



OPERATIONAL MEMO

TITLE:	UPDATED HCBS PROVIDER RETAINER PAYMENTS
SUPERSEDES NUMBER:	HCPF OM 20-039
EFFECTIVE DATE:	JULY 17, 2020
DIVISION AND OFFICE:	BENEFITS AND SERVICES MANAGEMENT DIVISION OFFICE OF COMMUNITY LIVING
PROGRAM AREA:	HCBS WAIVERS
KEY WORDS:	COVID-19, CORONAVIRUS, PROVIDER, BENEFITS AND SERVICES, HOME AND COMMUNITY-BASED SERVICES, RETAINER PAYMENTS
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APPROVED BY: BONNIE SILVA	

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

Purpose and Audience:

The purpose of this Operational Memo is to update Home and Community-Based Services (HCBS) providers and Case Management Agencies (CMAs) that retainer payments will be ending July 17, 2020.

Information:

The Centers for Medicare & Medicaid Services (CMS) [released information](#) specifying a retroactive change in the length of time and requirements under which a state may authorize retainer payments. CMS specified that retainer payments may not exceed three (3) 30-day consecutive time frames. The 30-day time frame is based on when the state authorized the use of retainer payments, not when the provider started utilizing them. CMS has interpreted this to be a maximum of 18 weeks for most services since most services are not typically provided outside of the five (5) day work week.

In response to the COVID-19 pandemic, the Department of Health Care Policy & Financing (Department) worked expeditiously to garner authorization for retainer payments beginning March 13, 2020. Retainer payments must be stopped by the end of the 18-week period under the new CMS policy, which for Colorado is July 17, 2020.

Additional guidance about how the Department will implement all components of the revised CMS guidance will be forthcoming.

The Department is committed to continuing to work with stakeholders to evaluate program definition changes and service delivery flexibilities to mitigate the potential spread of the COVID-19 illness while also ensuring continuity of services for people with disabilities. Day services may continue to be provided remotely using a variety of telehealth methods as well as a variety of alternative locations including a member's home, a park, or other location that works well for the member and provider.

No retainer payments will be paid after July 17, 2020. Providers are to resume billing for services rendered and stop using the T2034 code on their claim.

Questions regarding this guidance can be sent to HCPF_HCBS_Questions@state.co.us.

Attachment(s):

None

Department Contact:

HCPF_HCBS_Questions@state.co.us

Department COVID-19 Webpage:

<https://www.colorado.gov/pacific/hcpf/COVID>

For specific information, please call the CDPHE Call Center at 303-692-2700.

For general questions about COVID-19: Call CO-Help at 303-389-1687 or 1-877-462-2911 or email COHELP@RMPDC.org, for answers in English and Spanish (Español), Mandarin (普通话), and more.