



COLORADO

Department of Health Care
Policy & Financing

Home and Community-Based Services (HCBS) Waiver Amendments and Renewals Fact Sheet

February 2024

The Department of Health Care Policy & Financing (HCPF) intends to submit 1915(c) waiver amendments to the Centers for Medicare and Medicaid Services (CMS) for the following Home and Community-Based Services (HCBS) waivers:

- Persons with Brain Injury (BI)
- Children with Life-Limiting Illness (CLLI)
- Children's Home and Community-Based Services (CHCBS)
- Community Mental Health Supports (CMHS)
- Complementary and Integrative Health Services (CIH)
- Elderly, Blind, and Disabled (EBD)

HCPF intends to submit renewal applications to CMS for the following HCBS waivers:

- Children's Extensive Supports (CES)
- Children's Habilitation Residential Program (CHRP)
- Developmental Disabilities (DD)
- Supported Living Services (SLS)

HCPF will accept public comments from February 1, 2024, through March 1, 2024. HCPF intends to submit the amendments and renewals to CMS on March 8, 2024. HCPF will request an effective date of July 1, 2024 for the amendments and renewals.

Explanations of changes within the waiver applications can be found below.

Public Comments will be accepted from February 1, 2024, through March 1, 2024.

Summary of Changes

Remote Supports Updates

HCPF is removing Remote Supports from Personal Care and Homemaker services and is creating a standalone Remote Supports Service that will include Remote Supports and Remote Supports Technology. With this change, the tasks available through the service will remain the same. (BI, CIH, CMHS, EBD, SLS)

Supported Employment Language Update

Updating the Supported Employment service definition for clarity. The updates include:

- Separating Supported Employment into two separate services
- Individual Supported Employment and Group Supported Employment
- Integrating more Employment First and person-centered language
- Expanding the description of activities for Job Development and Job Coaching.
- Job Placement was renamed Employment Tools and Supplies and additional descriptions were included. (DD, SLS)

Organized Health Care Delivery System (OHCD) Update

Updating the Organized Health Care Delivery System provider type due to Case Management Redesign and details outlined in [Informational Memo IM 22-042](#). Waivers are being amended to clarify when the OHCD can act as a provider for select services. (BI, DD, SLS, CIH, CMHS, EBD, CHCBS, CES)

CMA Rural Exception and Case Management Redesign Updates

Updating language in Appendices D-1b, D-2b and in the CHCBS Case Management service definition. The updates are to the Case Management Agency (CMA) rural exception process and to reflect that the state is no longer in conflict. (BI, EBD, DD, CMHS, SLS, CES)

Remove Hospice from EVV Requirement

Removing Hospice from the list of State Plan services that require Electronic Visit Verification (EVV) in appendix I-2d. (All waivers)

Over Cost Containment

Updating the reference of Over Cost Containment (OCC) to a Service Accommodation request process and updating to include the Quality Improvement Organization (QIO) functions. (EBD, BI, CMHS, CIH, CLLI, SLS)

Rate Methodology Update for Minimum Wage Increases

Updating HCPF's Rate Methodology description to include information on the locality, county, metropolitan area, and other types of regional boundaries for minimum wage increases and an allowance for HCPF to update these rates retroactively. (All waivers)

Non-Medical Transport Definitions

Updating the service definition to clarify utilization, amount, frequency, and duration of Non-Medical Transportation for Supported Employment. (DD, SLS)

HCBS Settings Final Rule Updates

For the waivers being renewed, CMS policy requires HCPF to make updates in connection with the implementation of the HCBS Settings Final Rule. These updates include the following changes:

- With the end of the nationwide transition period, the discussion of the Statewide Transition Plan (STP) is no longer needed and will be removed from Attachment #2 in the Main section of the HCBS waiver application.
- Updates to Appendix C-5, Home and Community-Based Settings, in the waiver application. This section was updated to include the setting types where waiver services are provided and the ongoing monitoring process for ensuring compliance at each setting type.
- Updates to Appendix G-2, Participant Safeguards, to reflect the codification of the HCBS Settings Final Rule. (CES, CHRP, DD, SLS)

CMA Contracted Entity Language Update

Removing the reference to the number of Case Management Agencies that are contracted entities. (All waivers)

Remove Outdated Practices

Removing language that references “annual on-site monitoring” of the Case Management Agencies in Appendix F-1 and I-1, Participants Rights. (All waivers)

Update Provision of Financial Management Services (FMS) and Types of Entities

Removing outdated FMS vendor language. (EBD, BI, CMHS, CIH, SLS)

Update Prevocational Service language

Removing language referencing subminimum wage practices in Prevocational Services (DD, SLS)

Update Cost Neutrality Demonstration

Updating the Cost Neutrality Demonstration in Appendix J with the new 372 data from State Fiscal Year (SFY) 2021-22. (All waivers)

Update to Ombudsmen Language

Updating language to clarify the role and purpose of the Colorado State Long-Term Care Ombudsman program. (BI, CMHS, EBD, DD, SLS, CIH, CHRP, CES)

Update to Personal Emergency Response System (PERS) Language

Updating Appendix J for Personal Emergency Response System by separating the service into two separate service components, PERS Monthly and PERS Install. This will assist in improving data collection and monitoring. (CIH)

Miscellaneous Corrections

Making spelling, typo, and grammatical corrections throughout the renewal applications. (CES, CHRP, DD, SLS)

Public Comment Opportunity

Drafts of the waiver amendment and renewal applications are available on the [HCBS Public Comment Opportunities website](#) for public comment.

- A draft of the waiver amendments and renewals are available for a 30-day public comment period from February 1, 2024 through March 1, 2024.
- HCPF commits to incorporating comments, concerns, and suggestions when and wherever possible.
- All comments and responses will be recorded in a listening log that will be posted on the HCPF's website after the public comment period ends.

Make a request for a paper or electronic copy of the waiver amendments or renewals including the full draft waiver and/or to provide public comment, by:

- Phone: 303-866-3684
- Email: HCPF_LTSS.PublicComment@state.co.us
- Postal Mail:
 - Department of Health Care Policy & Financing
303 E. 17th Avenue, Denver, CO 80203
ATTN: HCBS Waiver Amendments or Renewals
- Fax: 303-866-2786 ATTN: HCBS Waiver Amendments or Renewals