



POLICY MEMO

Title: New Licensure requirement for personal care service providers under Community First Choice	Topic: HCBS
Audience: Home and Community-Based Services (HCBS), SLS Waiver Personal Care Providers, SLS waiver members, Case Management Agencies (CMAs)	Sub-Topic: Provider Guidance
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Legal Authority: C.R.S. §§ 25.5-6-1901 to 1905	
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Purpose and Audience:

The purpose of this Policy Memo is to inform Home and Community-Based Services (HCBS) Supported Living Services (SLS) Waiver Personal Care Providers, HCBS Case Management Agencies, members, and families that a Class A or Class B Home Care Agency license will be **required** to provide Personal Care services when Community First Choice (CFC) is implemented on July 1, 2025. Providers without a license will not be permitted to provide Personal Care services after this date.

Information:

Community First Choice (CFC), found in section 1915(k) of the Social Security Act, will allow Colorado to offer a set of HCBS on a state-wide basis to eligible Health First Colorado (Colorado's Medicaid Program) members. Through CFC, members will have the option to direct their own attendant care services or to receive services through an agency. Colorado intends to implement CFC on July 1, 2025.

Implementation of CFC in Colorado requires the alignment of service definitions, provider qualifications, and licensing for all Personal Care. Personal Care provider licensing and certification requirements currently differ across HCBS waivers. The Department of Health Care Policy & Financing (HCPF) intends to build provider credentialing for CFC on the current licensing and credentialing structures whenever possible, but some adjustments are needed based on current, differing licensing requirements for Personal Care in CFC. This approach ensures consistent oversight of all Personal Care providers and members receiving Personal Care under CFC, while streamlining provider enrollment requirements for these providers.

Below are two tables that outline current and future Personal Care provider requirements.

Current HCBS Waiver Personal Care Provider Requirements		
Waiver Name	Personal Care Licensure Requirement	Personal Care Provider Specialty Code
Brain Injury Waiver (BI)	Home Care Agency (HCA) License	666
Community Mental Health Supports Waiver (CMHS)	HCA License (Class A or B)	666
Complementary and Integrative Health Waiver (CIH)	HCA License (Class A or B)	666
Elderly, Blind, and Disabled Waiver (EBD)	HCA License (Class A or B)	666
Supported Living Services Waiver (SLS)	Class A or B if hands-on care provided and/or 2+ employees OR Provider Signed Attestation	664

Personal Care Provider Requirements after CFC is Implemented in 2025		
Program Name	Personal Care Licensure Requirement	Personal Care Provider Specialty Code
Community First Choice (CFC) <i>*Personal Care services will be moved out of the waivers and into CFC*</i>	HCA License (Class A or B)	666

To ensure service continuity and access to care for members once CFC goes live, HCPF recommends SLS Waiver Personal Care Providers apply for a Class A or a Class B license as soon as possible. Although not required at this time, providers may then enroll in specialty 666 now to prepare CFC implementation. Under CFC, either license will be accepted, but HCPF and the Colorado Department of Public Health and Environment (CDPHE) strongly recommend applying for a Class B license. Some of the main differences between the two licensure options can be found in the table below:

Comparison chart of certain characteristics of Class A and a Class B licenses		
	Class A	Class B - Department Recommendation
Services available to provide	A home care agency that provides any skilled healthcare service. Agencies with a Class A license may also provide personal care services.	A home care agency that provides only personal care services. An agency with a Class B license shall not provide any skilled healthcare service.
Administration	Must have an HCA Administrator that is a licensed physician, registered nurse, or other licensed healthcare professional, or have experience and education in health service administration.	Must have an HCA Manager that has a high school diploma or GED, and at least one year documented supervisory experience in the provision of personal care services.
Initial cost for unlicensed SLS Waiver Personal Care	\$0	\$0

providers before September 30, 2024		
Initial cost for unlicensed SLS Waiver Personal Care providers after September 30, 2024	\$3,000	\$2,200
Renewal cost	\$1,550	\$1,325

For more information on the rules that licensed agencies must follow, visit 6 CCR 1011-1 Standards for Hospitals and Health Facilities Chapter 2 General Licensure Standards and 6 CCR 1011-1 Standards for Hospitals and Health Facilities: [Chapter 26 - Home Care Agencies](#).

Action To Be Taken:

CDPHE will waive initial licensure fees for existing SLS Waiver Personal Care providers that do not currently have a Class A or a Class B license (Specialty 664 Personal Care) that submit a complete application for a Class A or Class B license on or before Sept. 30, 2024. The first step of the application for a license is to submit a [Letter of Intent](#) to CDPHE. CDPHE will contact applicants after they complete the Letter of Intent with instructions for the initial licensure process. The Letter of Intent in no way requires providers to apply for a license or guarantee approval. Submission of the Letter of Intent is just the first step for those agencies interested in applying for licensure. Providers choosing to apply for a Class A or Class B license after Sept. 30, 2024, will be responsible for paying the initial licensure fees. Applications after this date may also delay a provider's ability to provide Personal Care services under CFC. After CFC goes live in 2025, members will transition onto CFC at their Continued Stay Review (CSR). As soon as the member transitions onto CFC, the member will no longer be able to receive Personal Care services through their waiver. Therefore, their provider will not be able to bill for Personal Care under the SLS Personal Care 664 specialty.

To gauge expected workload between the two state agencies, HCPF requests that all SLS Personal Care Providers complete the [HCPF Interest Form](#) as soon as possible. The responses to this interest form are not binding. HCPF is using this form to estimate the number of applications to expect, and the additional information that should be provided.

What options do PASAs have once CFC is implemented?

1. Provide Personal Care under CFC. Get licensed for a Class A or Class B license by completing these steps:
 - a. Submit a Letter of Intent by May 31, 2024.

- b. Submit a complete application for a Class A or Class B license with CDPHE by Sept. 30, 2024.
 - c. Complete the survey process with CDPHE.
 - d. After receipt of a license, enroll with HCPF as an HCBS Personal Care provider by obtaining the 666 specialty. The 666 specialty code is currently used for Personal Care providers under the BI, CMHS, CIH, and EBD waivers. When CFC goes live, the 666 specialty code will become the only specialty code for HCBS Personal Care providers.
 - e. Personal Care providers enrolled with the 666 HCBS Personal Care specialty will be automatically enrolled as CFC providers when CFC goes live.
2. Discontinue providing Personal Care and provide Homemaker services only.
- Steps:
- a. Apply to provide Homemaker services through CDPHE.
 - b. Enroll with HCPF as an HCBS Homemaker provider under HCBS using specialty code 652 for the SLS waiver.
 - c. Providers already enrolled as a Homemaker provider need not take action.

My PASA already has a Class A or B license, what do I need to do?

Existing SLS Personal Care Providers that already have a Class A or Class B license, please enroll in Specialty 666 Personal Care/Homemaker Services with the Department no later than June 30, 2025. For more information on enrollment, visit the licensure and enrollment resources, linked below. To enroll, follow the provider enrollment link through the Provider Enrollment Portal, linked below. For any questions or issues with enrollment, contact the Provider Services Call Center at 1-844-235-2387.

What options does the member have if their provider does not obtain licensing when CFC goes live?

1. Enroll in HCBS Consumer-Directed Attendant Support Services (CDASS) at the time of CFC enrollment: If a member wants to continue receiving care from a caregiver employed by their PASA when they transition to CFC services, the

member can work with their Case Manager to enroll in CDASS and hire the caregiver as their attendant.

2. Enroll in In-Home Support Services (IHSS) at the time of CFC enrollment: If a member wants to continue receiving care from a caregiver employed by their PASA when they transition to CFC services, the member can work with their Case Manager to enroll in IHSS and select an IHSS Agency to work with. The member would work with their IHSS agency to hire the caregiver as an attendant to receive care from that person.
3. Change providers: If a PASA does not choose to get a Class A or Class B license, and the member does not want to enroll in CDASS or IHSS, the member will need to work with their current PASA and case manager to find another Personal Care provider.

Attachment(s):

[6 CCR 1011-1 Standards for Hospitals and Health Facilities Chapter 2 General Licensure Standards](#)

[6 CCR 1011-1 Standards for Hospitals and Health Facilities: Chapter 26 - Home Care Agencies](#)

[Department Interest Form](#)

[CDPHE License Letter of Intent](#)

[Department HCBS Enrollment Overview PowerPoint](#)

[Department HCBS Provider Enrollment Webpage](#)

[Provider Portal Adding A Specialty Quick Guide](#)

[Provider Enrollment Portal](#)

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