

Children's Habilitation Residential Program (CHRP) Waiver Rule Revisions

February 22, 2019

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Department of Health Care
Policy & Financing

Our Mission

Improving health care access and outcomes for the **people** we serve while demonstrating sound stewardship of financial **resources**



CHRP Expansion Updates

Michele Craig– Complex Needs Program Development and Evaluation Unit Supervisor
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Office of Community Living Vision



ACCESS

*Streamline Access
to Services*



COORDINATE

*Improve Service
Coordination*



RECEIVE

*Increase Service
Options and Quality*

The What

The Department received the authority through HB 18-1328 to expand the CHRP waiver to better serve these children.

Modifications will include:

- Removal of requirement that the child be in foster care.
- Transfer of administration of the CHRP waiver from the CDHS to the Department.
- Transfer of case management from child welfare agencies to Case Management Agencies (specifically Community Centered Boards-CCBs).
- Addition of two services to the waiver to mitigate the need for an out of home placement and facilitate returns to the home once stabilized.



The How and The When

1. Engage stakeholders on new benefits
August-February 2019

2. Renew the waiver with CMS
March-June 2019

3. Promulgate rules and regulations
February-June 2019

4. Training on expanded CHRP waiver
April-June 2019

5. Transition to expanded CHRP waiver
February-June 2019



HCBS-CHRP Waiver Renewal Public Notice

- Draft waiver renewal application available for on-line review February 7, 2019 through March 9, 2019:

<https://www.colorado.gov/pacific/hcpf/hcbs-waiver-transition>

- Comments can be submitted on the proposed renewal by:
 - **Email:** ltss.publiccomment@state.co.us
 - **Mail:** 1570 Grant Street, Denver, CO 80203, Attention: HCBS Waiver Renewals
 - **FAX:** 303-866-2786
 - **Phone:** 303-866-3684



10 CCR 2505-10 8.5008 Proposed Rule Revisions

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Overview of Proposed Changes

- **8.508.10 Program Administration**

- Deleted section as HCPF now provides direct administration of the waiver

- **8.508.10 Legal Basis *[New section]***

- Added legal authority for the rule, aligns with other HCBS approved waivers
- Moved description of waiver and waiver services to scope and purpose section of the rule at 8.508.20



Overview of Proposed Changes

- **8.508.20 Program Provisions**

- Changed title of section to Scope of Services to align with other HCBS waivers
- Removed description of children under age of five as the eligibility for all CHRP waiver participants is revised to include extraordinary medical or behavioral needs
- Revised services available in the waiver
- Removed redundant language
- Moved eligibility and case management information to those relevant sections



Overview of Proposed Changes

■ 8.508.30 Definitions

- Moved section up from later in the document
- Renumbered section
- Added and revised definitions
- Critical Incident Types
- Intellectual and Developmental Disabilities
- New Services (*e.g. crisis, predictive risk factors, increased risk factors*)
- Extraordinary needs (*see next 3 slides*)



Overview of Proposed Changes

- **8.508.30 Definitions** (*cont'd*)
 - Extraordinary needs: The child or youth requires a level of care due to complex behavior or medical support needs that is provided in a residential child care facility or that is provided through community based program, and who, without such care, is at risk of unwarranted child welfare involvement or other system involvement. (*complex behavioral and medical support definitions on next two slides*)



Overview of Proposed Changes

- **8.508.30 Definitions** (*cont'd*)
 - Complex Behavior Supports: Needs that occur as a result of a mental health disorder as diagnosed by a licensed physician or psychiatrist that includes one or more substantial disorders of the cognitive, volitional, or emotional process that grossly impairs judgement or capacity to recognize reality or to control behavior.
(*complex medical supports definition on next slide*)



Overview of Proposed Changes

- **8.508.30 Definitions** (*cont'd*)
 - Complex Medical Supports: Needs that occur as a result of a chronic medical condition as diagnosed by a licensed physician that has lasted or is expected to last twelve (12) months and that without intervention may result in a life-threatening condition.



Overview of Proposed Changes

- **8.508.50 Eligibility**

- Section renumbered
- Removed child welfare requirement
- Removed Social Security (SSI) requirement
- Added extraordinary behavioral or medical support needs that put them at risk of, or in need of, out of home placement
- Added Support Need Level Assessment



Overview of Proposed Changes

- **8.508.40 Waiting List Protocol**
 - Section renumbered
 - Revised to align with other HCBS waivers
- **8.508.50 Responsibilities of the County Department of Social Services**
 - Removed section due to change of child welfare requirement and the change of case management to CCBs



Overview of Proposed Changes

- **8.508.60 Responsibilities of the Community Centered Board**
 - Remove referral by County Department

- **8.508.70 Case Management Functions**
 - Remove county responsibilities for case management
 - Align case management functions with Targeted Case Management requirements



Overview of Proposed Changes

- **8.508.71 Individualized Plan**
 - Renumbered section
 - Revised to Service Plan
 - Incorporated what was previously 8.508.71 (Content of the Individualized Plan)
 - Added Service Plan requirements in alignment with Targeted Case Management rules and other waivers



Overview of Proposed Changes

- **8.508.72 Revisions to Individualized Plan**
 - Removed section, no longer applicable, number applied to new section

- **8.508.72 Prior Authorization Requests** [*New Section*]
 - Added to align with other waivers

- **8.508.73 Reimbursement**
 - Minor language changes
 - Added or Targeted Case Management claims



Overview of Proposed Changes

- **8.508.80 Cost Containment**
 - Minor language changes
 - Removed enrollment process, no longer applicable
- **8.508.100 Service Provisions**
 - Restructured section to provide a definition of each service in the waiver
 - Aligned service definitions in rule with service definitions in the HCBS-CHRP waiver



Overview of Proposed Changes

■ 8.508.100 Service Provisions (*cont'd*)

➤ **Habilitation**

- Align some components of service with the HCBS-CHRP waiver
- Added limits for the number of children or youth as well as adults who may be served in a residential setting per waiver requirements
- Added a requirement that the Case Management Agency receive a copy of the Foster Care Home licensure before a child or youth is placed.



Overview of Proposed Changes

- **8.508.100 Service Provisions** (*cont'd*)
 - **Movement Therapy, Massage Therapy, and Hippo Therapy**
 - Added definitions to align with the HCBS-CES waiver
 - Includes what treatment each type of therapy is to address.
 - Therapies must be a documented need in the Service Plan and be an identified goal by the therapist/physician.



Overview of Proposed Changes

- **8.508.100 Service Provisions** (*cont'd*)
 - **Intensive Support and Transition Support**
 - Added definitions for the two new services
 - Definitions include revisions made based on input received from the Benefits Collaborative process
 - Rule is structured slightly differently than the Benefit Coverage Standards from the Benefits Collaborative process but contains all the same information



Overview of Proposed Changes

- **8.508.100 Service Provisions** (*cont'd*)

- **Respite**

- Respite services revised to included in home Respite
- Limit on number of days in rule did not align with the limits in the CHRP waiver
- Added capacity limitations to align with the CHRP waiver



Overview of Proposed Changes

- **8.508.100 Service Provisions** (*cont'd*)
 - **Supported Community Connections**
 - Added definition to align with the HCBS-CHRP waiver
 - No changes were made to the existing service.
 - Service has slightly different requirements in purpose, scope, and limits than similar community connection services in other waivers



Overview of Proposed Changes

- **8.508.101 Use of Restraints, 8.508.102, Rights Modifications, and 8.508.103 Medication Administration** *[New Sections]*
 - Added three new sections- requirements are currently in the CHRP waiver but not in rule
 - Aligns with the Colorado Department of Human Services rules
 - For Rights Modification section, information added to align with Federal HCBS Settings Rule requirements



Overview of Proposed Changes

- **8.508.110 Maintenance of Case Records**
 - Revised to align with Targeted Case Management requirements
- **8.508.120 Redetermination of Eligibility**
 - Revised to align with Targeted Case Management requirements
 - Combined with 8.508.121 Reassessment



Overview of Proposed Changes

- **8.508.130 Transfer Procedures Between County Departments of Social Services**
 - Removed section- no longer applicable.
- **8.508.140 Discontinuation from the CHRP waiver**
 - Removed language no longer applicable
 - Minor language changes



Overview of Proposed Changes

- **8.508.150 Monitoring and Coordination**
 - Removed section- no longer applicable
- **8.508.160 Service Providers**
 - Revised to differentiate requirements for services
 - Added requirements to align with other HCBS waivers
- **8.508.165 Termination or Denial of HCBS-CHRP Medicaid Provider Agreements *[New Section]***
 - Added to align with other HCBS waivers



Overview of Proposed Changes

- **8.508.180 Children's Rights**
 - Minor language changes
- **8.508.190 Appeals**
 - Revised to align with other HCBS waiver and Targeted Case Management requirements



Next Steps

- **Medical Services Board**

- Preview Friday March 8, 2019 March 8, 2019 9:00am
- Public Rule Review Monday March 18, 2019 9:00am
- First reading Friday April 12, 2019 9:00am



Questions, Concerns, Comments?



Thank you!

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