

Questions and Answers
January 31, 2007

Proposals for Community Long-Term Care Services
Coordinated Care Pilot Programs

The following are answers to questions received by the Department of Health Care Policy and Financing regarding the Community Long-Term Care Services Coordinated Care Pilot Programs. The question is stated first and then the answer. As additional questions are received, the Department will add to this document. Please check the Department's web site for additional questions and answers.

Questions and answers published January 16, 2007:

Question 1: Our agency is interested in potentially submitting a proposal for the long-term care coordinated care pilot program. We have two questions relating to the RFP review criteria description (page 2, section 3.A.2).

What definition is being utilized by the Department to define rural for purposes of the pilot?

Answer: You have requested clarification on the meaning of the terms "rural" and "community" as they are used on page 2, Section 3.A.2 of the Department of Health Care Policy and Financing's request for Proposals for Community Long-Term Care Services Coordinated Care Pilot Programs. The statute requiring the Department to accept proposals for a three-year coordinated care pilot program for community long-term care services include review criteria that must be met before the Department approves a proposal. One of the criterion is that the program serve at least two rural communities. The Department is using the state statutory and United Census Bureau definition of the term "rural area" which is as follows:

A rural area is (a) A county with a population of less than fifty thousand people, according to the most recently available population statistics of the United States bureau of the census; (b) A municipality with a population of less than fifty thousand people, according to the most recently available population statistics of the United States bureau of the census, that is located ten miles or more from a municipality with a population of more than fifty thousand people; or (c) The unincorporated part of a county located ten miles or more from a municipality with a population of more than fifty thousand people, according to the most recently available population statistics of the United States bureau of the census.

Question 2: What is the definition of community?

Answer: The Department is using the common definition of a community, which is a group of any size whose members reside in a specific locality, share government, and often have a common cultural and historical heritage or a locality inhabited by such a group.

Question 3: I have read the Proposal overview as well as SB 05-173 and would like to know if this pilot project is funded. I found no references to funding for the pilot in either document. Could you please clarify?

Answer: The Department of Health Care Policy and Financing is seeking pilot proposals from individuals and organizations in the community to recommend how you would create a long-term care delivery system to provide improved structure and quality of provider operations and procedures and enhance the quality of life for program participants. You may recommend new programs or modifications to existing programs. As any proposed pilot program must demonstrate cost savings, there is no funding associated with the Long-Term Care Services Coordinated Care Pilot Program.

Question 4: Our company is currently enrolled in the Colorado Medical Assistance Program. We would like more information on the Long-Term Care Pilot Program. Our company provides all of the necessary services for independent living for the disabled/elderly, including home/business modifications.

Answer: The Department of Health Care Policy and Financing is seeking proposals from the community to recommend how you would create a long-term care delivery system to provide improved structure and quality of provider operations and procedures and enhance the quality of life for program participants. You may recommend new programs or existing program modifications.

Please refer to the advisory committee report which describes in detail the advisory committee's approach and recommendations for fostering a continuum of community long-term care services and service delivery. You may access the report at www.chcpf.state.co.us/HCPF/Current.asp. Please click on SB05-173.

The Long-Term Care Services Pilot Program document, which may also be accessed at www.chcpf.state.co.us/HCPF/Current.asp, describes the requirements and limitations for your proposal. Please read it carefully before submitting a pilot program proposal.

Question 5: Will this pilot duplicate what Options for Long Term Care (SEP) agencies are already doing? I don't quite understand the purpose of the project. I did glance over the info in the chcpf.state.co.us site.

Answer: The Department of Health Care Policy and Financing is seeking proposals from the community with recommendations on creating a long-term care delivery system to provide improved structure and quality of provider operations and procedures and enhance the quality of life for program participants. New programs or existing program modifications may be proposed. The requirements for acceptable proposals are contained in the Long-Term Care Services Pilot Program document.

Questions and answers published January 26, 2007:

Question 6: Additionally, re: the 150 page limit stated in the RFP, is that the body of the report limited to 150 pages, or does the 150 pages include a cover page and attachments? What do you consider attachments? What attachments do you require, or suggest?

Answer: The 150 page limit is applicable to the entire submission to the Department which would include a cover page and attachments. The Department is not requiring any attachments. It is difficult to anticipate the content or types of attachments which an organization may want to make part of its submission for the Community Long-Term Care Services Coordinated Care Pilot Programs.

Question 7: It would be very difficult for any applicant to logistically serve 3 urban and 2 rural sites, per page 2, Section 3, Item A2 of the *Proposals for Community Long-Term Care Services Coordinated Care Pilot Programs*. Will the HCPF Department be willing to approve a pilot project that serves only 3 urban **OR** 2 rural **OR** 1 urban and 1 rural **OR** other combination of sites, if the applicant meets all other RFP specifications (i.e., all other items under Section 3A, B, and C)?

Answer: Section 25.5-6-109(1), C.R.S. (2006) states that the "department shall accept and may approve proposals for a three-year coordinated care pilot program for community long-term care services, referred to in this section as the 'pilot program'. The pilot program shall include at least two rural communities, three urban communities, and specific populations designated by the state department." The Department has considered your concerns. Under the rules of statutory construction or interpretation, we must assume that the legislature meant what it said. The Supreme Court has "stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it says there." *Connecticut National Bank v. Germain*, 503 U.S. 249, 112 S. Ct. 1146, 117 L. Ed. 2d 391 (1992). Where there is no ambiguity in the words of a statute, there is no room for interpretation or construction. Section 3 of the Department's request for Pilot Program submissions reiterates the statutory requirements. The requirement of Section 3 remains that at least two rural communities, three urban communities **and** clients with behavioral issues, including dementia, mental illness or brain injury are required components of a Pilot Program proposal.

Questions and answers published January 31, 2007:

Question 8: Will there be any type of bidder's conference? Also, will there be a need for legislative authority or federal waiver to implement this program?

Answer: The Department of Health Care Policy and Financing is seeking pilot proposals from the community to recommend how you would create a long-term care delivery system to provide improved structure and quality of provider operations and procedures an enhance the quality of life for program participants. You may recommend new programs or existing program modifications.

The request for Pilot Program submissions is authorized by Section 25.5-6-109, C.R.S. This request for submissions is not being conducted pursuant to the Procurement Code. Submissions are requested pursuant to the above statute. There will not be a bidder's conference.

If your proposal requires a change to current state statute or a state appropriation, please see Section 5.C of the request for submissions, which is available on the Department's web site. That section requires the submission to include a copy of the bill that the submitter is pursuing, a list of the prime sponsors of the bill and an assessment of the likelihood of success in the enactment of the bill. Any proposed pilot program must demonstrate cost savings. There is not currently any funding associated with the Long-Term Care Services Coordinated Care Pilot Program.

If the Department determines that it will approve a pilot program which requires a federal waiver, the Department will seek that waiver.
