



OPERATIONAL MEMO

Title: Children’s Habilitation Residential Program (CHRP) Waiver Eligibility Expansion	Topic: HCBS-CHRP
Audience: Case Management Agencies (CMAs), CHRP Approved Provider Agencies, Members, Families	Sub-Topic: CHRP Eligibility HB 24-1038 High-Acuity Crisis for Children and Youth
Supersedes Number: HCPF OM 25-003	Division: Benefits and Services Management
Effective Date: January 1, 2025	Office: Office of Community Living
Expiration Date: January 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:

This Operational Memo is being updated to provide additional guidance to Case Management Agencies (CMAs) on where to retain the completed [Serious Emotional Disturbance Attestation Forms](#) for members (see bolded text under Actions To Be Taken section). This memo also provides information to CMAs, 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 expanded the CHRP waiver effective Jan. 1, 2025, to include SED within the CHRP targeting criteria for waiver eligibility. This allows 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 expanded to serve an additional population, the waiver services and provider qualifications remain the same. This eligibility expansion created alignment between the BHA, CDHS, and HCPF in serving high acuity youth. These policy and operational changes 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 has not changed; rather this expansion now includes 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 CMA, 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](#) was developed specifically for SED eligibility beginning January 1, 2025. 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 requirements is available through the Learning Management System.
- Upon receipt, the Case Manager will upload the completed [CHRP SED Attestation form](#) to member's record in the Department's prescribed case management system.

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):

None

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