



INFORMATIONAL MEMO

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TITLE: CHCBS PARENTAL FEES CLARIFICATION

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**DIVISION AND OFFICE: BENEFITS & SERVICES DIVISION, OFFICE OF
COMMUNITY LIVING**

**PROGRAM AREA: CHILDREN'S HOME AND COMMUNITY BASED SERVICES
WAIVER (CHCBS)**

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KEY WORDS: CHCBS, PARENTAL FEES, WAIVERS, TIMELINE, MEETINGS

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Purpose and Audience:

The Department received questions regarding the proposed Parental Fees for the Children's Home and Community Based Services (CHCBS) waiver. The Department continues to engage stakeholders around this proposed policy to ensure equity across programs for the families of children with disabilities. This memo is intended to provide stakeholders with answers to some of these questions and to provide resources for further information.

Information:

Authority for implementing Parental Fees within the CHCBS waiver comes from [Budget Request R-8](#) from the 2018 Legislative Session. The CHCBS Parental Fees portion of this Budget Request did the following:

- Identified an inequity that exists between the CHCBS waiver and the Children with Disabilities Buy-In program. The Children with Disabilities Buy-In program requires middle to high income families who have a qualifying child with a disability to pay a monthly fee to acquire Medicaid coverage. The CHCBS waiver is also targeted to middle to high income families who have a qualifying child with a disability, but requires no financial participation from the family.
- Included a timeframe to allow the Department to conduct an analysis to develop and propose a CHCBS Parental Fee Scale to the Colorado Legislature's Health Committees that would correct the inequity
- Provided funding toward implementing systems changes to implement the Parental Fees

Below are topics that the Department has received questions about or requests for clarification.

Which waivers or programs will have parental fees?

The proposed Parental Fees will only apply to the CHCBS waiver. The CHCBS waiver statute at C.R.S. § 25.5-6-902(9) states that “the state Department is authorized to charge and collect copayments from parents for services rendered.” The Children’s Extensive Supports (CES) and Children with Life Limiting Illnesses (CLLI) waivers do not have this regulation and are not impacted by the Parental Fees.

Further information about why the Parental Fees only apply to the CHCBS waiver is available in a [Frequently Asked Questions \(FAQ\)](#) document that is posted to the Department’s website.

Loss of Children’s Home and Community Based Services

The Department has received concern expressed by stakeholders regarding the potential loss of waiver services if an individual is eligible for both the Children’s with Disabilities Buy-In program and the CHCBS waiver. The Department has received legal guidance that a child who meets the eligibility requirements for the CHCBS waiver and who is enrolled in, or eligible for, Children’s with Disabilities Buy-In would still be eligible for CHCBS. In addition, as the Buy-In program specifically has an opt out provision, families can choose to receive CHCBS services instead of participating in Buy-In if they meet the other eligibility requirements for the CHCBS waiver.

Department Sponsored Mailings

The Department has received reports that families of CHCBS Participants have received mailings regarding the Parental Fees. The Department has not sent any mailings related to the Parental Fees in the CHCBS waiver. All Department related resources related to the parental fees are posted on this [webpage](#).

Implementation Timeline

The Department has only conducted stakeholder engagement to date. This engagement was intended and designed to provide stakeholders with the background information and rationale behind the development of the Parental Fees. The Department intends to follow the timeline that is included in the CHCBS Parental Fees portion of Budget Request R-8:

- 2019 Legislative Session: Presentation, discussion, and finalization with the Colorado Legislature’ Health Committees of the proposed Fee Scale
- December 2018-August 2019: Systems Change(s) Developed
- May-October 2019: Waiver Amendment and Rulemaking
- October 2019: Parental Fees Implemented

Prior Stakeholder Engagement

The Department issued Informational Memo 18-017 on July 23rd, 2018. This memo announced the Department’s efforts to engage stakeholders related to the implementation of Parental fees within the CHCBS waiver. This memo provided the hcbswaivers@state.co.us email address as a resource for stakeholders to contact if they had questions about the Parental fees and/or to be added to the distribution list specific

to the Parental Fees.

The Department held stakeholder meetings related to Budget Request R-8 on October 3rd and October 12th to notify stakeholders of the background of CHCBS Parental Fees. The meetings explained the history of various efforts to implement Parental Fees in the CHCBS waiver. The meetings additionally explained an inequity that emerged with the implementation of the Children with Disabilities Buy-In program.

An additional set of Parental Fees specific meetings were held on November 28th and November 29th to present a proposed fee scale and to explain the rationale behind the scale's tiers and rates.

Future Meetings

The Department has scheduled two additional stakeholder meetings based on feedback received for January 24th, 2018 in order to answer outstanding questions. Additional information on this stakeholder meeting can be found at:

<https://www.colorado.gov/pacific/hcpf/CHCBS-parental-fees>

Attachments:

None

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