



## INFORMATIONAL MEMO

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<b>TITLE:</b>	<b>PRIVATE DUTY NURSING (PDN) PRIOR AUTHORIZATION REQUESTS (PAR) UPDATE FOR MEMBERS, FAMILIES, AND ADVOCATES</b>
<b>SUPERSEDES NUMBER:</b>	
<b>EFFECTIVE DATE:</b>	<b>MARCH 17, 2023</b>
<b>DIVISION AND OFFICE:</b>	<b>BENEFITS &amp; SERVICES MANAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING</b>
<b>PROGRAM AREA:</b>	<b>PRIVATE DUTY NURSING (PDN)</b>
<b>KEY WORDS:</b>	<b>PDN, PAR, KEPRO, PRIVATE DUTY NURSING, TEMPORARY ADMINISTRATIVE APPROVAL PROCESS</b>
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<b>APPROVED BY: CANDACE BAILEY</b>	

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*HCPF Memo Series can be accessed online: <https://www.colorado.gov/hcpf/memo-series>*

### **Purpose and Audience:**

The purpose of this Informational Memo is to share information in one place for members, families, advocates and stakeholders of changes to the Private Duty Nursing (PDN) prior authorization review (PAR) process, specifically related to the removal of the administrative approval process.

This Memo provides:

- An update on the work done to date.
- Information on what to expect moving forward.
- Information on how to escalate concerns if they arise.

**Information:**Work Done to Date:

After a 2 year pause on the PAR process in part due to the Public Health Emergency (PHE), HCPF reinstated the requirement for PARs for medical necessity review for PDN services in November 2021.

After the PDN PAR process had been in place for several months, the Department of Health Care Policy & Financing (HCPF) began to hear from families and advocates about concerns about the PAR process.

HCPF instituted an administrative approval process effective October 26, 2022 - April 2, 2023, that ensured all requested services for PDN remained in place while the concerns were evaluated.

At the time the administrative approval process went into effect, 88% of all members had received at least one full PAR approval.

In addition to the administrative approval process being started, HCPF implemented an Action Plan to address the concerns in October 2022:

- **Stakeholders raised concerns about the notices that were sent when services were being denied**
  - HCPF revised the noticing to inform members of partial denials and full denials for medically necessary PDN services.
    - Drafts of these notices were reviewed with the Attorney General's Office, involved stakeholders, advocacy organizations, and members through the Member Experience Advisory Council (MEAC).
    - HCPF, at the recommendation of stakeholders, also created notices of PDN approval to increase transparency and communication. Approval notices that will be sent in March received the same review process as partial and full denial notices.

- **Stakeholders raised concerns about denials of services**

- In reviewing the denials, HCPF identified a need for additional training and technical assistance for agencies that provide PDN services.
  - HCPF, working with Kepro, the Department's third-party fee-for-service utilization management vendor, outreached and worked directly with twenty-three (23) agencies responsible for submitting PDN PARs to Kepro. HCPF provided agencies with training on the submission of appropriate supporting documentation for private duty nursing requests.
  - Because of this training, PDN providers have begun resubmitting PARs and supporting documentation in alignment with HCPF's training.
  - HCPF provided training to our Regional Accountable Entity (RAE) management and care coordination staff to ensure members are appropriately supported. Training ensured that RAE partners understand:
    - PDN compared to other home health services
    - How PDN fits into the landscape of Long-Term Services and Supports
    - The PAR process
    - How to support providers to include the necessary clinical information when making an authorization request for PDN
    - How HCPF will continue to provide RAEs information for members who may receive a denial for PDN services
    - How RAEs/MCOs should track how members are supported and report back to HCPF
    - Expectations to coordinate with and refer to case management agencies (CMAs)
    - And most importantly, how to support members to access alternative services or appeal after receiving a PDN denial

This training was a continuation of previous and ongoing collaboration, training, and guidance ([OM 21-060](#)).

- HCPF is working on a case-by-case basis to ensure individuals receive the appropriate level of benefit which includes alternative services if the member does not qualify for PDN services.
- **Stakeholders requested transparency and engagement**
  - HCPF has hosted webinars, created PDN FAQs, and presented at key forums. The Department continues to post updates related to PDN on the external facing [website](#).

#### What To Expect Moving Forward:

- For all PARs on hold or in a pending status, beginning March 7th, final determinations (full approval – note approval letters are only being sent for the month of March, partial denial, technical denial, or full denial) are being made based on information providers have submitted.
  - The notices with final determinations are being mailed to members throughout March 2023.
    - If a member receives a denial notice, services will continue for an additional 15 calendar days after April 3, 2023, the date which the administrative approval ends.
    - Appeal information is included on all full, partial, and technical denial notices.
    - RAEs will outreach members who receive a full or partial denial notice to discuss alternative service availability.
- After April 2, 2023, PARs and supporting documentation submitted in accordance with HCPF's training to providers will be reviewed by Kepro within 10 business days. A notice will be mailed to the member after the determination is rendered. Providers also receive a notification from Kepro.
- HCPF will continue to update the external facing PDN website with service information including PDN FAQs and upcoming stakeholder engagement opportunities.
- HCPF will continue to monitor approval and denial rates for PDN to evaluate trends and identify any action needed.

#### How To Escalate Concerns If They Arise:

- If you have questions or concerns regarding how your services are provided, contact your PDN provider agency.

- Members may choose the PDN provider agency they receive services from and can transfer care when necessary.
- Members may contact a new PDN provider agency when they choose, and the involved providers will initiate the transfer.
- For PDN policy and program specific issues, contact [Homehealth@state.co.us](mailto:Homehealth@state.co.us). This inbox is monitored by HCPF staff.
- For help with an appeal, you may be able to get free legal help. Colorado Legal Services has law clinics throughout the state. Call Colorado Legal Services at 303-837-1313 or visit [coloradolegalservices.org](http://coloradolegalservices.org) for more information.

**Attachment(s):**

None

**Department Contact:**

[Homehealth@state.co.us](mailto:Homehealth@state.co.us)