



OPERATIONAL MEMO

TITLE:	HOME AND COMMUNITY-BASED SERVICES (HCBS) BASE WAGE RATE INCREASE ATTESTATION FORM & WORKER LETTER
SUPERSEDES NUMBER:	N/A
EFFECTIVE DATE:	FEBRUARY 15, 2022
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Purpose and Audience:

The purpose of this Operational Memo is to provide service providers and case management agencies (CMAs) with the required attestation form for the base wage rate increase response to the COVID-19 pandemic for some Home and Community-Based Services (HCBS) waiver benefits. The Centers for Medicare & Medicaid Services (CMS) and Joint Budget Committee members approved a plan put forward by the Polis-Primavera administration and the Department of Health Care Policy & Financing (the Department) to institute a base wage for Direct Care Workers. Effective January 1, 2022, Direct Care Workers providing certain HCBS waiver services must have a base wage of \$15 per hour or have received an increase to per diem wages.

Information:

A \$15 per hour base wage for Direct Care Workers providing specific HCBS waiver services and an increase to per diem rates for Individual Residential Services and Supports (IRSS) Direct Care Workers went into effect on January 1, 2022. Providers were required to notify all Direct Care Workers of the base wage increase using the Department's approved letter no later than January 31, 2022. The HCBS services and waivers impacted by this requirement include:

- Adult Day Services - BI, CMHS, EBD, SCI
- Alternative Care Facility (ACF) - BI, CMHS
- Community Connector – CES, CHRP
- Consumer Directed Attendant Support Services (CDASS) - BI, CMHS, EBD, SCI, SLS
- Group Residential Support Services (GRSS) - DD
- Homemaker - CES, CMHS, EBD, SCI, SLS
- Homemaker Enhanced – CES, SLS
- In-Home Support Services (IHSS) - CHCBS, EBD, SCI
- Individual Residential Support Services (IRSS) - DD
- Job Coaching – DD, SLS
- Job Development – DD, SLS
- Mentorship – SLS
- Personal Care – BI, CMHS, EBD, SCI, SLS, and state plan Pediatric Personal Care
- Prevocational Services – DD, SLS
- Respite – BI, CES, CLLI, CHRP, CMHS, EBD, SCI, SLS
- Specialized Habilitation – DD, SLS
- Supported Community Connections – DD, SLS
- Supported Living Program - BI

Providers that are affected by the base wage and per diem increase requirements must complete the attached Base Wage Attestation Form and/or IRSS Per Diem Attestation Form and submit it to the Department to report compliance with the requirements. Attestation forms must be submitted to HCPF_WageCompliance_FCU@state.co.us no later than June 30, 2022.

CDASS Authorized Representatives/Employers of Record are exempt from attestation requirements.

Providers must also keep true and accurate records to support and demonstrate that all Direct Care Workers have received the base wage or a per diem wage increase. These records must be retained for no less than six (6) years and made available to the Department upon request.

Attachments:

[Base Wage Attestation Form](#)

[IRSS Per Diem Increase Attestation Form](#)

Links:

The following links can be referenced for additional information regarding these requirements and implementing the base wage and per diem increases.

[Operational Memo 21-087, Home and Community-Based Services \(HCBS\) American Rescue Plan Act Base Wage Rate Increase](#)

[Base Wage Requirement for Direct Care Workers – Frequently Asked Questions \(December 2021\)](#)

[Base Wage Notification Letter for Direct Care Workers](#)

[Base Wage Requirement Regulations – 10 C.C.R. 2505-10 Section 8.511](#)

[Provider Rates and Fee Schedule](#)

[Resources for HCBS Providers](#)

Department Contact:

[HCPF WageCompliance_FCU@state.co.us](mailto:HCPF_WageCompliance_FCU@state.co.us) for submitting the attestation forms and for questions regarding the attestation form, reporting requirements, financial compliance reviews, and submitting supporting documentation.

[HCPF HCBS Questions@state.co.us](mailto:HCPF_HCBS_Questions@state.co.us) for questions regarding waiver services and rate increase.

[HCPF DCWorkforce@state.co.us](mailto:HCPF_DCWorkforce@state.co.us) for general questions or feedback relating to workforce issues.