



POLICY MEMO

Title: Addition of Benefits Planning and Workplace Assistance to the Developmental Disabilities (DD) and Supported Living Services (SLS) Medicaid Waivers, and the State SLS Program	Topic: Supported Employment
Audience: Case Management Agencies, Current and Potential DD/SLS Providers, DD/SLS Waiver Members, State SLS Members, Families, Advocates, & Stakeholders	Sub-Topic: Waiver Amendments
Supersedes Number: N/A	Division: HCBS Division
Effective Date: July 1, 2023	Office: Office of Community Living
Expiration Date: July 1, 2026	Program Area: Benefits Planning, Workplace Assistance
Key Words: Benefits Planning, Workplace Assistance, Development Disabilities, DD, Supported Living Services, SLS, Medicaid Waivers, State SLS Program	
Legal Authority: Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022); Section 25.5-6-413, C.R.S. (2021)	
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Policy Memo Number: PM 23-007	
Issue Date: August 24, 2023	
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Purpose and Audience:

The purpose of this Policy Memo is to inform members, case managers, providers, and other interested stakeholders about two new benefits added to the Developmental Disabilities (DD) and Supported Living Services (SLS) Home and Community-Based Services (HCBS) Medicaid Waivers and the State SLS program. These new benefits are Benefits Planning and Workplace Assistance. The new benefits were effective July 1, 2023.

Information:

Background

In the 2021 legislative session, the Colorado Legislature passed Senate Bill 21-039 to end subminimum wage practices in Colorado. The legislation directed the Department of Health Care Policy & Financing (HCPF) to seek federal approval for additional Medicaid waiver services to increase access to competitive employment for adults with intellectual and developmental disabilities. Specifically, the services needed to address: (1) line-of-sight supervision at work, and (2) ongoing benefits counseling.

In partnership with stakeholders, HCPF developed two new benefits for the SLS and DD waivers to address these areas. HCPF then sought and received approval from the Centers for Medicare & Medicaid Services (CMS) for the new benefits and promulgated rules to guide their implementation. The approved/current Waiver details can be found on the [Home and Community-Based Services Waiver webpage](#).

Benefits Planning Overview

Benefits Planning provides members and their family/support networks with a personalized analysis of the potential impact of employment-related income on the member's public benefits. This analysis addresses fears and concerns about loss of benefits and presents options to preserve access to necessary benefits. Benefits Planning gives the member an opportunity to make an informed choice regarding employment opportunities or career advancement.

- Staff providing Benefits Planning must have/maintain required certification and have a working knowledge of Colorado Medicaid, including Colorado's Medicaid Waiver system. Additional information on certification requirements is included in the attached Provider Enrollment Instructions.
- Benefits Planning is available to members enrolled in the DD or SLS Waivers, regardless of employment history or lack thereof. It can be accessed to inform a decision to pursue employment and throughout all phases of a member's career.
 - If a member has an open case with the Division of Vocational Rehabilitation (DVR) then DVR's Benefits Counseling service should be accessed and exhausted first.

Workplace Assistance Overview

Workplace Assistance is available to members with elevated supervision needs at work. The supervision needs must be due to valid safety concerns that require

assistance from a caregiver above and beyond what could be regularly supported by the workplace supervisor, co-workers, or job coach. This support must be necessary for the member to maintain an individual job in an integrated work setting for which the member is compensated at or above the minimum wage and at the customary rate paid to employees without disabilities performing similar duties.

- This benefit falls under the umbrella of Supported Employment within the DD and SLS waivers.
- Prior to Workplace Assistance being authorized, the member and their support team shall determine that alternatives to paid caregiver supports were fully explored as outlined in [10 CCR 2505-10 8.500.5.B.13.c and 8.500.94.B.24.c](#).
 - This includes leveraging the expertise of a qualified Supported Employment provider to promote adequate job training, accommodations, technology, and natural supports within the workplace.
 - The intent is to maximize the member's independence and minimize the need for the consistent presence of a paid caregiver.

Information for Case Managers

Case Managers should become familiar with the Benefits Planning and Workplace Assistance benefits, including the parameters for when those benefits can be authorized.

- Additional trainings will be made available to Case Managers in the coming weeks/months.
- Both Benefits Planning and Workplace Assistance benefits were available to members as of July 1, 2023. Benefits must be prior authorized and identified in a member's Service Plan.

Information for Providers

Providers interested in offering one or both new benefits should become familiar with all requirements related to providing the service (see below).

For Current HCBS Providers:

- Beginning July 7, 2023, a specialty for Benefits Planning (744) will be available within the Provider Portal. Individuals/agencies interested in becoming

Benefits Planning providers must add the Benefits Planning Specialty to their application.

- Workplace Assistance is considered part of the Supported Employment Specialty.
 - Current Supported Employment providers who wish to deliver Workplace Assistance services do not need to make changes within the Provider Portal.
 - Providers interested in providing Workplace Assistance who do not have the Supported Employment Specialty will need to take steps to become an approved HCBS Supported Employment provider.

If you are interested in providing one or both services and are **not** a current HCBS Provider, you will first need to complete the enrollment process.

For interested providers who need to add a specialty or complete the enrollment process, additional information can be found at the [Supported Employment Resource page](#), specifically:

- Benefits Planning Provider Enrollment Instructions
- Supported Employment Provider Enrollment Instructions

Technical Assistance is available to all interested providers regarding the new benefits, including guidance on the training requirements for Workplace Assistance staff.

Information for Members/Teams

If you are interested in accessing Benefits Planning or Workplace Assistance benefits, please discuss with your HCBS Case Manager.

Where to Learn More

The information in this memo is intended to provide an overview of the new benefits. Benefits Planning and Workplace Assistance each has specific inclusions, limitations, and provider qualifications outlined on the [Colorado Secretary of State website](#). Benefits Planning can be found at 10 CCR 2505-10 8.500.5.B.2 and 8.500.94.B.2. Workplace Assistance can be found at 10 CCR 2505-10 8.500.5.B.13 and 8.500.94.B.24. The new benefits are included in the State SLS program and subject to

the same limitations according to 8.501.4.A.1.a-b. For rate information and billing codes, please refer to the Department's HCBS [Provider Rates and Fee Schedule](#).

Attachment(s):

None

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