



## OPERATIONAL MEMO

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<b>Title:</b> Home and Community-Based Services (HCBS) 2024 Direct Care Worker Base Wage Attestation	<b>Topic:</b> Direct Care Worker Base Wage Reporting
<b>Audience:</b> HCBS Waiver Providers	<b>Sub-Topic:</b> N/A
<b>Supersedes Number:</b> N/A	<b>Division:</b> Benefits and Services Management Division
<b>Effective Date:</b> July 1, 2024	<b>Office:</b> Office of Community Living
<b>Expiration Date:</b> June 30, 2025	<b>Program Area:</b> N/A
<b>Key Words:</b> Benefits And Services, Home and Community-Based Services, HCBS, CHRP, Adult Day, Day Habilitation, SCC, CDASS, NMT, Supported Employment, Homemaker, Host Home, GRSS, Group Home, Foster Care Home, IHSS, IRSS, Mentorship, Prevocational Services, Respite Care, Base Wage Attestation, Base Wage Reporting, Base Wage Compliance	
<b>Legal Authority:</b> 10 C.C.R. 2505-10 Section 8.511	
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<b>Issue Date:</b> July 3, 2024	
<b>Approved By:</b> Colin Laughlin	

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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 Operational Memo is to make available to service providers the required attestation forms and process for the direct care worker base wage rate increase for Home and Community-Based Services (HCBS) waiver services.

### Information:

Effective July 1, 2024, all impacted Direct Care Workers (DCWs), employees or independent contractors, are required to be paid at a minimum the \$17.00 per hour base wage outside of Denver or \$18.29 within Denver in alignment with the Denver minimum wage increase. Additionally, DCWs, who are paid a per diem rate for a specific service, must have their rate increased by the same percentage of the rate increase for the specific service as of July 1, 2024.

The 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
- Foster Care Home - CHRP
- Group Home - CHRP
- Group Residential Support Services (GRSS) - DD
- Homemaker - CES, CMHS, EBD, SCI, SLS
- Homemaker Enhanced - CES, SLS
- Host Home (participants aged 18-20) - CHRP
- Individual Residential Support Services (IRSS) - DD
- In-Home Support Services (IHSS) - CHCBS, EBD, SCI
- Job Coaching - DD, SLS
- Job Development - DD, SLS
- Mentorship - SLS
- Personal Care - BI, CMHS, EBD, SCI, SLS
- 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 affected by the base wage and per diem increase requirements must complete a 2024 DCW Wage Attestation Form and submit it along with the 2024 HCBS Provider Attestation Smartsheet form. Both the Wage and Provider Attestation forms must be submitted no later than Aug. 30, 2024. CDASS Authorized Representatives and Employers of Record are exempt from attestation requirements.

HCBS service providers who do not meet reporting or base wage requirements are subject to audit, corrective action, suspension of claims, and/or recoupment. For non-compliant providers, the suspension of claim payments may be imposed as early as Sept. 9, 2024. Once compliance is achieved, suspended payments will be released.

Please note that audits initiated by HCPF are a separate process from the Wage Attestation Forms and require the submission of supporting documentation to confirm the information submitted on the Wage Attestation Forms by providers.

### **Action To Be Taken:**

Providers must complete the 2024 Direct Care Worker Wage Attestation and attach it to their 2024 HCBS Provider Attestation Smartsheet submission by Aug. 30, 2024.

### **Definition(s):**

Direct Care Workers are defined as non-administrative employees or independent contractors of a Provider Agency or Consumer-Directed Attendant Support Services (CDASS) employer who provides hands-on care, services, and support to older adults and individuals with disabilities across the long-term services and supports continuum within home and community-based settings.

### **Attachment(s):**

Consult the DCW Base Wage for more information about this requirement and to find the Frequently Asked Questions document at <https://hcpf.colorado.gov/direct-care-workforce-base-wage>.

### **HCPF Contact:**

The attestation forms can be found in the Workforce Development section of the Resources for HCBS Providers.

If needed, please contact:

[HCPF\\_BaseWage@state.co.us](mailto:HCPF_BaseWage@state.co.us) for questions about the attestation form or reporting requirements.

[HCPF\\_HCBS\\_Questions@state.co.us](mailto:HCPF_HCBS_Questions@state.co.us) for questions about waiver services and rate increase.