rights modifications, including obtaining the individual's informed consent, under the

HCBS Settings Final Rule. The Department will be providing trainings to clarify this process, answer questions, and discuss compliance deadlines.

Actions

The following requirements apply to Community Centered Boards (CCBs), Single Entry Point (SEP) entities, county case workers serving the Children's Habilitation Residential Program (CHRP), and providers affected by the HCBS Settings Final Rule.

(1) Before the upcoming trainings, review the FAQ issuances (see links above) to ensure that you are familiar with the Department's guidance on the process for implementing rights modifications, including obtaining the individual's informed consent, under the HCBS Settings Final Rule.

(2) Register for and participate in one of the three trainings:

- **Tuesday, January 15, 2019 from 10:00 a.m. to 12:00 p.m.** Click [here](#) to register in advance and [here](#) to view the webinar when it begins.
- **Thursday, January 17, 2019 from 2:00 p.m. to 4:00 p.m.** Click [here](#) to register in advance and [here](#) to view the webinar when it begins.
- **Tuesday, January 22, 2019 from 2:00 p.m. to 4:00 p.m.** Click [here](#) to register in advance and [here](#) to view the webinar when it begins.

For the audio portion of each webinar, dial 720-279-0026 (local) or 1-877-820-7831 (toll-free), then enter participant code 874141.

The trainings will be similar, so it is necessary to join only one.

Waiver participants, advocates, and other interested parties may join any training if interested.

Because space on webinars is limited, advance registration is required, and participants from a single organization are encouraged to share one computer and phone line to join.

Attachment(s):

None

Department Contact:

Questions about registration may be sent to jennifer.larsen@state.co.us.

Other inquiries may be sent to the following shared inbox: hcpf_ptp@state.co.us.