

## Colorado Milestone Template – October 30, 2017

### Background

In order to collect consistent information on the implementation of the HCB Settings criteria and Statewide Transition Plan (STP), CMS has identified a standard set of milestones to track across states. Since each state is different, the milestone must align with the Statewide Transition Plan (STP). States may provide more than one date for a particular milestone because the states will report completion in percentages, such as 25% or 50% complete. This approach will provide CMS and the state insight in regard to the status of completion pertaining to particular milestones.

### Instructions and Reminders

The following milestone list provides the state the opportunity to track progress with implementation of the state's STP. Please provide and/or confirm dates for each milestone and where possible, the corresponding page number in the STP. Per the SOTA calls in 2016 and 2017, the state will receive email reminders 30 days prior to the due date of each milestone input into the system and when milestones are past due. States will also have the opportunity to update CMS on the milestones below through the HCB Settings website.

- All dates included in the template below should also align with the STP.
- The red italic text provides additional details related to each milestone. Please reach out to CMS with specific questions.
- Some milestones may have the same proposed due dates-as these steps may be undertaken simultaneously.
- States are encouraged to provide additional details on each milestone in the description column below. The description field will be transferred and available for viewing on the HCB Settings Website.

*Note for CMS: It appears that Colorado's STP.3 (May 2016) was used to fill out this template. As discussed with Michele MacKenzie, the Department has updated the dates below to conform them to STP.4 (December 2016) and to incorporate the one-year extension it is taking under CMS's May 2017 Informational Bulletin. The Department expects the revised dates to be reflected in STP.5 (forthcoming). In addition, as stated in a voice message left with Ms. MacKenzie, the Department adjusted the wording of some milestones to conform them to STP.4 or Colorado's situation more generally. The Department would be happy to provide a redline showing all changes upon CMS's request.*

Milestone	Description	Proposed End Date	STP Page No.
<b>Systemic Assessment and Remediation</b>			
Completion of systemic assessment <i>[The date when overall completion of the systemic assessment, including review of all rules, regulations, and statutes]</i>	Review Colorado statutes, regulations, and waivers to determine whether these authorities are compliant with, silent on, or in conflict with the HCBS Settings requirements; prepare crosswalk summarizing this analysis and recommending any changes necessary to achieve compliance.	<b>Completed 4/15/16</b>	p. 12, Action Item 29
Prepare and clear budget request and/or state statute change	If a budget change request or a change to state statute is necessary.	<b>10/31/2018</b>	p. 14, Action Item 37 + 1 year
Funding is available; enacted bills become effective	If necessary, funding should be available by July 1, 2019 so that providers can make changes to come into compliance by March 2020.	<b>7/1/2019</b>	p. 15, Action Item 42 + 1 year
Prepare and clear initial draft of new/amended rules	The Department will prepare its initial draft of new/amended rules using the crosswalk as a roadmap, and drawing on feedback received to date from CMS and the public.	<b>7/1/2019</b>	p. 16, Action Item 60 + 1 year

Milestone	Description	Proposed End Date	STP Page No.
<p>Effective date of new rules and regulations: 50% complete  <i>[The date when at least 50% of all rules, regulations, and statutes identified through the assessment will be implemented. Please specify which rules, regulations, and statutes in the description]</i></p>	<p>The Colorado Department of Public Health and Environment plans to promulgate changes to its regulations governing assisted living residences (ALRs) that are effective by May 2018. While these changes are not compelled by the federal settings rule, they will in many ways support compliance with the rule.</p> <p>The Department plans to promulgate changes to its own regulations (as described in the crosswalk) as part of a single package, to be completed no later than the "100% complete" deadline in the next row of this table. The Colorado Department of Human Services plans to do likewise. Therefore, the "50% complete" deadline will not cover many changes other than the Colorado Department of Public Health and Environment changes described above.</p>	<b>5/31/2018</b>	N/A
<p>Effective date of new rules and regulations: 100% complete  <i>[The date when all rules, regulations, and statutes (100%) identified through the assessment will be implemented. Please specify which rules, regulations, and statutes in the description]</i></p>	<p>For changes to Department/Medical Services Board (MSB) and Colorado Department of Human Services regulations. This schedule sets out the approximate last date(s) by which rule changes must be moved forward.</p>	<b>3/2/2020</b>	p. 16, Action Item 72 + 1 year
<p>Publish/implement revisions to Departmental manuals, provider agreements, websites, and other materials to promote compliance with HCBS Settings requirements.</p>	<p>Systemic updating of authorities, policies, and procedures other than statutes, regulations, and waivers.</p>	<b>12/31/2018</b>	p. 17, Action Item 74 + 1 year
<b>Site-specific Assessments</b>			

Milestone	Description	Proposed End Date	STP Page No.
Completion of randomly selected site visits	<p>The Department is conducting site visits to verify survey responses and to further assess particular settings. A statistically significant number of randomly selected site visits will be completed. During site visits, PTPs will be updated and completed for providers that are being visited.</p> <p>Going forward, the Colorado Department of Public Health and Environment will continue to conduct additional site visits that were not required in STP.4.</p>	<b>Completed 6/30/2017</b>	pp. 8-9, Action Item 14
<p>Completion of site-specific assessments for all settings, including those not receiving a site visit</p> <p><i>[The date when the overall completion of the site-specific assessment, including review of all settings and the validation of assessment results.]</i></p>	<p>Provider Transition Plans (PTPs) will be completed by all HCBS providers for all settings at which they provide HCB Services, except for private homes belonging to clients or their families,* professional provider offices, clinics, and Supported Employment – Individual settings (unless anyone seeks to rebut the presumption of compliance as to a particular setting). PTPs will include determinations of whether providers are potentially subject to heightened scrutiny and whether they need to make any changes to attain compliance and/or to be put forward to CMS for heightened scrutiny.</p> <p>* Subject to the Department’s plan to test the presumption of compliance at private homes where an individual receives 24-hour services and is not the owner/renter.</p>	<b>1/31/2018</b>	p. 10, Action Item 15 + 7 months

Milestone	Description	Proposed End Date	STP Page No.
Updated site-specific assessments for all settings, including those not receiving a site visit	Providers must submit an update to their PTP within three months of their site visit or initial submission of their PTP without a site visit (if the provider was only asked to complete a PTP), with evidence of any changes made (e.g., new leases or resident agreements). Providers must continue to update their PTP every three months, demonstrating the remedial actions they have taken, until they are notified by the Department that they are in compliance with the federal rule or the Department determines that they cannot meet the federal requirements, in which case they must prepare to transition their HCBS participants to other settings.	<b>9/30/2018</b>	p. 10, Action Item 16 + 9 months
Incorporate results of settings analysis into final version of the STP and release for public comment	Publicly notice final outcomes of site-specific assessments (including which providers will be put forward to CMS for heightened scrutiny).	<b>11/30/2018</b>	p. 10, Action Item 18 + 10 months
Submit final STP to CMS	Submit updated STP with site-specific assessments to CMS (including which providers are being put forward for heightened scrutiny).	<b>1/5/2019</b>	pp. 10-11, Action Item 19 + 10 months
<b>Site-specific Remediation<sup>1</sup></b>			
Completion of residential provider remediation: 25% <i>[The date when approximately 25% of residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Residential settings include alternative care facilities (ACFs), Supported Living Program (SLP) facilities under the BI waiver, Transitional Living Program (TLP) facilities under the BI waiver, Group Residential Services and Supports (GRSS) community residential homes, Individual Residential Services and Supports (IRSS) homes, and Child Residential Habilitation settings.	<b>3/31/2018</b>	N/A

Milestone	Description	Proposed End Date	STP Page No.
Completion of residential provider remediation: 50% <i>[The date when approximately 50% of residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Residential settings include alternative care facilities (ACFs), Supported Living Program (SLP) facilities under the BI waiver, Transitional Living Program (TLP) facilities under the BI waiver, Group Residential Services and Supports (GRSS) community residential homes, Individual Residential Services and Supports (IRSS) homes, and Child Residential Habilitation settings.	<b>5/31/2018</b>	N/A
Completion of residential provider remediation: 75% <i>[The date when approximately 75% of residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Residential settings include alternative care facilities (ACFs), Supported Living Program (SLP) facilities under the BI waiver, Transitional Living Program (TLP) facilities under the BI waiver, Group Residential Services and Supports (GRSS) community residential homes, Individual Residential Services and Supports (IRSS) homes, and Child Residential Habilitation settings.	<b>7/31/2018</b>	N/A
Completion of residential provider remediation: 100% <i>[The date when all residential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Residential settings include alternative care facilities (ACFs), Supported Living Program (SLP) facilities under the BI waiver, Transitional Living Program (TLP) facilities under the BI waiver, Group Residential Services and Supports (GRSS) community residential homes, Individual Residential Services and Supports (IRSS) homes, and Child Residential Habilitation settings.	<b>9/30/2018</b>	N/A

Milestone	Description	Proposed End Date	STP Page No.
Completion of nonresidential provider remediation: 25% <i>[The date when approximately 25% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Nonresidential settings include adult day services centers, day treatment facilities under the BI waiver, day habilitation locations, supported employment locations, and Youth Day Service settings under the Children’s Extensive Support (CES) Waiver.	<b>3/31/2018</b>	N/A
Completion of nonresidential provider remediation: 50% <i>[The date when approximately 50% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Nonresidential settings include adult day services centers, day treatment facilities under the BI waiver, day habilitation locations, supported employment locations, and Youth Day Service settings under the Children’s Extensive Support (CES) Waiver.	<b>5/31/2018</b>	N/A
Completion of nonresidential provider remediation: 75% <i>[The date when approximately 75% of nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Nonresidential settings include adult day services centers, day treatment facilities under the BI waiver, day habilitation locations, supported employment locations, and Youth Day Service settings under the Children’s Extensive Support (CES) Waiver.	<b>7/31/2018</b>	N/A

Milestone	Description	Proposed End Date	STP Page No.
Completion of nonresidential provider remediation: 100% <i>[The date when all nonresidential providers have completed the necessary remediation (of those providers that require remediation). Please provide additional details on settings in the description.]</i>	Nonresidential settings include adult day services centers, day treatment facilities under the BI waiver, day habilitation locations, supported employment locations, and Youth Day Service settings under the Children’s Extensive Support (CES) Waiver.	<b>9/30/2018</b>	N/A
Identification of settings that will not remain in the HCBS System <i>[The date those settings that are considered institutional or are not willing to remediate will be identified for removal from the HCBS System]</i>	Determine whether each provider has made any required changes (including any necessary to be put forward to CMS for heightened scrutiny) or whether the provider needs to begin the process of transitioning clients from the impacted setting to another setting.	<b>10/31/18</b>	p. 10, Action Item 17 + 10 months
<b>Heightened Scrutiny<sup>2</sup></b>			
Identification of settings that overcome the presumption and will be submitted for heightened scrutiny and notification to provider	Determine whether each provider has made any required changes (including any necessary to be put forward to CMS for heightened scrutiny) or whether the provider needs to begin the process of transitioning clients from the impacted setting to another setting.	<b>10/31/18</b>	p. 10-11, Action Item 17 + 10 months
	Notify providers that have settings determined to be subject to heightened scrutiny or noncompliant.	<b>11/15/2018</b>	N/A
Complete gathering information and evidence on settings requiring heightened scrutiny that it will present to CMS	Evidence may be gathered until the public notice date in the next row of this chart.	<b>11/30/2018</b>	p. 10, Action Item 18 + 10 months
Incorporate list of settings requiring heightened scrutiny and information and evidence referenced above into the final version of STP and release for public comment	Publicly notice final outcomes of site-specific assessments (including which providers will be put forward to CMS for heightened scrutiny).	<b>11/30/2018</b>	p. 10, Action Item 18 + 10 months

Milestone	Description	Proposed End Date	STP Page No.
Submit STP with Heightened Scrutiny information to CMS for review	Submit updated STP with site-specific assessments to CMS (including which providers are being put forward for heightened scrutiny).	<b>1/5/2019</b>	pp. 10-11, Action Item 19 + 10 months
<b>Non-Compliant Settings</b>			
Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation or alternate funding sources need to be considered: 25% <i>[The date when members, guardians, case managers, etc. in approximately 25% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i>	The Department is still determining which settings will be affected. The Department will reach out to individuals and their case managers (as well as guardians and any other identified responsible parties) to confirm they need to begin the process of transitioning from the impacted setting to another setting or funding source.	<b>3/15/2019</b>	N/A

Milestone	Description	Proposed End Date	STP Page No.
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation or alternate funding sources need to be considered: 50%</p> <p><i>[The date when members, guardians, case managers, etc. in approximately 50% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>	<p>The Department is still determining which settings will be affected. The Department will reach out to individuals and their case managers (as well as guardians and any other identified responsible parties) to confirm they need to begin the process of transitioning from the impacted setting to another setting or funding source.</p>	<p><b>3/31/2019</b></p>	<p>N/A</p>
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation or alternate funding sources need to be considered: 75%</p> <p><i>[The date when members, guardians, case managers, etc. in approximately 75% of providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>	<p>The Department is still determining which settings will be affected. The Department will reach out to individuals and their case managers (as well as guardians and any other identified responsible parties) to confirm they need to begin the process of transitioning from the impacted setting to another setting or funding source.</p>	<p><b>4/15/2019</b></p>	<p>N/A</p>

Milestone	Description	Proposed End Date	STP Page No.
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation or alternate funding sources need to be considered: 100%</p> <p><i>[The date when members, guardians, case managers, etc. in all providers have been notified that relocation is required. Please provide additional details on settings in the description.]</i></p>	<p>The Department is still determining which settings will be affected. The Department will reach out to individuals and their case managers (as well as guardians and any other identified responsible parties) to confirm they need to begin the process of transitioning from the impacted setting to another setting or funding source.</p>	<p><b>4/30/2019</b></p>	<p>N/A</p>
<p>Complete beneficiary relocation or alternate funding across all providers: 25%</p> <p><i>[The date when beneficiaries in approximately 25% of providers have been relocated. Please provide additional details on settings in the description.]</i></p>	<p>The Department is still determining which settings will be affected. Individuals will have completed their transitions to other settings or funding sources.</p>	<p><b>8/15/2019</b></p>	<p>N/A</p>
<p>Complete beneficiary relocation or alternate funding across all providers: 50%</p> <p><i>[The date when beneficiaries in approximately 50% of providers have been relocated. Please provide additional details on settings in the description.]</i></p>	<p>The Department is still determining which settings will be affected. Individuals will have completed their transitions to other settings or funding sources.</p>	<p><b>10/31/2019</b></p>	<p>N/A</p>

Milestone	Description	Proposed End Date	STP Page No.
Complete beneficiary relocation or alternate funding across all providers: 75% <i>[The date when beneficiaries in approximately 75% of providers have been relocated. Please provide additional details on settings in the description.]</i>	The Department is still determining which settings will be affected. Individuals will have completed their transitions to other settings or funding sources.	<b>1/15/2020</b>	N/A
Complete beneficiary relocation or alternate funding across all providers: 100% <i>[The date when beneficiaries in all providers have been relocated. Please provide additional details on settings in the description.]</i>	The Department is still determining which settings will be affected. Individuals will have completed their transitions to other settings or funding sources. ITPs will be implemented, such that clients no longer receive services from noncompliant settings.	<b>3/17/2020</b>	p. 11, Action Item 27 + 1 year and 2.5 months

<sup>1</sup>This section includes only those providers where remediation was required.

<sup>2</sup>The first 3 Heightened Scrutiny milestones should be completed prior to resubmitting the STP to CMS (the fourth HS milestone).

**Quarterly reporting:** The following quarterly progress report milestones are optional. When initial approval is granted, states have the option of utilizing the quarterly report feature to track progress and provide updates to CMS through the milestone tracking system.

*Note to CMS: For current STP quarterly reporting purposes, Colorado's quarters end at the end of September, December, March, and June, and the Department submits reports shortly after the end of each quarter. The Department expect to continue reporting on this schedule for the foreseeable future. Because the quarters described below are determined with reference to initial and final approval, which Colorado has not yet received, the Department is not yet in a position to identify the relevant dates for this table or adjust its reporting schedule.*

Milestone	Description	Proposed End Date	STP Page No.
<b>Quarterly progress reporting updates</b>			
Quarterly progress update <i>[First quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Second quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Third quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Fourth quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Fifth quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Sixth quarter after initial and final approval.]</i>			
Quarterly progress update <i>[Seventh quarter after initial and final approval.]</i>			

Please use the following section to provide any additional milestones for which the state would like to track or provide information to CMS. These milestones are optional; any listed milestones will be tracked in the CMS website and should reflect any major progress. More incremental progress does not have to be noted.

Milestone	Description	Proposed End Date	STP Page No.
<b>Additional</b>			
<i>Ongoing strategies to ensure compliance to rule, policy, procedure, and regulation changes.</i>	Include setting-related outcomes measures within the current 1915(c) waiver quality improvement system.	1/1/2019	p. 20, Action Item 85 + 1 year
	Develop process(es) for case managers to confirm with individuals that the settings at which they receive services are compliant	1/1/2019	p. 20, Action Item 86 + 1 year
	Identify and publicize process(es) for waiver participants, case managers, and others to report potential violations of settings criteria	1/1/2019	p. 20, Action Item 87 + 1 year
	Monitor data from Quality of Life and National Core Indicators (NCI) related to outcomes ( <i>e.g.</i> , opportunities for informed choice, choice of roommate and setting, freedom from coercion).	3/17/2020	p. 20, Action Item 88 + 1 year
<i>Provide assistance to providers to meet HCB setting requirements (e.g., technical assistance, focus groups, surveys, etc.).</i>	Provide strategic technical assistance to all key stakeholders by issuing fact sheets and FAQs and responding to questions related to the implementation of the transition plan (action steps, timelines, and available technical assistance).	FAQs by 1/31/2018; additional assistance ongoing	p. 19, Action Item 80