



OPERATIONAL MEMO

TITLE:	CHANGES TO CONSUMER-DIRECTED ATTENDANT SUPPORT SERVICES CRIMINAL BARRIER CRIMES LIST
SUPERSEDES NUMBER:	HCPF OM 21-027
EFFECTIVE DATE:	MARCH 22, 2023
DIVISION AND OFFICE:	BENEFITS AND SERVICES MANAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING
PROGRAM AREA:	PARTICIPANT DIRECTED PROGRAMS
KEY WORDS:	CDASS, FMS, BACKGROUND CHECK, ATTENDANT ENROLLMENT, PARTICIPANT DIRECTED PROGRAMS, BARRIER CRIME, CRIME OF HIGH RISK, EMPLOYER GUIDE
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APPROVED BY: CANDACE BAILEY	

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 inform Consumer-Directed Attendant Support Services (CDASS) stakeholders of updated requirements to the background check process for CDASS attendant enrollments.

Information:

The CDASS program requires that all attendants pass a background check prior to being approved to work and render services. One part of the background check process assesses criminal history. Currently, a prospective attendant is prohibited from hire if their background check identifies conviction of a crime that may create a health and safety risk to the member. These crimes were previously referred to as Criminal Barrier Crimes contained within the Colorado CDASS Criminal Barrier Crimes List.

Through engagement with Participant Directed Programs Policy Collaborative (PDPPC) stakeholders and Centers for Medicare and Medicaid Services (CMS), the Colorado CDASS Criminal Barrier Crimes List has been updated to include new and changed

requirements and has been renamed. This updated document, titled the CDASS Background Check Crimes of High Risk: Employer Hiring Guide, is attached for reference and available through the Participant-Directed Programs webpage (hcpf.colorado.gov/participant-directed-programs), CDASS Training and Operations contractor, and Financial Management Service (FMS) contractors.

Changes to the previous Criminal Barrier Crimes now contained in the CDASS Background Check Crimes of High Risk: Employer Hiring Guide are:

- Adding time limitations to multiple crimes
- Class limiting fraud to a felony level
- Removal of felony DUI

Additionally, the background check process now provides:

- An exception process for some crimes
- Safety planning for CDASS members who request exceptions

Resources related to assessing background checks and hiring best practices are available to CDASS employers through the Training and Operations contractor. Contractor contact information can be found on the [Participant-Directed Programs webpage](#).

Attachment:

CDASS Background Check Crimes of High Risk: Employer Hiring Guide (March 2023)

Department Contact:

Participant-Directed Programs Unit
Office of Community Living
HCPF_PDP@state.co.us
303-866-5638