



POLICY MEMO

Title: Upcoming 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
Supersedes Number: PM 23-008	Division: Benefits and Services
Effective Date: June 21, 2024	Office: Office of Community Living
Expiration Date: June 21, 2027	Program Area: HCBS Services Community First Choice
Key Words: Home and Community-Based Services, HCBS, Program Approved Service Agency, PASA, Class A License, Class B License, CDPHE, Community First Choice (CFC), Supported Living Services Waiver (SLS), Case Management Agency	
Legal Authority: C.R.S. §§ 25.5-6-1901 to 1905	
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Policy Memo Number: HCPF PM 24-003	
Issue Date: August 2, 2024	
Approved By:	

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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 (CMAs), 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, or be reimbursed for, Personal Care services on or after this date. This memo supersedes PM 23-008 to provide an extension for the Letter of Intent submission date, clarify questions, and provide information specific to SLS waiver members and Case Managers for SLS waiver members.

Information:

Community First Choice (CFC), found in section 1915(k) of the Social Security Act, allows Colorado to offer a set of HCBS on a statewide 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 providers. Personal Care provider licensing and certification requirements currently differ across HCBS waivers. The Department of Health Care Policy and 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.

Personal Care Licensing requirements through June 30, 2025		
Waiver Name	Personal Care Licensure Requirement	Personal Care Provider Specialty Code
Brain Injury Waiver (BI)	Home Care Agency (HCA) License (Class A or B)	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 Licensing requirements after July 1, 2025
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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. At this time, the 664 specialty code will no longer be available*</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 to prepare for 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 - <i>Department Recommendation</i>
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 providers before September 30, 2024	\$0	\$0

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](#).

Community First Choice (CFC) Information

HCPF is developing a [CFC program in Colorado](#). HCPF is proposing that the following services will be available to members through CFC: Personal Care, Homemaker, Acquisition, Maintenance, and Enhancement of Skills (available as a task under Personal Care and Homemaker), Health Maintenance Activities (only available through In-Home Support Services (IHSS) and Consumer-Directed Attendant Support Services (CDASS)), Remote Supports, Personal Emergency Response Systems (PERS), Medication Reminders, Home Delivered Meals, and Transition Setup. Additionally, HCPF is recommending that members have access to IHSS and CDASS through CFC. After CFC is implemented, the listed services and service delivery models will be moved out of the HCBS waivers and into CFC.

Acquisition, Maintenance, and Enhancement of Skills will be a new task available under the following CFC services: Personal Care and Homemaker. This task is defined as: Services and supports related to functional skills training that are necessary for the member to accomplish ADL/IADL health-related tasks to increase member independence and reduce supports needed in the home and community. Under Personal Care, this may include functional skills training for tasks such as Personal Hygiene or Mobility. Under Homemaker, this may include functional skills training for tasks such as Money Management, Household tasks, and menu planning or meal preparation.

While Personal Care will require a license, Homemaker will not require a license. Under CFC, Homemaker providers that do not have a Class A or Class B license will enroll in the 652 specialty code, which does not require a license for enrollment.

CFC will not impact the core Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) tasks within the Developmental Disabilities Waiver (DD) services because those tasks are part of the Residential Habilitation benefit and

are not billed separately. Provider qualifications for Day Habilitation and Residential Habilitation will remain the same.

Action To Be Taken by Case Managers and Members:

Starting on Aug. 1, 2024, HCPF will upload a list to each CMA folder located within the CMAs SharePoint site of SLS Personal Care providers that are enrolled in the 664 specialty code and do not have a Class A or Class B license. HCPF will update this list monthly. This list will include providers that have expressed interest in obtaining a Class A or Class B license, providers that have an active application for a Class A or Class B license, and providers that are not currently pursuing a Class A or Class B license. Case Managers should flag any providers on this list that are providing Personal Care on the SLS waiver to one of their members. Then, in the next contact between the member and the Case Manager, the Case Manager should let the member know of their providers status in this transition. For example, if a members' provider has not begun the application process, the Case Manager should notify the member of this information. Providers will need to submit their application for a Class A or Class B license by Sept. 30, 2024, to ensure a license is obtained prior to CFC implementation.

Beginning Oct. 1, 2024, Case Managers should flag any providers on this list that are providing Personal Care on the SLS waiver to one of their members as these providers will not be on track to obtain a license before CFC goes live on July 1, 2025. Therefore, at the time of the members Continued Stay Review (CSR) between July 1, 2025, and June 30, 2026, any member on the SLS waiver receiving Personal Care from a Personal Care provider without a license will need to switch providers.

If the member wants to continue to receive care from their provider that did not obtain a Class A or Class B license, they can follow the steps in the below two options.

1. Enroll in HCBS Consumer-Directed Attendant Support Services (CDASS): 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. To enroll in CDASS, the member must be able to direct their own services or assign an Authorized Representative. The Authorized Representative and attendant cannot be the same person. Enrollment in CDASS can begin prior to CFC enrollment because CDASS is available to SLS members. If there are existing concerns or questions regarding CDASS, the member should contact their Case Manager and/or HCPF to have those conversations.

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. After selecting an IHSS agency, the member will work with their IHSS agency to hire their desired caregiver as their IHSS attendant. IHSS attendants must be at least 16 years of age and demonstrate competency to complete the skills on the care plan. To enroll in IHSS, the member must be able to direct their own services or assign an Authorized Representative. The Authorized Representative and attendant cannot be the same 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.

Action To Be Taken by Providers:

The Colorado Department of Public Health and Environment (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 by Aug. 15, 2024. 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) assessment. 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.

What options do PASAs have once CFC is implemented?

1. Provide Personal Care under CFC. Obtain a Class A or Class B license by completing these steps:
 - a. Submit a Letter of Intent by Aug. 15, 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 license, submit a maintenance application through the Gainwell Provider Portal to add Specialty 666 Personal Care/Homemaker Services BI/EBD/CIH/CMHS to your existing Home and Community-Based Services enrollment.
 - 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 for an Initial Certification or Add Service Certification for Homemaker services from 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 should 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.

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](#)

[CDPHE License Letter of Intent](#)

[Community First Choice Website](#)

[Department HCBS Enrollment Overview PowerPoint](#)

[Department HCBS Provider Enrollment Webpage](#)

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

[Provider Enrollment Portal](#)

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