



OPERATIONAL MEMO

Title: Children’s Habilitation Residential Program (CHRP) Waiver Eligibility Expansion	Topic: HCBS-CHRP
Audience: Case Management Agencies, CHRP Approved Provider Agencies, Members, Families	Sub-Topic: CHRP Eligibility - HB 24-1038 High-Acuity Crisis for Children and Youth
Supersedes Number: N/A	Division: Benefits and Services Management
Effective Date: Jan. 1, 2025	Office: Office of Community Living
Expiration Date: Jan. 1, 2027	Program Area: CHRP Waiver Eligibility
Key Words: Colorado Regulation Change, Eligibility, Serious Emotional Disturbance (SED) Definition, Expansion, HB 24-1038, Home and Community-Based Services (HCBS), Case Management Agencies (CMA), HCBS Provider Agencies	
Legal Authority: CCR Sections 8.7101.C and 8. 7521.D	
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Approved By: Candace Bailey	

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Purpose and Audience:

The purpose of this Operational Memo is to provide information to Case Management Agencies, Children’s Habilitation Residential Program (CHRP) provider agencies, families and stakeholders regarding rule and eligibility changes to the CHRP waiver. These changes to the CHRP Home and Community Based Services (HCBS) waiver allow the Colorado Department of Health Care Policy and Financing (HCPF) to include Serious Emotional Disturbance (SED) within the CHRP targeting criteria for waiver eligibility.

Information:

House Bill 24-1038 High-Acuity Crisis for Children and Youth was developed through a Collaboration between HCPF, Colorado Department of Human Services (CDHS), and the Behavioral Health Administration (BHA), which addresses the need for residential care for children and youth with complex behavioral and mental health needs.

HB 24-1038 specifies that “No later than January 1, 2025, the State Department shall seek federal authorization to expand the residential child health-care program established pursuant to Section 25.5-6-903 to include children and youth who have a serious emotional disturbance that puts the child or youth at risk or in need of out-of-home placement.”

To meet this legislative mandate, HCPF is expanding the CHRP waiver effective Jan. 1, 2025, to include SED within the CHRP targeting criteria for waiver eligibility. This will allow children/youth experiencing SED to access the waiver benefits, including residential habilitation. Children/youth must meet the nursing facility or an inpatient psychiatric hospital level of care. While the eligibility criteria are expanding to serve an additional population, the waiver services and provider qualifications will remain the same. This eligibility expansion creates alignment between the Behavioral Health Administration, Colorado Department of Human Services, and HCPF in serving high-acuity youth.

The policy and operational changes are intended to allow all CHRP eligible members to more effectively access waiver benefits. Members will not lose any services because of this change to the CHRP waiver.

Action To Be Taken:

Case Management Agencies:

The current CHRP waiver eligibility process will not change; rather this expansion will now include the SED eligibility criteria as outlined in CCR 2505-10 Section 8.7101.C and 8.7521.D. If a SED referral for HCBS CHRP Waiver services is made to the case management agency, the case manager will follow the current eligibility process, procedure, timelines and guidance as outlined in regulation.

- Case managers will continue to use the Level of Care Assessment for functional eligibility assessment and will need to identify at least a score of “2” in two ADLs or in one of the Memory/Cognition or Behaviors/Supervision sections. Case managers must provide justification of the score in the “Due To” comment box.
- A new CHRP SED Attestation form has been developed specifically for SED eligibility. Case Managers will need to have the Attestation form completed by the Licensed Mental Health Professional that provided or is treating the diagnosis. This form is located on the [Long-Term Services and Supports Case Management Tools](#) webpage, under Program and Waiver-Specific Resources.

- Required training for case managers on these programmatic changes will be made available through the Learning Management System. HCPF will notify leadership at each Case Management Agency by email once the training materials are available.

Definition(s):

Serious Emotional Disturbances (SED) means a mental, behavioral or emotional disorder that meets these criteria:

1. Has been diagnosed by a Licensed Mental Health Professional, according to criteria set forth in the current Diagnostic and Statistical Manual of Mental Disorders; the DC:0-5 Diagnostic Classification of Mental Health and Developmental Disorders of Infancy and Early Childhood; or the International Classification of Diseases
2. Has functional impairments, which interfere with the Member's functioning in family, social relationships, school or community, and
3. Has caused the Member to experience an emotional disturbance within the past 12 months for children aged 6 and older or the past 3 months for children aged 5 and younger, prior to application on a continuous or intermittent basis, as determined and documented by a Licensed Mental Health Professional.
4. SED does not include substance-related disorders, or primary conditions or problems classified in the DSM as other conditions that may be a focus of clinical attention.

Attachment(s):

CHRP SED Attestation Form

HCPF Contact:

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