

# Telehealth Options in Home and Community-Based Services (HCBS) Waivers

## Regulation Development

November 2, 2020

Presented by: The Office of Community  
Living



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# Purpose

**To provide information for Telehealth options in specific Home and Community-Based Services (HCBS) and receive feedback from our stakeholder community specific to regulatory development**



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# Agenda

- Housekeeping
- Telemedicine and SB 20-212
- Review of Previous Stakeholder Engagement Opportunities
- Reviewing the Approach to Sustaining Telehealth
- Feedback Received
- Research and Best Practice Overview
- Draft Regulation Review



# Housekeeping

## We've Moved to Google Meets:

- Please mute yourself if you are not speaking.
- Use the chat box to enter questions, comments, or suggestions
- The team will answer questions and concerns as we are able in the chat box
- Please download a copy of the draft regulation text:  
<https://www.colorado.gov/pacific/hcpf/OCL-stakeholder-engagement>

## Post Webinar:

- Send further questions, comments, and suggestions to:  
[hcpf\\_HCBSWaivers@state.co.us](mailto:hcpf_HCBSWaivers@state.co.us)
- Look for the meeting recording and other posted materials here:  
<https://www.colorado.gov/pacific/hcpf/OCL-stakeholder-engagement>  
under “Telehealth Options Stakeholder Engagement”



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# Telemedicine and SB 20-212

- For more information or ways to engage with the Telemedicine implementation process please visit:

<https://www.colorado.gov/pacific/hcpf/stakeholder-telemedicine>



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# Telehealth Options in HCBS - Reviewing the Approach to Sustaining Telehealth

Centers for Medicare and  
Medicaid Services (CMS)  
approval

Addition of rules to the  
Colorado Code of  
Regulations (CCR)

Telehealth  
Options in HCBS

Stakeholder Engagement

Rates Development and  
System Integration



# Telehealth Options in HCBS - Previous Meetings

- **September 9, 2020** - Engagement to present HCPF's intent and approach to sustaining Telehealth in HCBS waivers
- **September 15, 2020** - Targeted review of HCBS to be included in Telehealth use with rate development (Behavioral and Mental Health Services)
- **September 22, 2020** - Targeted review of HCBS to be included in Telehealth use with rate discussion (Community Integration Services)



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# Telehealth Options in HCBS - Feedback Received

- The need for rate parity exists as providers experience the same costs to provide Telehealth - Continue to send examples to Department
- The integrity of the service being provided [HCBS] is maintained using Telehealth
- The choice to use, and any limitation to the use of Telehealth should be up to the individual, caregivers or IDT involved
- Telehealth will allow for more access to services by rural communities
- Conduct research is done to ensure Telehealth follows best practices and policy aligns with this research



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# Telehealth Options in HCBS - Best Practice and Research Review

- Telehealth is the choice of the individual
- Telehealth is not for everyone - it is important to assess the appropriateness of use by individuals prior to using
- Telehealth should not replace emergency services
- Technology failures are to be expected and responses should be prepared ahead of time
- Telehealth use in HCBS must not lead to isolation of the individual



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# Questions and Feedback



# Telehealth Options in HCBS - Revised List of Services for Telehealth Use

- Behavioral Services - **Line Staff**, Counseling, Assessment and Consultation (SLS/DD)
- Mental Health Counseling (BI)
- Substance Abuse Counseling (BI)
- Movement Therapy (CES, CHRP, SLS)
- Expressive Therapy (CLLI)
- Therapeutic Life Limiting Illness Support and Bereavement Counseling (CLLI)
- Palliative and Supportive Care (CLLI) - **Pain and Symptom Management** and Care Coordination
- Mentorship (SLS)
- Peer Mentorship (SLS, DD, EBD, CMHS, SCI),
- Mentorship (SLS)
- Supported Employment (Job Coaching and Job Development - Individual) (SLS, DD)
- Community Connector (CES, CHRP)
- Independent Living Skills Training (BI)
- Life Skills Training (EBD, SCI, CMHS, SLS)
- Wrap Around and Intensive Support Services (CHRP)
- Adult Day Services \*





# Questions and Feedback



# Telehealth Options in HCBS - Regulation Development: Definitions

Please download a copy of the draft regulation text here: <https://www.colorado.gov/pacific/hcpf/OCL-stakeholder-engagement>

Telehealth is the broad use of technologies to provide non-clinical services and supports through HCBS waivers, when the member is in a distanced location from the provider.



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# Questions And Feedback



# Telehealth Options in HCBS - Regulation Development: Inclusions

- “HCBS Telehealth may be used to deliver a broad range of non-clinical support through the following authorized HCBS waiver services:”
- A list of all HCBS that Telehealth can be utilized for will be listed



# Telehealth Options in HCBS - Regulation Development: Inclusions, Continued

- “For the four services listed below, HCBS Telehealth is limited to delivering only consultation:
  - Adaptive Therapeutic Recreational Fees and Equipment
  - Assistive Technology
  - Home Modification and Adaptations
  - Vehicle Modifications





# Telehealth Options in HCBS - Regulation Development: Limitations

- HCBS Telehealth is subject to the limitations of the respective service it supports
- HCBS Telehealth is not a duplication of Health First Colorado Telehealth or Telemedicine services defined
- HCBS Telehealth excludes any service not listed
- HCBS Telehealth is not an available delivery method of those services defined under C.R.S. 25.5-5-320 (7).





# Questions or Feedback



# Telehealth Options in HCBS - Regulation Development: Provider Requirements

- Eligible providers include home health agencies or county health departments who are enrolled as Colorado Medicaid providers and with capable system equipment, subject to those requirements defined in the waivers and Health First Colorado State Plan.
- Providers shall give members a written statement that includes the following language:
  - The member may refuse telehealth delivery at any time without affecting the member's right to any future services and without risking the loss or withdrawal of any service to which the member would otherwise be entitled;
  - All applicable confidentiality protections shall apply to the services;
  - The member shall have access to all medical information resulting from the services, under CO Revised Statutes 25.5-5-320.



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# Telehealth Options in HCBS - Regulation Development: Provider Requirements, Continued

- Complete an assessment of client prior to using telehealth services that identifies a client's ability to participate in and outlines any accommodations needed while utilizing HCBS Telehealth.
- Providers must have a written policy for the utilization of HCBS Telehealth use with clients who require translation, or have limited visual and/ or auditory capabilities.
- Providers must comply with all confidentiality procedures and private payer requirements listed at CO Revised Statutes 10-16-123.



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# Telehealth Options in HCBS - Regulation Development: Provider Requirements, Continued

- Providers must be able to use a technology platform that allows real-time interaction which may include audio, visual and/ or tactile capabilities.
- Providers shall not use HCBS Telehealth to treat a member's emergency needs
- Shall use a HIPAA compliant platform meeting all requirements
- Shall have a policy that outlines a contingency plan for service delivery if technology options fail.



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# Questions and Feedback



# Telehealth Options in HCBS - Regulation Development: Case Management Requirements

- Eligible members to use HCBS Telehealth are those enrolled in the waivers and services as defined above.
- Case Management agencies shall ensure the use of Telehealth is the choice of the client
- HCBS Telehealth delivery must be prior authorized and documented in the member's service plan
- Telehealth as a service delivery method for authorized HCBS waiver services, shall not interfere with any Client rights as outlined at 8.### or be used as any part of a Rights Modification or Suspension plan as outlined at 8.###.



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# Telehealth Options in HCBS - Regulation Development: Case Management Requirements, Continued

- Case Managers shall ensure no more than half of authorized units be allocated to HCBS Telehealth used for any HCBS waiver service as listed above
  - There may be an exception for those clients who for reasons of medical necessity need to distance themselves during periods of illness or risk of illness from being around others.
  - Medical necessity for additional telehealth use shall be documented by a medical professional with knowledge of the client's needs.



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# Telehealth Options in HCBS - Regulation Development: Reimbursement

- HCBS Telehealth does not include reimbursement for the purchase or installation of telehealth equipment or technologies
- HCBS Telehealth does not change provider limitations to collect copays or no show payments from members as set out in volume 8
- HCBS waiver service providers utilizing Telehealth shall follow all billing policies and procedures as outlined in the Department's current waiver billing manuals and rates/fees schedules.



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# Questions or Feedback



# Telehealth Options in HCBS - Regulation Development: Next Steps

- The Department will post an updated draft HCBS Telehealth regulations:  
<https://www.colorado.gov/pacific/hcpf/OCL-stakeholder-engagement>
- We will post one other draft that incorporates the feedback we have received today as well as other Department staff by November 15
- We will then start the Medical Services Board regulatory review process with an anticipated presentation date to our board in January 2021



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# Stakeholder Engagement

- HCPF needs the feedback of our community to assist with implementation of Telehealth Options in HCBS  
<https://www.colorado.gov/pacific/hcpf/OCL-stakeholder-engagement>
- HCPF is looking for your feedback on the following Telehealth issues:
  - Ease of Access
  - Rate Development
  - Overall effectiveness of use with specific services
  - Barriers or gaps during current use



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# Upcoming Stakeholder Engagement

Tuesday, November 10, 2020  
1 – 3 pm – Rates Review

Meeting ID

[meet.google.com/vox-smub-xwu](https://meet.google.com/vox-smub-xwu)

Phone Numbers

(US)[+1 401-646-2011](tel:+14016462011)

PIN: 334 543 927#



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# Questions?



# Contact Info

**Lindsay Westlund**  
HCBS Benefits Supervisor  
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**Please send feedback and comments regarding  
Telehealth Options in HCBS to:**

**[HCPF\\_HCBSWaivers@state.co.us](mailto:HCPF_HCBSWaivers@state.co.us)**



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# Thank you!



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