



INFORMATIONAL MEMO

TITLE:	OFFICE OF COMMUNITY LIVING BA-07 BUDGET REQUEST
SUPERSEDES NUMBER:	N/A
EFFECTIVE DATE:	JANUARY 4, 2023
DIVISION AND OFFICE:	COMPLIANCE AND INNOVATION DIVISION, OFFICE OF COMMUNITY LIVING (OCL)
PROGRAM AREA:	DEPARTMENT OF JUSTICE FINDINGS
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Purpose and Audience:

The purpose of this Informational Memo is to inform long-term services and supports (LTSS) members, families, advocates and providers of the contents of the BA-07 “Community-Based Access to Services” budget amendment that was submitted to the Joint Budget Committee on Tuesday, Jan. 3, 2023.

Information:

The Department expresses its gratitude to LTSS stakeholders for their ongoing feedback and discussions about the [Department of Justice Findings](#) and Community First Choice. In response to the findings, the Department immediately began securing resources (HB 22-1302) and working with stakeholders to understand where improvements to our long-term care system would benefit our members most. This memo describes a number of programmatic changes the Department proposed through the legislative budget process based on that feedback. The Department’s [BA-07 “Community-Based Access to Services”](#) request reflects stakeholder recommendations. The Department and hopes stakeholders will continue to engage in the implementation process if the request is approved.

Submitting this request to the Joint Budget Committee (JBC) is one of the first, but not the last, major steps to approval. The request must make its way through the JBC and legislature before funding is made available. In addition, the Department must obtain programmatic approval by the Centers for Medicare & Medicaid Services (CMS). The funding approval process typically is completed in May when the Long Bill is signed. Funds will then generally become available on July 1, 2023, or as identified in requests.

This request would provide \$6.3 million total funds in FY 2023-24 with increasing amounts for a number of years afterwards. A high-level summary of each component and how to engage in these policies as they continue to develop are below.

In-Reach Counseling (also known as Options Counseling)

In-Reach Counseling provides members living in nursing facilities with information on community living and refers members to Transition Coordination. This will provide additional funding to implement proactive group and individual In-Reach Counseling for members who reside in a nursing facility. This means In-Reach Counseling will be provided unless it is declined. The Department will implement this through Case Management Agencies, state staff or other contractors.

Diversion and Rapid Reintegration Activities

The Department will standardize and improve the information shared with members through nursing facility level-of-care screenings. The goal is to ensure that members understand all options for community-based living prior to placement in a nursing facility. The Department is also requesting funding to implement a requirement for Case Management Agencies (CMAs) to create a rapid reintegration plan for individuals that are interested in community living but still need to move into the nursing facility for a short-term stay while community services are arranged.

Enhance Transition Services and Eligibility Improvements

This request will provide funding to increase the Transition Coordination unit limit, maximum for Transition Setup, and expand access to Housing Navigation. The Department also proposes to pursue federal authority to implement presumptive eligibility to streamline and expedite the member's transition process from a nursing facility to community.

Community First Choice (CFC)

This request will expand access to community-based services and service delivery options to members who meet institutional level of care through the 1915(k) State Plan

option. This expansion also provides the State with a 6% enhanced federal match on expanded services. The Department will include the following services in the CFC package: Personal Care; Homemaker; Health Maintenance; Acquisition Maintenance and Enhancement of Skills (AME), which will be a new service; Personal Emergency Response System (PERS); Medication Reminders; Remote Supports, Life Skills Training; Transition Setup; Home Delivered Meals; Peer Mentorship; Consumer Attendant Support Services (CDASS); and In-Home Support Services (IHSS).

Additionally, with the implementation of CFC, the Department requests to add a monthly Wellness Education Benefit for all waiver members. The Wellness Education Benefit consists of individualized educational materials designed to prevent hospitalization or movement into an institutional setting by assisting HCBS waiver members in obtaining, processing, and understanding information that assists with managing individualized health related issues, promoting community living, and achieving goals identified in their person-centered service plans. This benefit will also help members maintain HCBS waiver eligibility once CFC is implemented, as many services will move to the State Plan, by ensuring that members access at least one HCBS waiver service every month.

Finally, the Department requests to combine the Children's Home and Community Based-Services (CHCBS) waiver with the Children with Life-Limiting Illness (CLLI) waiver. This combination will broaden eligibility and expand access to services for all children currently in these two waivers. For members currently utilizing only case management in the CHCBS waiver, the monthly service requirement will be maintained through the Wellness Education Benefit.

Engagement Opportunities

Additional opportunities to engage will be listed on our website the [OCL Stakeholder Engagement & Calendar page](#) and include but are not limited to the [CFC Council](#) and [Transition Stakeholder Advisory Council](#).

Attachment(s):

None

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