

8.501 State Funded Supported Living Services Program

The State Funded Supported Living Services (State-SLS) program is funded through an allocation from the Colorado General Assembly. The State SLS program is designed to provide supports to individuals with demonstrated needs in order to remain in their community. The State SLS program shall not duplicate Home and Community Based services for those who are currently eligible.

8.501.1 Definitions:

Temporary means services and supports that will be replaced by permanent or long term supports, which are identified prior to the authorization of the supports allowed under this program.

8.501.2 Administration:

- A. The Community Centered Board (CCB) shall administer the State SLS program according to the Colorado Revised Statute (CRS), Code of Colorado Regulations, contract requirements, policies and guidelines of the Department.
1. The CCB is responsible for providing Case Management to all individuals enrolled in the State SLS program.
 2. The CCB shall have written procedures related to the administration, case management, service provision, and waitlist for the State SLS program.
 4. It is prohibited for the CCB administering the State SLS program to charge an additional administration fee.
- B. Eligibility
1. Individuals must be a resident of Colorado.
 2. The CCB shall provide services only to individuals that have been determined to have an intellectual or developmental disability as defined in section 8.607.2.
 3. Eligibility for the State SLS program does not guarantee the availability of services or supports under this program.
 5. The CCB shall maintain a waiting list of eligible individuals for whom Department funding is unavailable.

6. The CCB shall develop procedures for determining how and which individuals on the waiting list will be enrolled into the State SLS program.

C. General Provisions

1. The availability and comparability of services offered through the State SLS program may not be consistent throughout the State of Colorado.
2. An individual enrolled in the State SLS program shall access all benefits available under the Medicaid State Plan, or EPSDT prior to accessing services under the State SLS program. Services through the State SLS program may not duplicate services through the State Plan.
3. The State SLS program shall not constitute an entitlement to services from the Department.
4. The State SLS program shall be subject to annual appropriations by the Colorado General Assembly.
5. Nothing in these rules and regulations shall be construed as to prohibit or limit services and supports available to persons with developmental disabilities which are authorized by other state or federal laws.

8.501.3 State SLS Services and Supports

8.501.3.A. Supports for Individuals not yet approved for HCBS Medicaid waiver services.

In the event that an individual needs long-term services and supports but has not been determined eligible for HCBS waiver services. The state SLS program can support these individuals by:

1. Following a Department approved initial assessment, the Case Manager can authorize funds from the State SLS program that are within the HCBS Supported Living Services (HCBS-SLS) waiver found in 8.500.90:
 - a. Reimbursement rates will follow those set within the HCBS-SLS waiver;
and
 - b. Service limitations and rules found in the HCBS-SLS waiver will apply to the State SLS program.
3. The CCB shall maintain receipts or paid invoices for purchased services authorized in this section. Receipts or paid invoices must contain at a minimum, the following information: business name, item(s) purchased, item(s) cost, date paid and what activities were provided during the time the service was

rendered. Documentation must be made available to the Department upon request.

4. An individual enrolled in any HCBS-waiver is not eligible for these services.

8.501.3.B Supports for Individuals Experiencing Temporary Hardship, who are at risk of needing a higher level of care.

1. State SLS may be used to support individuals, either found eligible or enrolled in a HCBS waiver and have been determined to meet the criteria for an Intellectual / Developmental Disability as specified in 10 CCR 2505-10 8.607.2, in situations where temporary assistance can alleviate the need for a higher level of care. These supports cannot be duplicative and will not cover costs if covered through other services. To use funding to support individuals in these situations a Department approved assessment shall be completed. This assessment must document:
 - a. The type of hardship;
 - b. The reason for the hardship;
 - c. The length of time the support will be in place;
 - d. The long-term plan to reasonably ensure the hardship is temporary;
 - e. What long-term solution will be put in place so the dependence on State SLS funds will no longer be used;
 - f. When the long-term solution will be in place: and
2. Temporary Housing Supports:
 - a. Paying rent;
 - b. Paying for emergency housing; and
 - c. The Case Manager shall maintain documentation showing how utilizing State SLS funds will lead to an individual obtaining their own housing or how funds will be used to support an individual in being more successful in their current housing.
3. Supports with utilities, that are dependent on maintaining housing:
 - a. Paying gas/electric bills and water/sewer:
 - i. Documentation shall be maintained by the Case Manager that alternative energy assistance programs were utilized before any State SLS funds were used.

- ii. If a community support is not available, documentation stating that the Case Manager attempted to find community supports must be maintained and made available to the Department upon request.
- 4. Supports with acquiring emergency food:
 - a. Documentation shall be maintained by the Case Manager, as to why State SLS funds were utilized over other sources of emergency food, like a food bank. This includes but is not limited to:
 - i. Documentation from the individuals Primary Physician of Dietary restrictions due to medical reasons; or
 - ii. Other emergency food programs are not available; and
 - b. It is prohibited for the CCB administering the State-SLS program to charge an additional administration fee.
- 5. Supports with pest infestation:
 - a. Documentation shall be maintained by the Case Manager, showing that infestation abatement is not covered under the residential agreement or lease; and
 - b. State SLS funds cannot be used if someone is receiving HCBS residential services; and
 - c. Documentation showing proof of payment shall be maintained by the CCB administering the State SLS program; and
 - d. It is prohibited for the CCB administering the State-SLS program to charge an additional administration fee.

8.501.3.C Supporting Individuals to gain a higher level of independence in the community.

- 1. State SLS may be used to support an individual found eligible or enrolled in a HCBS waiver and has been determined to meet the criteria for an Intellectual / Developmental Disability as specified in 10 CCR 2505-10 8.607.2, with a one-time payment or acquisition of needed household items in the event that someone is moving into their own residence as defined in 8.500.93.A.(7).
 - a. The Case Manager shall maintain documentation showing how the individual will reasonably maintain on-going housing costs. This may include but is not limited to:
 - i. Copy of Housing voucher; or
 - ii. Income statement; or

- iii. Signed statement from party stating they will pay ongoing housing expenses.
- c. The Case Manager shall maintain documentation showing how utilizing State SLS funds will lead to an individual obtaining their own housing or how funds will be used to support an individual in being more successful in their current housing.
- d. State SLS funds may be used in the following situations, but is not limited to:
 - i. Rental deposit;
 - ii. Housing application fees; and
 - iii. Initial housing set up including but not limited to:
 - a. One-time furniture purchase;
 - b. One-time initial pantry set up, limited to \$100.00; and
 - c. One-time purchase of kitchen supplies.
- 2. The CCB shall maintain receipts or paid invoices for purchased services authorized in this section. Receipts or paid invoices must contain at a minimum, the following information: business name, item(s) purchased, item(s) cost, date paid and what services were provided or goods purchased. Documentation must be made available to the Department upon request.

8.501.3.D Supports for Individuals who need periodic supports and services to maintain their independence in the community.

- 1. Following a Department approved initial assessment, the Case Manager can authorize the use of State SLS funds in the event that an individual cannot maintain HCBS-SLS wavier eligibility as defined in 8.500.93.A.(8)a, due to needing periodic services less than once every 30 days, or if an individual does not meet financial eligibility.
 - a. The services that can be authorized are the same services found in the HCBS-SLS waiver as enumerated in section 8.500.90;
 - b. Reimbursement rates will follow those set within the HCBS-SLS waiver;
 - c. Service limitation and rules found in the HCBS-SLS waiver will apply to the State SLS program;
 - e. Total dollar amount for the plan year is \$5000.00; and

- f. An individual enrolled in an HCBS-wavier is not eligible for these services.

8.501.3.E State SLS Support Plan.

1. Individuals enrolled into the State SLS program shall have a Support Plan which meets the requirements of a Person Centered Individualized Plan that includes the following information:
 - a. The scope, frequency, and duration of each authorized service; and
 - b. The services authorized and for what need the service will address.
4. The State SLS Support Plan shall be updated within 15 calendar days when the service needs of the individual in the State SLS program change.
3. The State SLS Support Plan shall be effective for no more than a year and reviewed at least every 6 months or on a more frequent basis if the plan is no longer reflective of the individual's needs.
 - a. Any changes to the provision of the services and supports identified in the State SLS Support Plan are subject to available funds within the designated service area.
 - b. Any decision to modify, reduce or deny services and supports set forth in the State SLS Support Plan, without the individual's agreement, are subject to the requirements of section 8.605.1.
4. The State SLS Support Plan and all supporting documentation will be maintained by the case manager and will be made available to the Department upon request.

8.501.4 Case Management Services

8.502.4.(A). Administration

1. Case management shall be responsible for the administration of the State SLS program in accordance with section 8.607.1.

8.501.4.(B) Case Management Duties:

1. The State SLS Case Manager shall have face to face or telephone contact with the individual in services each month a service is rendered under the State SLS program.
 - a. The case manager shall coordinate, authorize and monitor services based on the developed State SLS Support Plan.

2. The State SLS Case Manager shall support the individual enrolled in the State SLS program in gaining access to all other resources they are eligible for, to ensure the individual secures long-term support as efficiently as possible so that support from State SLS is no longer needed.
3. The State SLS Case Manager shall be responsible to develop and maintain the State SLS Support Plan for each enrolled individual, utilizing a Person-Centered approach.
4. The case manager shall make available all State SLS documentation upon the request from the Department.
5. Referrals to the State SLS program shall be made through the CCB pursuant to regulations enumerated in section 8.607.

8.501.5 Transferring Services Between Community Centered Boards:

1. In the event an individual enrolled or on the waiting list for the State SLS program begins to reside in another Community Centered Board's service area, and wishes to transfer their services, the following procedure shall be followed:
 - a. The originating CCB will contact the receiving CCB to inform them of the individual's desire to transfer.
 - b. The originating CCB will send the State SLS Support Plan to the receiving CCB, where the receiving CCB will determine if appropriate State SLS funding is available or if the individual will need to be placed on a waiting list. The receiving CCB's decision of eligibility will be communicated in the following way:
 - i. The receiving CCB will notify the individual seeking services of their decision by U.S. Mail sent to the address given to them by the originating CCB, no later than 10 business days from the date of the request; and
 - ii. The receiving CCB will notify the originating CCB of their decision by U.S. Mail, phone call or email of their decision no later than 10 days from the date of the request.
 - c. The decision shall clearly state the outcome of the decision including:
 - i. The basis of the decision; and
 - ii. The contact information of the assigned Case Manager; or
 - iii. The wait list manager.
- c. The originating CCB shall contact the individual in services no more than 5 days from the date the decision was received to:

- i. Ensure the individual understands the decision; and
 - ii. Support the individual in making a final decision about the transfer.

- d. The transfer meeting will be in-person if possible and by phone if geographic location or time does not permit. The transfer meeting must include but is not limited to the following attendees.
 - i. The individual transferring; and
 - ii. The receiving Case Manager; and
 - iii. Any additional attendees requested by the individual transferring.

- e. The transfer meeting shall:
 - i. Ensure the transferring individual meets their primary contact of the receiving CCB.
 - ii. A date when services will be transferred, services/supports will be available, and the length of time the services will be available.
 - iii. The State SLS Support Plan will be updated by the receiving CCB and agreed upon by the Individual in services.