

Community First Choice Council Meeting

May 3, 2023

Department of Health Care Policy and Financing



COLORADO

Department of Health Care
Policy & Financing

Welcome!

Meet the HCPF CFC Team

- **Adam Tucker**, Waiver Innovation Unit Supervisor
- **Eileen Saunders**, CFC Policy Advisor
- **Maddie Quartaro**, CFC Policy Advisor
- **Jordan Larson**, CFC Policy Advisor
- **Rachel MacLeish**, Federal Health Policy Advisor
- **Kristine Dos Santos**, Participant Directed CFC Policy Advisor
- **Betty Vanderkaay**, CFC Project Coordinator
- **Lana Eggers**, Waiver Innovation and Compliance Section Manager



Our Mission

Improving health care equity, access, and outcomes for the people we serve while saving Coloradans money on health care and driving value for Colorado.



Agenda

- Housekeeping
- CDASS/CFC Workgroup Update
- CFC Legislation
 - Legislative Overview
 - Senate Bill 23-289
 - Next Steps
- Open Forum

Attendance

- Please complete the [Google Form](#)
- Call in attendance to Jordan Larson at 303-866-3580
 - Available between 8:00 a.m. - 4:00 p.m.
- **Disclaimer:** The information provided through this form will only be viewed by the Department of Health Care Policy & Financing (the Department) for the purpose of ensuring stakeholder representation on CFC implementation. The Department and its parties will adhere to the strictest privacy rules and policies when handling and discussing this information.

The screenshot shows a Google Form with the following fields:

- Name**: Short answer text field.
- Today's Date ***: Date picker field with a calendar icon.
- Population(s) represented ***: A list of checkboxes with the following options:
 - Individual with a disability
 - Representative/parent of individual with disability
 - Person over the age of 65 or their representative
 - Service provider
 - State employee
 - Other...

Meeting Etiquette and Ground Rules

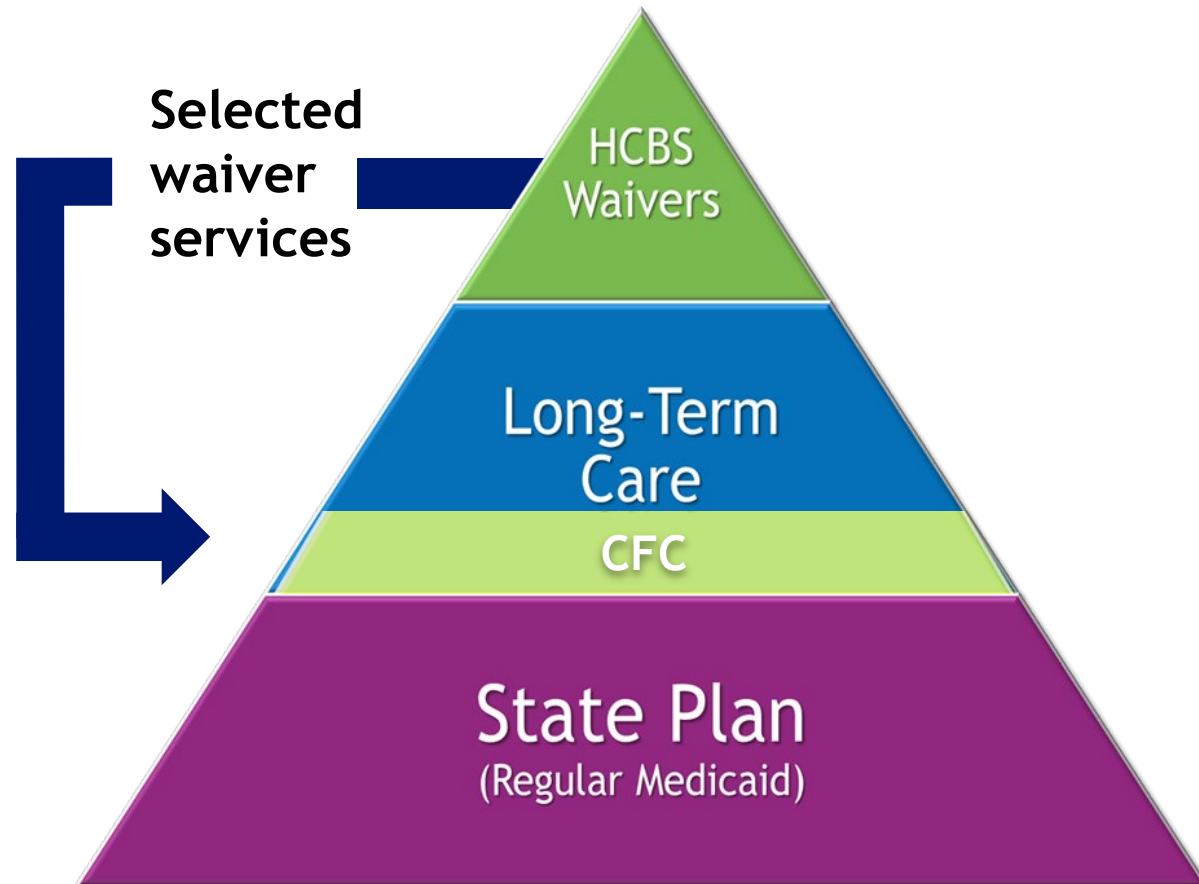
- Do not share Protected Health Information (PHI)
- Mind E-Manners
- Stay solution-focused
- Respect each other's time and the meeting time
- Reasonable accommodations such as translation services and/or closed captioning please contact John Barry.
 - john.r.barry@state.co.us or 303-866-3173
 - Department's 504/ADA Coordinator at hcpf504ada@state.co.us at least one week prior to the scheduled meeting to make arrangements.

Community First Choice

Goal of CFC: Making HCBS accessible for more Medicaid members with expanded options and availability for self-directed care

Mandatory and Select Optional Services:

- Homemaker
- Personal Care
- Health Maintenance Activities
- Acquisition, Maintenance, and Enhancement of Skills (new federally required service)
- Remote Supports
- Remote Supports Technology
- Life Skills Training
- Transition Services
- Electronic Monitoring
- Personal Emergency Response System
- Medication Reminders



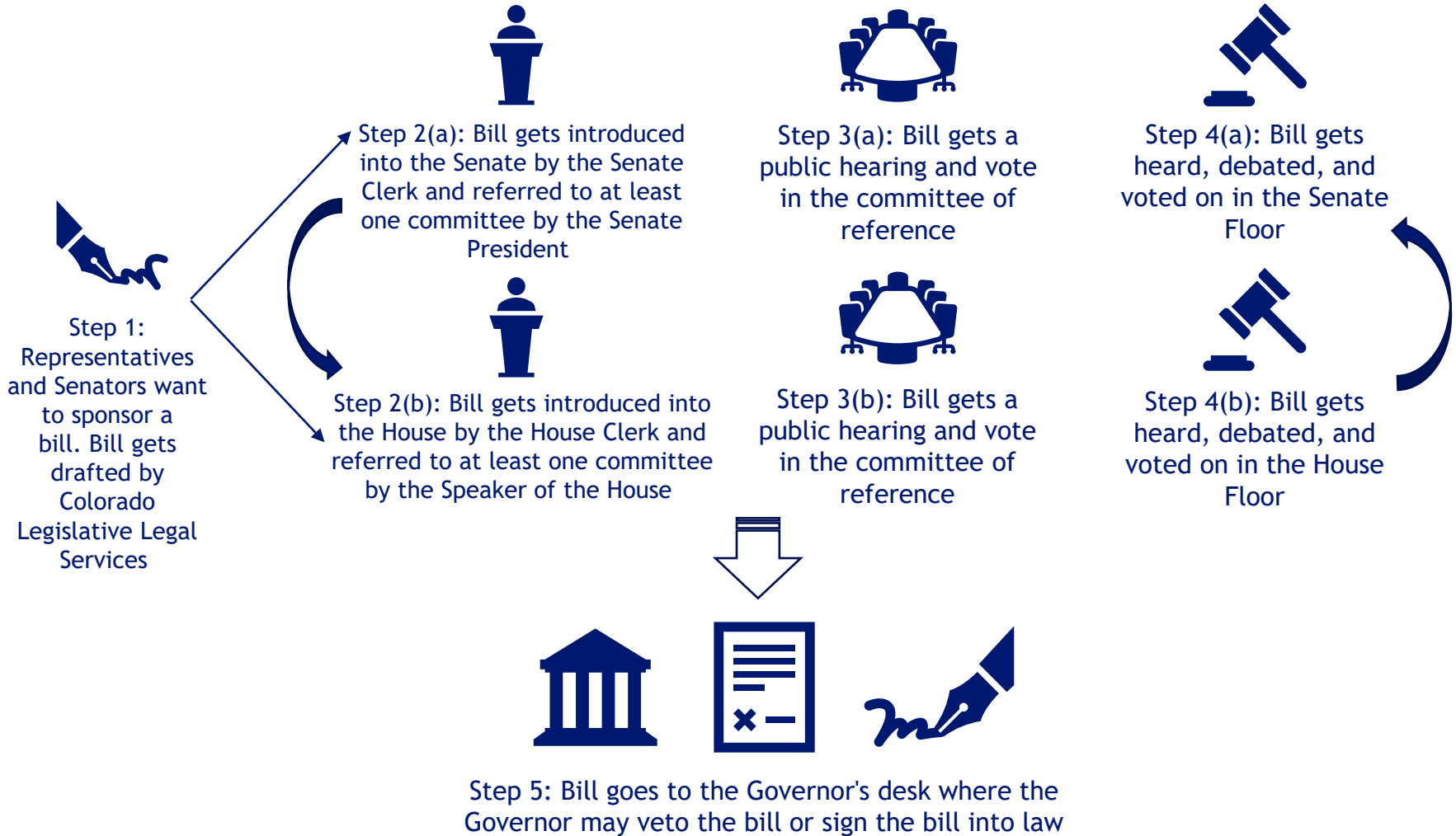
Consumer Directed Attendant Support Services (CDASS) /CFC Workgroup Update



Legislative Overview



How a Bill Becomes a Law



Why Legislation for CFC?

- The budget request ([BA-07: Community-based Access to Services](#)) for CFC funding was submitted in November 2022, approved by the JBC in March 2023, and approved in the Long Bill in April 2023
 - This request addressed the Department of Justice findings by:
 - Providing transition and community service information to members living in nursing facilities
 - Additional transition coordination units
 - Broader housing navigation, etc.
- Part of this request included changes to statute to ensure that the Department has statutory authority to implement CFC

Why Legislation for CFC?

- Placing CFC in state statute gives the Department authority to implement the program
- Statutory authority from the State shows the Center's for Medicare and Medicaid Services (CMS) and the Colorado Medical Services Board (MSB) that the Department has the support of the legislature to implement the program
- Additionally, statute changes for CFC ensures that all other HCBS statutes are aligned and don't contradict CFC once CFC is implemented



Questions



Senate Bill 23-289

- Community First Choice Medicaid Benefit ([SB 23-289](#)) is sponsored by the members of the Joint Budget Committee (JBC)
 - Full sponsorship from the JBC is rare
 - Bills carried by the JBC have a higher chance of passing

Senate Bill 23-289

Implement CFC	Repeal and Amend HCBS Waiver Statute to ensure existing statute does not conflict with CFC	Clean up outdated HCBS Waiver Statute
<p>Place federal CFC language on the following sections in statute:</p> <ul style="list-style-type: none"> • Mandatory services and definitions • Optional services • Consumer direction options • Eligibility 	<p>Repeals and amends sections of the following waivers and self direction models to reflect services moving to CFC:</p> <ul style="list-style-type: none"> • EBD Waiver 25.5-6-303, 307, 310 • DD waivers 25.5-6-406 • CMHS Waiver 25.5-6-606 • BI Waiver 25.5-6-703 and 704 • CDASS Statute 25.5-6-1101 and 1102 • IHSS Statute 25.5-6-1201, 1202, 1203, 1206 	<p>Repeal Part 8 of Article 6, Home- and Community-Based Services for Children with Autism Act</p>
<p>Pages: 1-6</p>	<p>Pages 7-15</p>	<p>Pages 15-16</p>
<p>Effective July 1, 2025</p>	<p>Effective July 1, 2025</p>	<p>Effective upon Governor's signature</p>



CFC Portion of the Bill

- Leaving the bill language broad allows for future changes and flexibilities with the CFC program in Code of Regulation and with CMS
- The bill language mimics language found in federal statute for CFC
- Language includes:
 - Definitions for mandatory services
 - Mandatory services
 - Consumer direction options including IHSS and CDASS
 - Federal language for optional services

HCBS Statute Adjustments

- Additional sections of the bill include "repealing" the portions of HCBS waivers that will be moving under CFC
 - For example, 25.5-6-301-314 is the statute for the Elderly, Blind, and Disabled (EBD) waiver. Section 303 of this statute includes definitions for services that will be moving to CFC including: electronic monitoring, homemaker, and personal care
 - Since these definitions have moved into CFC statute, we need to remove them from EBD statute

HCBS Statute Adjustments

- Other sections of this bill include amending language to reflect CFC eligibility

4 **SECTION 10.** In Colorado Revised Statutes, 25.5-6-1101,
5 **amend** (4) and (6) as follows:

6 **25.5-6-1101. Definitions.** As used in this part 11, unless the
7 context otherwise requires:

8 (4) "Eligible person" means a person who is eligible to receive
9 services ~~under parts 3 to 12 of this article or any other home- and~~
10 ~~community-based service waiver for which the state department has~~
11 ~~federal waiver authority~~ PURSUANT TO PART 19 OF THIS ARTICLE 6.

12 (6) "Qualified services" means services provided under the
13 eligible person's ~~applicable waiver program and attendant support~~
14 COMMUNITY FIRST CHOICE OPTION.



HCBS Statute Adjustments

- Finally, this bill repeals the Children with Autism Waiver from statute since this waiver is no longer provided in Colorado
 - The services from this waiver were moved into Early and Periodic Screening, Diagnostic and Treatment (EPSDT)
 - By repealing this statute, Colorado State Statute will reflect how home and community-based services are currently provided by HCPF

Questions



What's Happened So Far

- **SB 23-289**
 - Introduced on 4/18/23
 - Unanimously passed Senate Health and Human Services Committee on 4/20/23
 - Unanimously passed Senate Appropriations 4/26/23
 - Put on the Consent Calendar in the Senate where the bill passed unanimously 4/27/23
 - Passed the House Public and Behavioral Health and Human Services Committee unanimously 5/2/23
- Special shoutout to **Julie Reskin, David Bolin, and Megan Bowser** for taking quick action to testify in support of the bill to the Senate Health and Human Services Committee and to David for testifying in the House as well

Next Steps

- House Appropriations Committee
 - House Floor
 - Governor's Desk
- You can track the status of the bill here:
leg.colorado.gov/bills/sb23-289

Questions



Wellness Benefit Article Development

- Tell us what topics you think would be most helpful to members by [Completing short survey](#)
- Topics recommended to focus on:
 - Mental, Physical, Environmental, Community, or Interpersonal wellness dimensions - see [Substance Abuse and Mental Health Services Administration's \(SAMHSA\) Wellness Dimensions](#)
 - Increasing health literacy
 - Improving member's ability to navigate Department resources
 - Promoting community living

Open Forum



Communications

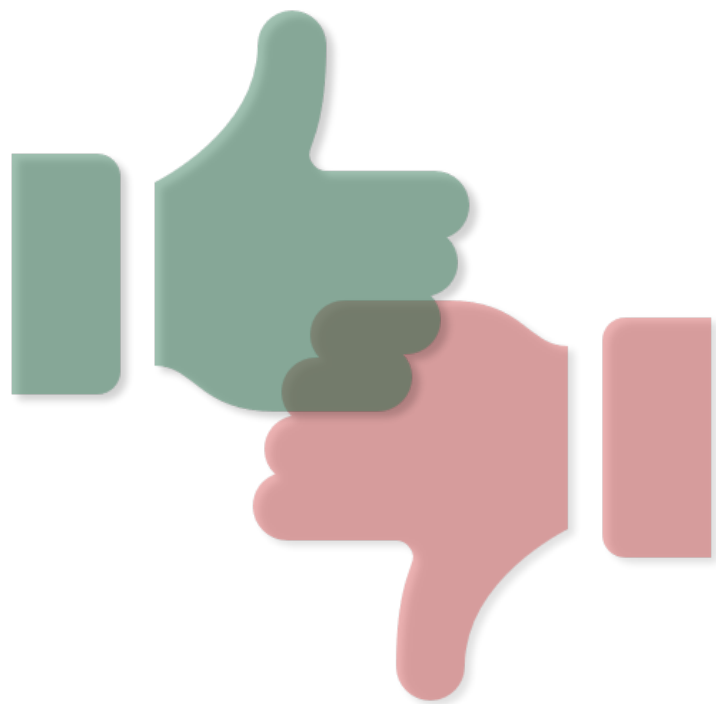
- How to submit questions, feedback, or comments:
 - CFC Email: hcpf_cfc@state.co.us
 - Via phone: Jordan Larson at 303-866-3580
- John Barry for Accommodations:
 - john.r.barry@state.co.us

What's Next?

- Next Meeting: CDASS/CFC Workgroup
 - Wednesday, May 17, 2023
1:00 to 2:30 p.m.

- Next Council Meeting:
 - Wednesday, June 7, 2023
10:00 to 11:30 a.m.
 - [CFC Stakeholder Website](#)





60 Second Satisfaction Survey

www.surveymonkey.com/r/CommunityFirstChoice



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Thank you!



Resources

[Slide deck from the National Resource Center for Participant Directed Services](#)

[CMS Technical Guide for CFC](#)

[CFC Final Regulation](#)

[HCPF CFC Resources webpage](#)

[Final STP](#)

