



## OPERATIONAL MEMO

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<b>Title:</b> Educated Choice	<b>Topic:</b> HCBS
<b>Audience:</b> Transition Coordinators, Transition Coordination Agencies	<b>Sub-Topic:</b> Provider Guidance
<b>Supersedes Number:</b> N/A	<b>Division:</b> Compliance and Innovation
<b>Effective Date:</b> April 30, 2025	<b>Office:</b> Office of Community Living
<b>Expiration Date:</b> April 30, 2027	<b>Program Area:</b> Home and Community-Based Services (HCBS)
<b>Key Words:</b> Educated Choice, Member Choice, Transitions, Transition Coordinator, Transition Coordination Agency, Department of Justice Findings	
<b>Legal Authority:</b> N/A	
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<b>Operational Memo Number:</b> HCPF OM 25-023	
<b>Issue Date:</b> April 25, 2025	
<b>Approved By:</b> Bonnie Silva	

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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 inform Transition Coordination Agencies of operational instructions outlining the process for ensuring that Institutionalized Population members make informed decisions about Community Transition. It establishes clear documentation, review, and follow-up procedures to address concerns and barriers while respecting members' autonomy.

Beginning April 30, 2025, if a member of the Institutionalized Population chooses not to complete a Community Transition, the Transition Coordinator (TC) must:

- Document the information provided to the member, the reason for their decision (including input from Unpaid Supports or guardians, if applicable), and any follow-up information shared.
- Promptly submit this documentation to the Transition Escalation Team.

The Transition Escalation Team will review upon submission to validate and confirm educated choice. If additional education or assistance is needed, the team will work with Transition Coordination Agencies to address concerns and ensure that member decision was made with complete understanding of their options.

## Action To Be Taken:

Documentation by the Transition Coordinator (TC):

- When a member, their Unpaid Supports, or guardian decides not to complete the Community Transition at any time in the transition timeline:
  - The TC documents details in the Transition Options and Risk Mitigation forms, including:
    - The information provided to the member about community-based services and support options.
    - The member's stated reasons for declining transition.
    - Additional resources offered to address any concerns.
  - Signature Requirement: The TC, the member, and relevant parties (Unpaid Supports or guardian) sign the Transition Options and Risk Mitigation forms to confirm an informed decision.

Submission Process:

- The TC promptly uploads the completed Transition Options Form to the HCBS Escalation Team via the Department of Health Care Policy and Financing (HCPF) Salesforce Escalation Webform.
  - Within 10 business days from completion of the Transition Options Form & Risk Mitigation Plan, the TC will upload and submit the Transitions Option Form into Salesforce, so a ticket will be created for evaluation by the Transition Escalation team.
    - Salesforce Webform can be found at:
      - [https://hcpfccc.my.site.com/Webforms/s/countyrelationsmemberswebform?language=en\\_US](https://hcpfccc.my.site.com/Webforms/s/countyrelationsmemberswebform?language=en_US).

Upon submission the Transition Escalation Team will:

- Confirm that the member received resources to make an educated decision.
- Assess whether the TC addressed or attempted to mitigate transition concerns including but not limited to unresolved health and safety concerns, hospitalizations, housing/risk of loss of housing, lack of supports.
- Identify recurring barriers to the transition.

#### Outcome of Review by Transition Escalation Team:

- If the Transition Escalation Team determines the member was provided with additional resources, the case is closed, but records will be retained.
- If additional support is needed, the Transitions Escalation Team will work with the TCA to:
  - Provide further education or resources as needed.
  - Facilitate additional discussions with the member and their support network.
  - Reassess transitions barriers and explore solutions.

#### Continued Educated Choice Process:

- Ongoing Support: If a member expresses renewed interest or if barriers are resolved, the TCA reinitiates the transition process as prescribed in current TCM-TC guidelines.
- Documentation Update: New interactions, decisions, and actions are documented and added to the member's Risk Mitigation Plan.

#### Training AND Communication:

- TCAs will continue to receive ongoing scheduled training to remain compliance with evolving requirements (e.g., DOJ compliance) and improve person-centered explanations. Notification for trainings will be announced at the Transition Stakeholder Advisory Council or distributed through digital channels by the Department.
- Questions will be answered at the TCA Open Office Hours starting on April 23, 2025; 2 to 3 p.m.

**Goal and Impact:**

- The goal of this process is to validate efforts related to member educated choice. Ensuring member choice is present in transition processes ensures that all members have the opportunity to transition and are not deterred due to lack of information or unresolved concerns. By reinforcing informed decision-making, strengthening support networks, and promoting autonomy, we improve the community transition experience for all members, while clearly documenting the thoroughness of work completed on a regular basis.

**Definition(s):**

Educated Choice refers to a Target Population member's choice of service setting, based on full and accurate information about community-based alternatives to nursing facility care, including non-disability-specific settings. Educated Choice requires reasonable, documented efforts to identify and address any concerns or objections to community living raised by the Target Population member or by any Unpaid Support.

**Attachment(s):**

Transitions Options Form

How to Submit an Escalation Sheet

Salesforce Webform

**HCPF Contact:**

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