



OPERATIONAL MEMO

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Purpose and Audience:

The purpose of this Operational Memo is to communicate additional guidance regarding funding and staffing from the Budget Amendment 10 (BA-10). BA-10 provided additional, term-limited funding to counties to manage the workload associated with the continuous coverage provisions relating to the federal Public Health Emergency (PHE).

Information:

In January 2021, the Department of Health Care Policy and Financing (HCPF or Department) received approval from the Joint Budget Committee for Budget Amendment 10. BA-10 provided term-limited funding to county departments of human/social services to hire and onboard additional staff to manage the redetermination of eligibility for those Medical Assistance members that were subject to the continuous coverage provisions of the Families First Coronavirus Response Act (FFCRA). Members are subject to the continuous coverage provisions due to the federal PHE.



The Department provided guidance to counties as part of implementation of BA-10 based on the anticipated timing of federal action and availability of federal guidance at the time. Federal guidance continues to be updated, resulting in shifting timelines for States to implement the return to normal operations post-PHE.

PHE Timeline

The Secretary of the U.S. Department of Health and Human Services has the authority to extend the federal PHE for up to 90-calendar days at a time. The most recent extension occurred on October 16, 2021, with an anticipated end-date of January 16, 2022. The federal administration has communicated to States that a 60-calendar day notice will be issued when a determination has been made to terminate the PHE. It is possible that the PHE will be extended again in January 2022. This is based on the lack of notification from the federal government. If the Secretary extends the PHE for an additional 90 days, the revised end date would be no sooner than April 2022.

The federal government has communicated to States a timeline to return to normal operations of twelve months, which is a six-month extension from previous guidance.

The Department will share additional federal guidance and communications with counties once they are received.

Guidance for Newly Onboarded PHE Staff

BA-10 included an anticipated PHE end date of January 2022, and a return to normal operations timeframe of six months. The Department is now updating BA-10 guidance to reflect the revised federal timelines. The Department is advising counties to:

1. **Extend Term of Hire:** Put the mechanisms in place to extend the term of hire for any newly onboarded PHE eligibility technicians. The anticipated end-date should be extended from June 30, 2022, until December 31, 2022. An extension until June 30, 2023, may be possible and counties should prepare for this contingency. Additional information regarding BA-10 funding and the impacts from the new federal guidance will be shared in early 2022.
2. **Work Redetermination Backlog:** Eligibility reviews for members subject to the continuous coverage provision will not begin until after the federal PHE is terminated. Any newly onboarded PHE eligibility technicians should be re-directed to work solely on reducing the county's redetermination and application backlog. This work should be the top priority for any eligibility technicians hired or paid using BA-10 PHE funding.



Guidance for PHE Staff Not Already Hired

BA-10 included an anticipated PHE end date of January 2022, and a return to normal operations timeframe of six months. The Department is now updating BA-10 guidance to reflect the revised federal timelines. The Department is advising counties regarding:

1. **Additional Time to Hire:** Hiring was expected to be completed by September 30, 2021, as described in BA-10. Due to workforce availability, some counties have not been able to onboard the number of staff as described in the county's PHE Staffing Plan. Counties should continue their efforts to hire the number of staff needed and now have additional time beyond September 30. Any changes in the number or type of staff must be reflected in the county's approved PHE Staffing Plan.
2. **Extended Term of Hire:** Put the mechanisms in place to extend the term of hire for any **not-yet hired** PHE eligibility technicians. The anticipated end-date should be extended from June 30, 2022, until December 31, 2022. An extension to June 30, 2023, may be possible and counties should prepare for this contingency. Additional information regarding BA-10 funding and the impacts from the new federal guidance will be shared in early 2022.

Guidance for Counties Not Hiring Additional Staff

If the county has communicated in their PHE Staffing Plan that they will manage the continuous coverage redeterminations through increased overtime or other staffing solutions and is currently expending a portion of their BA-10 funding on staff, those staff must be redirected to minimize redetermination and application backlog, as stated above under "Guidance for Newly Onboarded PHE Staff."

General Guidance on PHE Funding and Updating PHE Staffing Plans

Expenditures from BA-10 are continuously monitored and those county staff who are paid using BA-10 funds must focus their work efforts going forward as described above. Any request by the county to expend BA-10 funds must be pre-approved by the Department and documented in the county's PHE Staffing Plan. Department approval of expenditures are limited to those costs associated with the PHE continuous coverage provisions and as laid out in BA-10 or otherwise communicated by the Department.

With the anticipated longer term-of-hire staff costs paid for by BA-10, county requests for BA-10 funds for costs that will accelerate the county's drawdown of BA-10 funding before the federal PHE is terminated may be denied.



Attachment(s):

N/A

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