

# *Colorado Home and Community Based Settings (HCBS) Final Rule Training and Alternative Care Facility (ACF) Updates*

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# *Our Mission*

Improving health care access and outcomes for the **people** we serve while demonstrating sound stewardship of financial **resources**



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# *Goals and Objectives*

- Understand the HCBS Settings Final Rule and how it impacts your work
- Realize the importance of compliance with the HCBS settings requirements
- Learn about how HCPF plans to partner with providers to achieve compliance
- Discuss updates in ACF operations and where to go for more information



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# *Agenda*

- Background on Person Centered Planning
- Description of Final Rule
- State/Provider Partnership: Roles
- ACF Operations updates and contact information



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# *What is Person-Centered Planning?*

- It is driven by the individual and empowers the Individual to make choices for themselves
- It includes people chosen by the individual
- It provides necessary information and support to the individual to help them direct the process to the maximum extent possible
- It is timely and occurs at the times/locations that are convenient for the individual



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# *Why is Person-Centered Planning important?*

- It reflects cultural considerations/uses plain language
- It includes strategies for solving disagreement
- It offers the individual choices regarding services and supports they receive and from whom
- It provides a method to request updates



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# *What is the Final Rule?*

The Rule includes two key provisions:

- **Home and Community Based Service Settings**

- Increases protections relating to where individuals receive Home and Community Based Services, and
- Ensures individuals are afforded opportunities to be fully integrated into their community.

- **The Person-Centered Planning Process**

- Increases the individual's input on how services are planned and what is included in the plan of care



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# *What will the Final Rule do?*

Ensure:

- Each individual gets the most out of community living
- All services are provided in integrated settings
- Provision of services is person-centered



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# *What do compliant settings look like?*

## Integration within the Community

- Settings must support “full access” for the individual to their community

## Participant Choice

- The individual must be able to choose the setting from other options, including non-disability specific settings

## Participant Rights

- The individual must have rights to privacy, dignity, respect and freedom from coercion and restraint

## Independence

- Settings must maximize the individual’s ability to make life choices
- Facilitates individual choice regarding services and supports, and who provides them



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# *Do these desired outcomes apply to both residential and non-residential settings?*

## YES!

- The Rule applies to *all settings* where HCBS are delivered
- CMS has provided additional information about how states should apply the standards to residential and non-residential settings.
- <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.htm>



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# *According to the rule, what settings are not Home and Community Based?*

- Nursing facility
- Institution for mental diseases (IMD)
- Intermediate care facility for individuals with intellectual disabilities (ICF/IID)
- Hospital



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# *According to the rule, what settings are presumed not to be Home and Community Based?*

- Settings in a publicly or privately-owned facility providing inpatient treatment
- Settings on the grounds of, or adjacent to, a public institution
- Settings with the effect of isolating individuals from the broader community of individuals not receiving Medicaid HCBS



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# *What do settings owned/controlled by providers need to have?*

- Legally enforceable (or other written) agreement
- The same responsibilities/protections from eviction as all tenants under landlord tenant law of state, county, city or other designated entity
- Privacy in living/sleeping unit

# *What do settings owned/controlled by providers need to have?*

- Units with lockable entrance doors, with the individual and appropriate staff having keys to doors as needed
- A choice of roommates for individuals sharing units
- Freedom to furnish and decorate the sleeping or living units within the lease or other agreement



# *What do settings owned/controlled by providers need to have?*

- Allow residents the freedom and support to control schedules and activities and have access to food any time
- Allow residents the freedom to have visitors at any time
- Be accessible for the individual



# *How can settings requirements be modified for individuals?*

- Any modifications must be:
  - Supported by a specific assessed need
  - Justified in the person-centered service plan
  - Documented in the person-centered service plan



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# *Where can I go for more information?*

*(See list at end of presentation)*

- A summary of the regulatory requirements of fully compliant HCBS settings and those settings that are excluded
- <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/requirements-for-home-and-community-settings.pdf>
- Additional technical guidance on regulatory language regarding settings that isolate
- <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/settings-that-isolate.pdf>



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## *Where can I go for more information? (Cont'd)*

- Exploratory questions that may assist states in the assessment of:
  - Residential Settings
    - <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/exploratory-questions-re-settings-characteristics.pdf>
  - Non-Residential Settings
    - <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/exploratory-questions-re-settings-characteristics.pdf>



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## *Where can I go for more information? (Cont'd)*

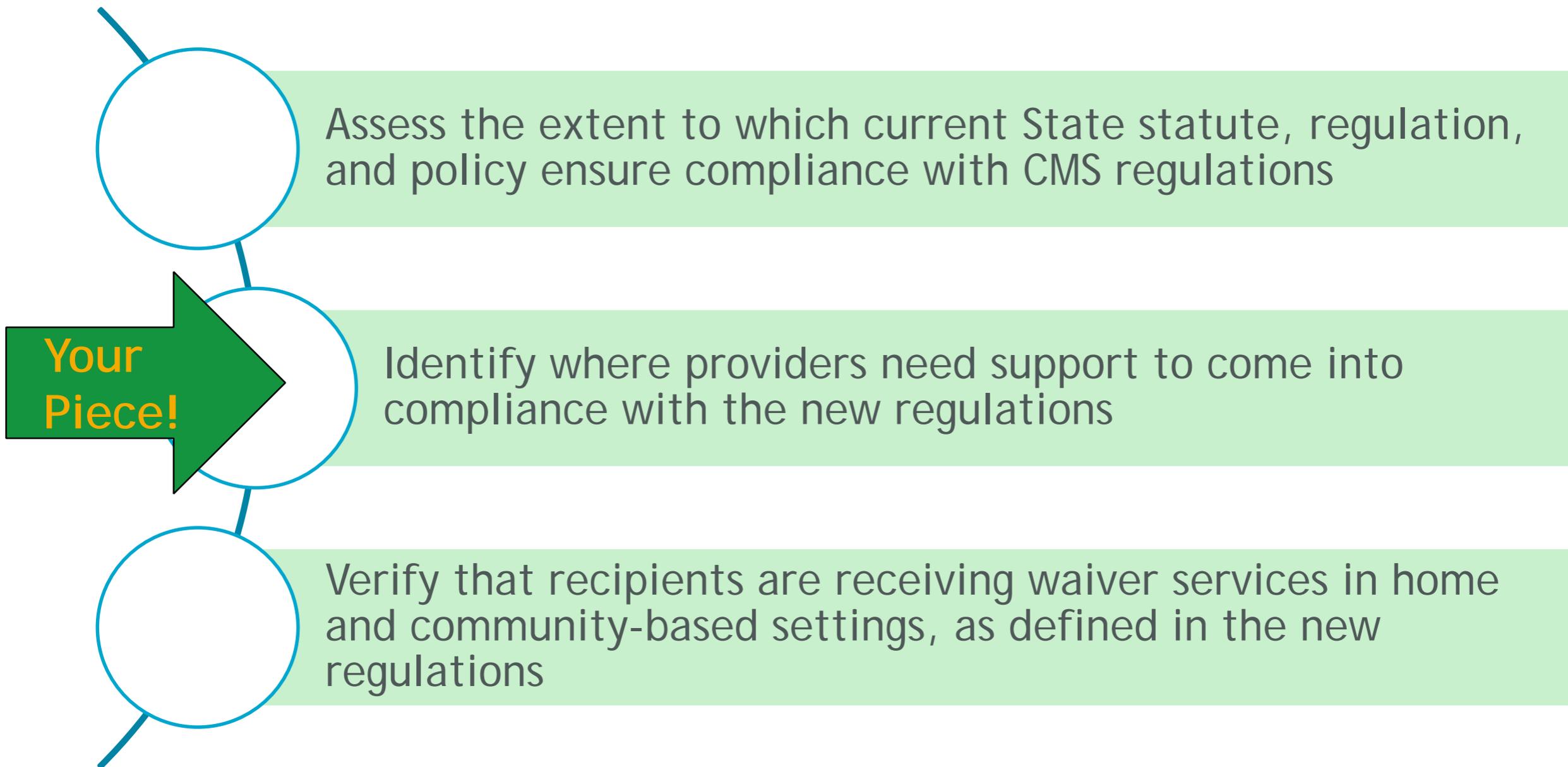
- Questions and Answers Regarding Home and Community-Based Settings
  - <http://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/q-and-a-hcb-settings.pdf>
- Educational Materials and Fact Sheets on the Final Rule
  - [www.colorado.gov/hcpf/home-and-community-based-services-settings-final-rule](http://www.colorado.gov/hcpf/home-and-community-based-services-settings-final-rule)



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# *Colorado's Path towards Compliance is a Partnership!*



# *Provider Role*

1. If you have completed the survey. Thank you!
2. If not, please complete the provider self-assessment AND Secondary Provider survey ASAP
  - ✓ **Provider Self-Assessment:**  
[https://www.research.net/s/COHCBS\\_Paper](https://www.research.net/s/COHCBS_Paper)
  - ✓ **Secondary Provider Survey:**  
<https://www.research.net/s/COHCBSurvey2>
3. Help us Obtain information from Individuals, Families, and Advocates
  - ✓ **Individual, Family, and Advocate Survey:**  
<https://www.research.net/s/ColoradoHCBS>



# *State Role*

- Guide changes to the state's transition plan
- Complete potential site visits, where the state can learn how to best support providers in this transition
- Develop provider transition plans and technical assistance strategies
- Create a provider dashboard to assist in tracking progress



# *ACF Operations Updates*

- Caitlin Phillips is contact for ACF policy questions and concerns effective January 5, 2015.
- Working on increasing communication and collaboration between HCPF, Providers, Associations, Trade Organizations, SEP's, and CDPHE.
- New Optional ALR/ACF Assessment tools posted
  - [www.colorado.gov/hcpf/alternative-care-facilities](http://www.colorado.gov/hcpf/alternative-care-facilities)



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# *ACF Stakeholder Meetings*

- Next Meeting: November 10, 2015
- Second Tuesday of every other month beginning January 12, 2016
- Venue to voice concerns and problem solve ACF policy and operations issues



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# *Provider Revalidation and Enrollment*

- Beginning in September of 2015, All existing Colorado Medicaid & CHP providers must undergo revalidation & enroll into the Colorado InterChange by March 31, 2016
- Colorado InterChange is the Department's new Claims Payment system
- Any provider enrolled on or after September 15, 2016 was required to enroll via the new InterChange
- Re-enrollment of existing providers is happening in waves
- For more information please visit:
  - [www.Colorado.gov/HCPF/Provider-Resources](http://www.Colorado.gov/HCPF/Provider-Resources)



# *Questions?*



# *Contact Information*

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