

# LONG TERM SERVICES AND SUPPORTS IN COLORADO

## FEDERAL AND STATE LAWS AND REGULATIONS

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June 2020

# Our Mission

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

# AGENDA

- **DEFINITIONS**
- **BACKGROUND INFORMATION**
- **REQUIREMENTS**

# DEFINITIONS

# LONG TERM SERVICES AND SUPPORTS (LTSS)

Services and supports used by individuals of all ages with functional limitations and chronic illnesses who need assistance to perform routine daily activities such as bathing, dressing, preparing meals, and administering medications.

10 CCR 2505-10 8.390.1.N

# LTSS PROGRAM

Publicly funded programs including:

- Home and Community Based Services (HCBS)
- Medicaid Nursing Facility Care
- Program for All Inclusive Care for the Elderly (PACE)
- Hospital Back-Up (HBU)
- Long Term Home Health (LTHH)

10 CCR 2505-10 8.390.1.0

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10 CCR 2505-10 8.390.1.0

# HOME AND COMMUNITY BASED SERVICES

- Also referred to as HCBS or “waiver programs”
- Provide services beyond those covered by the Medical Assistance Program
- Enable individuals to remain in community settings rather than Long Term Care institutional settings

10 CCR 2505-10 8.100



# SINGLE ENTRY POINT (SEP)

Single access or entry point within a local area where an individual seeking or currently receiving LTSS can obtain:

- LTSS information
- Screening and assessment of need
- Referral to appropriate LTSS programs and case management services

10 CCR 2505-10 8.390.1.U

# SINGLE ENTRY POINT AGENCY (SEP)

The organization within a Single Entry Point District selected to provide for persons in need of LTSS:

- Intake
- Screening
- Referral
- Eligibility determination
- Case management functions

10 CCR 2505-10 8.390.1.V

# SINGLE ENTRY POINT DISTRICT

Two or more counties, or a single county, that have been designated as a geographic region in which one agency serves as the Single Entry Point for persons in need of LTSS.

10 CCR 2505-10 8.390.1.W

# COMMUNITY CENTERED BOARD (CCB)

A private corporation, that is designated responsible for, but not limited to:

- Conducting Developmental Disability determinations
- Waiting list management
- Level of Care Evaluations for specific HCBS waivers
- Management of specific State Funded programs

10 CCR 2505-10 8.500.1.1

# BACKGROUND INFORMATION

# CASE MANAGEMENT

Case management activities for recipients of Long Term Services and Supports include:

- Assessment and periodic reassessment of support needs
- Development and implementation of support plans
- Referral and related activities
- Coordination and monitoring of service delivery
- Evaluation of service effectiveness

# HCBS CASE MANAGEMENT

In Colorado, people enrolled in HCBS receive case management from a:

- Single Entry Point (SEP)
- Community Centered Board (CCB)

or, for Children's HCBS (CHCBS):

- Private Case Management Agency

# HCBS ENROLLMENT

To be enrolled in HCBS, people must meet the following criteria:

1. Program targeting criteria
2. Functional eligibility (Level of Care)
3. Financial eligibility



# SEP CASE MANAGEMENT

SEPs provide case management for up to six of Colorado's Medicaid waivers:

- HCBS-EBD - Elderly Blind and Disabled
- HCBS-CMHS - Community Mental Health Supports
- HCBS-BI - Brain Injury
- HCBS-SCI - Spinal Cord Injury
  - Denver, Jefferson, Adams, Arapahoe, and Douglas County only
- HCBS-CLLI - Children with Life Limiting Illness
- CHCBS - Children's Home and Community Based Services
  - If SEP opts to provide case management for CHCBS

# SEP AGENCY RESPONSIBILITIES

SEPs also provide support for other LTSS Programs:

- Medicaid Nursing Facility Care
- Program for All Inclusive Care for the Elderly (PACE)
- Hospital Back-Up (HBU)
- Long Term Home Health (LTHH)

While not Medicaid waivers, regulations for these programs are also found in the Code of Colorado Regulations.

# CCB CASE MANAGEMENT

CCBs provide case management for up to five of Colorado's Medicaid waivers:

- HCBS-SLS - Supported Living Services
- HCBS-DD - Developmentally Disabled
- HCBS-CES - Children's Extensive Support
- HCBS-CHRP - Children's Habilitation Residential Program
- CHCBS - Children's Home and Community Based Services
  - If CCB opts to provide case management for CHCBS

# CCB CASE MANAGEMENT

CCB's also provide case management for programs that are not waivers:

- State SLS
- Family Support Services Program (FSSP)

While not Medicaid waivers, regulations for these programs are also found in the Code of Colorado Regulations.

# EXAMPLES OF SERVICE TYPES

Some examples of services and supports within HCBS waivers include:

- Support for personal care needs
- Access to residential options
- Support with homemaker needs
- Home modifications
- Day programming for adults and children
- Non-medical transportation
- Medication monitoring
- Respite for caregivers

- ✓ **STATUTE**
- ✓ **WAIVER**
- ✓ **REGULATION**
- ✓ **CONTRACT**

Consider:

- Requirements may change or be modified over time
- Requirements are found in various locations



Colorado  
Secretary of State  
Jena Griswold



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Official Publication of the State Administrative Rules

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# Approved HCBS Waiver Documents

## Approved HCBS Waiver Documents

- [Brain Injury \(BI\) Waiver - Full Text](#) - Effective January 1, 2020
- [Children's Extensive Supports \(CES\) Waiver - Full Text](#) - Effective January 1, 2020
- [Children's Habilitation Residential Program \(CHRP\) Waiver - Full Text](#) - Effective January 1, 2020
- [Children's Home and Community Based Services \(CHCBS\) Waiver - Full Text](#) - Effective January 1, 2020
- [Children with Life-Limiting Illness \(CLLI\) Waiver - Full Text](#) - Effective January 1, 2020
- [Community Mental Health Supports \(CMHS\) Waiver - Full Text](#) - Effective January 1, 2020
- [Developmental Disabilities \(DD\) Waiver - Full Text](#) - Effective January 1, 2020
- [Elderly Blind and Disabled \(EBD\) Waiver - Full Text](#) - Effective January 1, 2020
- [Spinal Cord Injury \(SCI\) Waiver - Full Text](#) - Effective January 1, 2020
- [Supported Living Services \(SLS\) Waiver - Full Text](#) - Effective January 1, 2020

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



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<a href="#">10 CCR 2505-10</a>	MEDICAL ASSISTANCE - STATEMENTS OF BASIS AND PURPOSE AND RULE HISTORY
<a href="#">10 CCR 2505-10 8.000</a>	MEDICAL ASSISTANCE - SECTION 8.000 Emergency Medical Transportation, Program Integrity
<a href="#">10 CCR 2505-10 8.100</a>	MEDICAL ASSISTANCE - SECTION 8.100 Eligibility, Provider Screening, NPI
<a href="#">10 CCR 2505-10 8.200</a>	MEDICAL ASSISTANCE - SECTION 8.200 Physician Services, Dental, Vision Services, Medicaid Managed Care Program, EPSDT
<a href="#">10 CCR 2505-10 8.300</a>	MEDICAL ASSISTANCE - SECTION 8.300 Hospital Services, Long Term Care Single Entry Point System
<a href="#">10 CCR 2505-10 8.400</a>	MEDICAL ASSISTANCE - SECTION 8.400 Long Term Care, Nursing Facility Care, Adult Day Care Services
<a href="#">10 CCR 2505-10 8.500</a>	MEDICAL ASSISTANCE - SECTION 8.500 HCB-DD, CES, Oxygen, DME
<a href="#">10 CCR 2505-10 8.600</a>	MEDICAL ASSISTANCE - SECTION 8.600 Case Management, Family Support, Laboratory and X-Ray
<a href="#">10 CCR 2505-10 8.700</a>	MEDICAL ASSISTANCE - SECTION 8.700 Federally Qualified Health Centers, Women's Health Services
<a href="#">10 CCR 2505-10 8.800</a>	MEDICAL ASSISTANCE - SECTION 8.800 Pharmaceuticals, Podiatry Services
<a href="#">10 CCR 2505-10 8.900</a>	MEDICAL ASSISTANCE - SECTION 8.900 CICP, OAP, Primary Care Fund, Dental Health Care
<a href="#">10 CCR 2505-10 8.1000</a>	MEDICAL ASSISTANCE - SECTION 8.1000 Medicare Modernization Act
<a href="#">10 CCR 2505-10 8.2000</a>	MEDICAL ASSISTANCE - SECTION 8.2000 [Repealed eff. 10/30/2017]
<a href="#">10 CCR 2505-10 8.3000</a>	MEDICAL ASSISTANCE - SECTION 8.3000 Healthcare Affordability and Sustainability Fee
<a href="#">10 CCR 2505-10 8.4000</a>	MEDICAL ASSISTANCE - SECTION 8.4000 Hospital Expenditure Report Data Collection
<a href="#">10 CCR 2505-10 8.5000</a>	MEDICAL ASSISTANCE - SECTION 8.5000 Hospital Community Benefit Accountability
<a href="#">10 CCR 2505-10 MED 11E</a>	MEDICAL ASSISTANCE - FORM MED-11E [Repealed eff. 06/30/2014]

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### Department Program Rules and Regulations

To access the text of the Secretary of State's (SOS) official online version of the Department's rules, click on the links below.

Children's Basic Health Plan	10 CCR 2505-3
<a href="#">50 - 600</a>	300 - Enrollment Fees and Co-pays
50 - Definitions	400 - Enrollment
100 - Eligibility	500 - Financial Management
170 - Presumptive Eligibility	600 - Appeals Process
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8.010 Medical Assistance	
8.011.1 General Exclusions From Coverage	8.063 Medical Assistance Estate Recovery
8.012 Providers Prohibited From Collecting Payment From Recipients	8.064 Data Provision and Claims Requirements (Eff. 03/30/2009)
8.013 Out-of-State Medical Care	8.065 Recovery of Medical Assistance Overpayments
8.014 Non Emergent Medical Transportation	8.066 Health Insurance Buy-In
8.015 Electronic Health Record Incentive Payment Program	8.070 Mis-Utilization, Fraud, or Abuse
8.016 Alternative Benefit Plan	8.075 Client Over Utilization Program
8.017 Habilitative Services	8.076 Program Integrity (Eff. 12/30/2008)
8.040 Recoveries From Providers	8.079 Quality Improvement (Eff. 05/30/2009)
8.041 Claims Reimbursement and Status	8.080 Medicaid Eligibility Quality Control
8.042 Utilization of a Cash System of Accounting	8.090 Medicaid Claims Processing and Third Party Liability Quality Control
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8.049 Reconsideration/Appeal of Adverse Administrative Action	
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<https://www.colorado.gov/pacific/hcpf/department-program-rules-and-regulations>

# SEP REGULATIONS

Found in 10 CCR 2505-10 of Code of Colorado Regulations

Sections for Single Entry Point agencies:

- Long Term Care Single Entry Point System 8.390
- Single Entry Point District Designation 8.391
- Financing of the Single Entry Point System 8.392
- Functions of a Single Entry Point Agency 8.393
- Long Term Care 8.400
- HCBS-EBD Case Management Functions 8.486

# SEP REGULATIONS

Sections for SEP waivers:

Waivers for adults:

- HCBS-EBD: 8.485
- HCBS-CMHS: 8.509
- HCBS-SCI: 8.517
- HCBS-BI: 8.515

Waivers for children:

- HCBS-CLLI: 8.504



# CCB REGULATIONS

Found in 10 CCR 2505-10 of Code of Colorado Regulations

Sections for Community Centered Boards:

- Case Management 8.519
- Services for Individuals with Intellectual and Developmental Disabilities 8.600
- Community Centered Boards 8.601.1
- Rights of Person's Receiving Services 8.604.1
- Case Management Services 8.607
- Determination of Developmental Disability 8.607.2
- Targeted Case Management Services 8.760

# CCB REGULATIONS

## Sections for CCB waivers and programs:

### Waivers for adults:

- HCBS-DD: 8.500
- HCBS-SLS: 8.500.90

### Waivers for children:

- HCBS-CES: 8.503
- HCBS-CHRP: 8.508

### State funded programs:

- State SLS: 8.501.1
- FSSP: 8.613

# REGULATIONS

Below are the sections for regulations that may be used in both SEP and CCB case management:

Recipient Appeals:	8.057
Guidelines for Long Term Care Services:	8.401.1
CHCBS:	8.506

# CONTACT

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**THANK YOU!**