

MEMORANDUM

TO: Members of the House Health Insurance and Environment Committee,
House Public Health Care & Human Services Committee, and
Senate Health and Human Services Committee

FROM: Megan Davisson, JBC Staff

SUBJECT: Joint Meeting with Joint Budget Committee on the Waiting List for Individuals
with Development Disabilities Pursuant to Section 27-10.5-104.2, C.R.S.

DATE: January 24, 2013

Section 27-10.5-104.2, C.R.S. (created by H.B. 08-1101 *Gardner/Renfroe*) requires the Joint Budget Committee and the committees in the House and Senate dealing with health and human service issues to meet annually and take public testimony on the status of the waiting lists for adult comprehensive services, adult supported living services, and family support services for persons with developmental disabilities. Pursuant to statute, "The goal of the hearing shall be to propose an appropriation from the general fund to the developmental disabilities services cash fund."

Definition of Abbreviations

HCBS-DD: Adult comprehensive home and community based waiver for individuals with developmental disabilities who require around the clock services and care.

HCBS-SLS: Adult supported living home and community based waiver for individuals who only require non-residential support services.

HCBS-CES: Non-residential home and community based waiver services for children under the age of eighteen.

FPE: Full Program Equivalent, cost to serve a person in a program for a full year.

The tables on the following pages provide the Committees with the following information:

- Tables 1a and 1b – Number of adults and children waiting for services as of September 30, 2012
- Table 2 – Cost to fund portions and/or all of the waiting list
- Tables 3a through 3d – JBC staff projection of the size of the waiting list in future years
- Table 4 – Summary of the FY 2013-14 request for new FPE
- Table 5 – Components of the Affordable Care Act which could impact the waiting list

Tables 1a and 1b. Number of adults and children waiting for services as of September 30, 2012.

Table 1a. Waiting List for Adult HCBS Waiver Services for Individuals with Developmental Disabilities as of September 30, 2012					
Age	Waiting for HCBS-SLS	Waiting for HCBS-DD, no current services	Waiting for HCBS-DD, some current services	Subtotal Waiting for HCBS-DD	Total Unduplicated Adults Waiting for HCBS waiver services
	a	b	c	d=b+c	=a+d
Medicaid Funded Full Program Equivalents					
16-17.9*	10	32	n/a	32	42
18-27.9	178	853	313	1,166	1,344
28-37.9	46	102	230	332	378
38-47.9	23	56	80	136	159
48-57.9	20	58	56	114	134
58 and older	5	35	47	82	87
Total	272	1,104	726	1,830	2,102
High Risk	55	306	268	574	629
General Funded Full Program Equivalents - These are only available in the HCBS-SLS Waiver					
16-17.9*	2	n/a	n/a	n/a	n/a
18-27.9	71	n/a	n/a	n/a	n/a
28-37.9	29	n/a	n/a	n/a	n/a
38-47.9	18	n/a	n/a	n/a	n/a
48-57.9	22	n/a	n/a	n/a	n/a
58 and older	13	n/a	n/a	n/a	n/a
Total	153	n/a	n/a	n/a	n/a
High Risk	55	n/a	n/a	n/a	n/a
Total Unduplicated Adults Waiting for Services					
Total	425	1,104	726	1,830	2,102
High Risk	110	306	268	574	629

*These individuals are ineligible for services because they do not meet the minimum age requirement of 18 years old, and are not included in the totals.

Table 1b. Waiting List for Children's HCBS Waiver and Family Support Services		
Age	Waiting for HCBS-CES	Family Support Services
Birth - 2.9	1	704
3-13.9	376	3,705
14-15.9	32	159
16-17.9	28	159
18-27.9	n/a	681
28-37.9	n/a	109
38-47.9	n/a	32
48-57.9	n/a	15
58 and older	n/a	5
Total	437	5,569
Fund Source	Medicaid	General Fund

Table 2. JBC Staff projection to fund portions of, and all of the waiting list.

Table 2. JBC Staff Projection to Fund Waiting List for HCBS Waiver Services for Individuals with Developmental Disabilities				
Waiver	Number Waiting	Average Cost*	Cost To Fund FPEs for Number Waiting	General Fund
	a	b	c=a*b	=c/2
HCBS-DD	1,830	\$63,989.48	\$117,100,748.40	\$58,550,374.20
High Risk HCBS-DD	574	\$79,328.27	\$45,534,426.98	\$22,767,213.49
HCBS-SLS				
HCBS-SLS - Medicaid Funded	272	\$11,770.10	\$3,201,467.20	\$1,600,733.60
High Risk HCBS-SLS - Medicaid	55	\$17,888.10	\$983,845.50	\$491,922.75
HCBS-SLS - General Fund	153	\$11,770.10	\$1,800,825.30	\$1,800,825.30
High Risk HCBS-SLS - General Fund	55	\$17,888.10	\$983,845.50	\$983,845.50
HCBS-CES	437	\$20,187.84	\$8,822,086.08	\$4,411,043.04
Family Support	5,569	\$1,200.00	\$6,682,800.00	\$3,341,400.00
Total All Waiting - excluding Family Support	2,692		\$130,925,126.98	\$66,362,976.14
Total for High Risk and CES	1,121		\$56,324,204.06	\$28,654,024.78

*The Average Cost is a weight average of the FY 2011-12 actual expenditures. Average Cost for High Risk is weighted average of Support Levels 4 to 6.

Tables 3a through 3d. JBC staff projection of the waiting list growth.

Assumptions Used in the Projection:

- The projection is based on the historical annual changes in the waiting list numbers for each waiver and family support services.
- The projection assumes that no new FPE are added to the system each year.

Table 3a - Adult Comprehensive Waiver

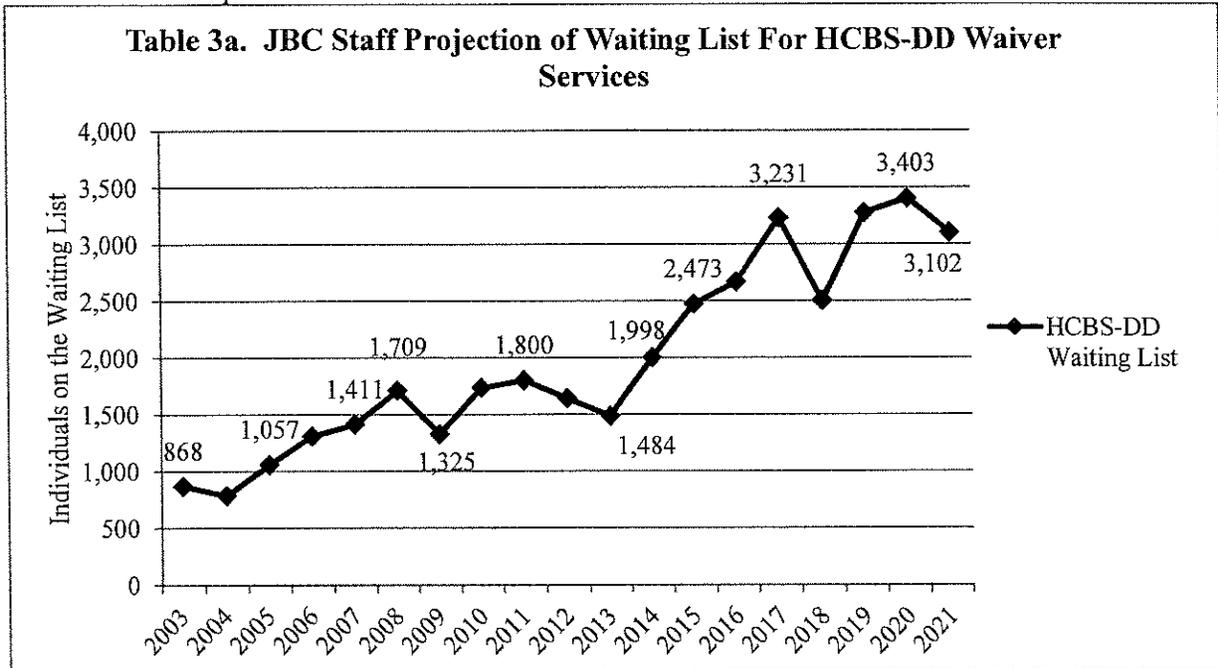
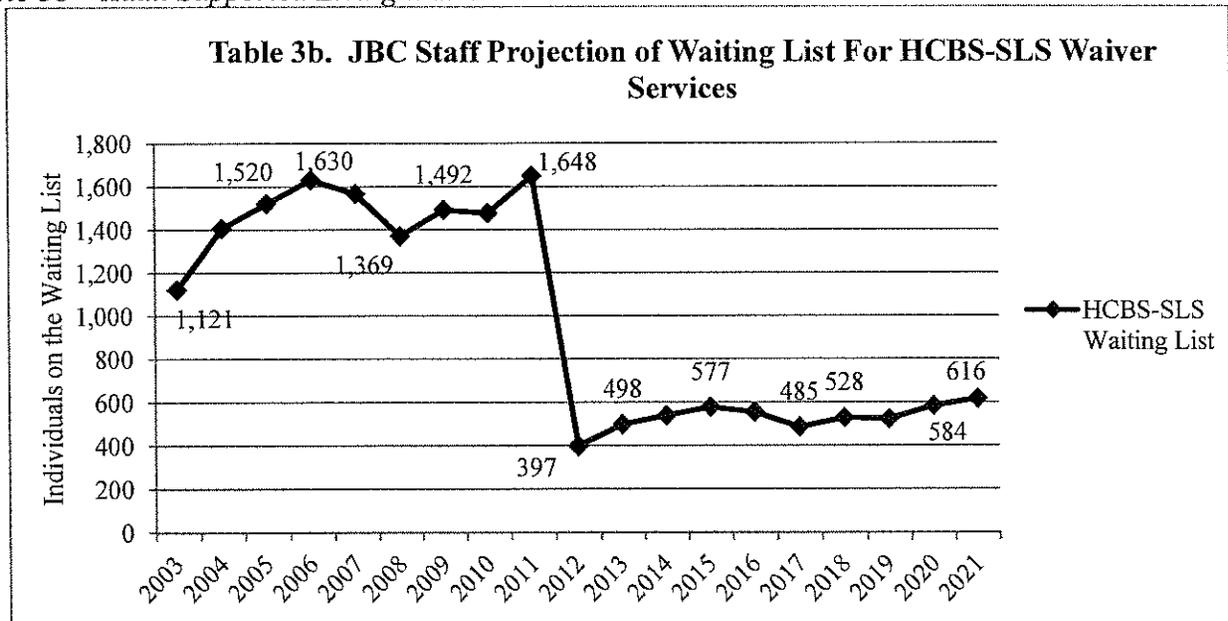


Table 3b - Adult Supported Living Waiver



Note: The significant drop in 2012 is due to a change in how the Department of Human Services reported the waiting list numbers. Prior to 2012, individuals waiting for either HCBS-DD or HCBS-SLS services were shown in both categories on the waiting list. Since 2012, individuals waiting for services from either waiver are only shown in the HCBS-DD number.

Table 3c – Children's Extensive Support Waiver

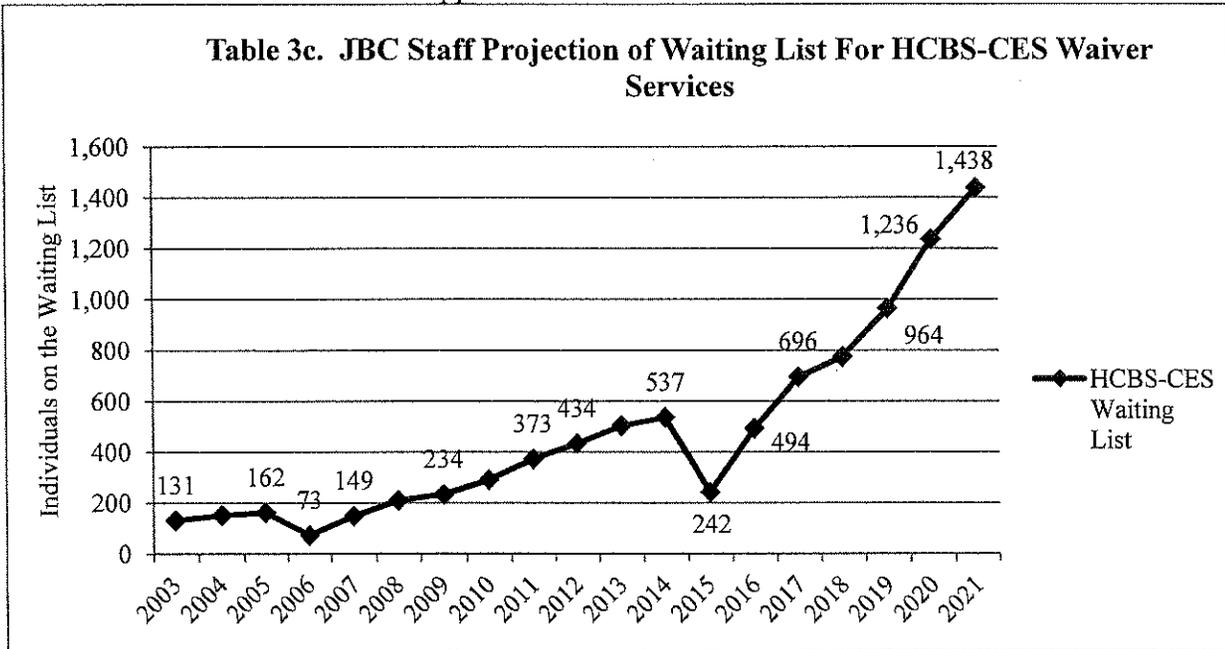


Table 3d – Family Support Services

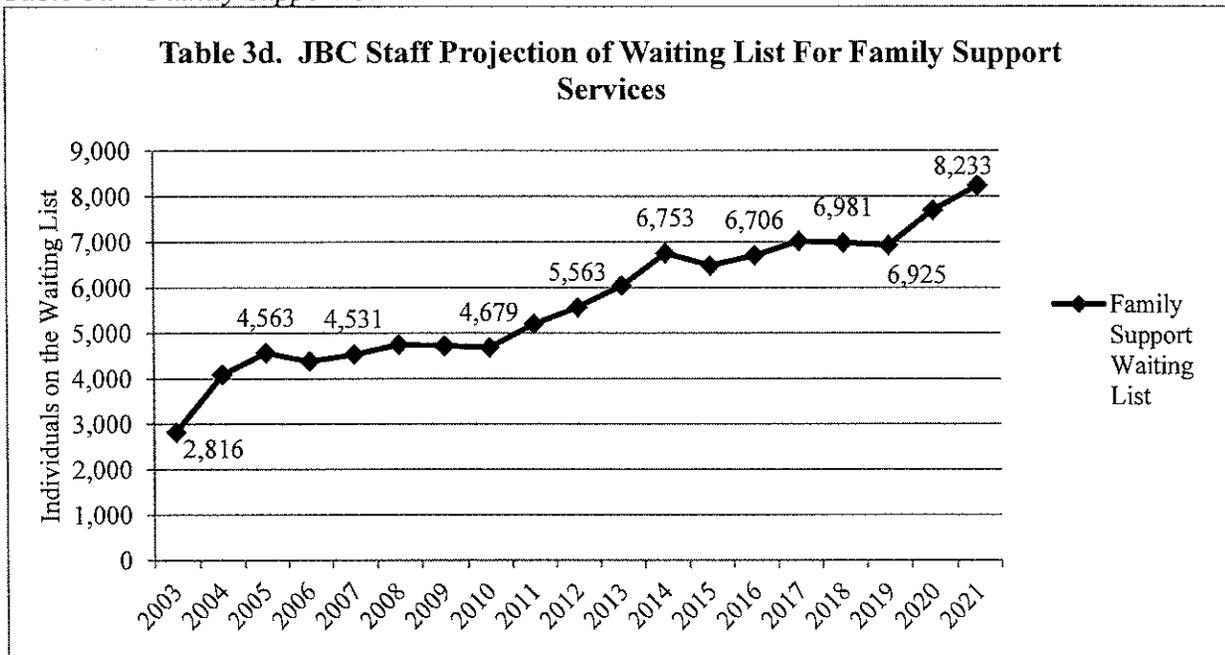


Table 4 – Summary of FY 2013-14 Request for Additional FPE

Table 4. FY2013-14 Developmental Disabilities Full Program Equivalent Request			
Type	Title	Description	Number of FPE
HCBS-DD	Foster Care Transitions	FPEs for youth who turn 21 years of age during FY2013-14 who require comprehensive waiver services	50
HCBS-DD	Comprehensive Emergencies	FPEs to be allocated to CCBs who have individuals experiencing unforeseen circumstances which force the individual into needing comprehensive services	40
HCBS-DD	High-risk Waiting List	FPEs for individuals who are categorized as a high risk individual on the waiting list.	93
HCBS-DD	Dually Diagnosed Individuals	Five FPEs to transition individuals out of Regional Centers to make room for five dually-diagnosed individuals who have completed treatment at the Mental Health Institutes	5
<i>Subtotal HCBS-DD</i>			<i>188</i>
HCBS-SLS	CES Age Outs	FPEs for children turning 18 years old during FY 13-14 who are current receiving services and require supported living services	38
HCBS-SLS	High-risk Waiting List	FPEs for adults on the SLS waiting list who are categorized as high risk	7
<i>Subtotal HCBS-SLS</i>			<i>45</i>
HCBS-CES	Children's Slots	FPEs for all children on the current waiting list and for children projected to be added to the waiting list by the end of FY 2013-14.	576
Total FY2013-14 New FPE			809

Table 5 – Possible Impacts on the Waiting List Resulting from the Affordable Care Act

The Affordable Care Act provides incentives and options that states can use to improve their systems of long-term services and supports (LTSS), to move away from institutional care and offer options that keep more people in their homes and communities. The options to states that have potential impact to the waiting list are identified in the table below. All of the provisions listed below are optional for states. The information in Table 5 was provided by the Department of Human Services.

Table 5. Components of the Affordable Care Act With Possible Impacts on the Waiting List			
Section/Title	Description	Status	Impact on Waitlist
Sec. 2401 Community First Choice Option (CFC)	Establishes a new State plan option in Medicaid to provide community-based attendant supports and services to individuals with disabilities. States that choose to use the Community First Choice option will receive a 6-percent increase in the Federal Medicaid match rate for associated costs.	HCPF is currently exploring the feasibility of implementation with an advisory council of stakeholders.	Yes if implemented. People who are on the waitlist who are categorically eligible (on SSI) for Medicaid and functionally eligible for CFC would be able to access these services while waiting for an HCBS slot. People who are not SSI eligible and on a waitlist would not be able to access these services until they are enrolled in HCBS.
Sec. 2402 Removal of Barriers To Providing Home And Community-Based Services (HCBS)	Expands HCBS services available to individuals who qualify under the existing state plan option (1915(i) option).	HCPF is considering this option to target services to people with mental illness rather than a HCBS waiver program, but no decision has been made.	No , unless the state plan option is also used to authorize HCBS services that target individuals with intellectual disabilities (ID).
Sec. 2403 Money Follows the Person Rebalancing Demonstration	Extends demonstration through 2016 and modifies eligibility rules to reduce the amount of time required for an individual to remain in an inpatient facility from 6 months to 90 days.	Implementation in progress, Colorado Choice Transitions	Yes if the budget request approved. HCPF has requested funding from the General Assembly for the state match for services that target individuals with ID in nursing homes.
Sec. 10202 State Balancing Incentive Payments Program	Provides financial incentives to States to offer community LTSS. Eligible states must spend less than 50 percent of their LTSS dollars on community services. To receive the enhanced payments, states must ensure their systems include the following structural changes: <ul style="list-style-type: none"> • No wrong-door single entry point system • Conflict-free case management • Core standardized assessment instruments 	Colorado is not eligible because HCBS investments as a percentage of overall Medicaid long-term care expenditures are greater than 50 percent.	No , since Colorado is not eligible. The funding through the enhanced payments for HCBS services received from the Federal Government could be used to reduce the waitlist.