



OPERATIONAL MEMO

OPERATIONAL MEMO NUMBER: HCPF OM 19-009

TITLE: HCBS SETTINGS FINAL RULE—PTP PROCESS

SUPERSEDES NUMBER: N/A

ISSUE DATE: MARCH 21, 2019

EFFECTIVE DATE: MARCH 21, 2019

**DIVISION AND OFFICE: POLICY, INNOVATION, AND ENGAGEMENT DIVISION,
OFFICE OF COMMUNITY LIVING**

PROGRAM AREA: HCBS WAIVERS

APPROVED BY: DAN KRUG

**KEY WORDS: HOME AND COMMUNITY-BASED SERVICES SETTINGS FINAL
RULE, HCBS, PROVIDER TRANSITION PLAN, PTP**

HCPF Memo Series can be accessed online: <https://www.colorado.gov/hcpf/memo-series>

Purpose and Audience:

The purpose of this Operational Memo is to inform providers of home- and community-based services (HCBS) of the process for using the web-based Provider Transition Plan (PTP) platform.

Background:

As part of the statewide implementation of the federal [rule](#) requiring HCBS to be provided in settings that meet certain criteria, providers are completing Provider Transition Plans (PTPs) to assess their compliance with the rule and the potential application of heightened scrutiny and to set out remedial action plans. Completed PTPs and attached materials are subject to review and approval by the Department, with assistance from the Colorado Department of Public Health & Environment (CDPHE).

Since April 2016, many providers have received site visits from CDPHE or Telligen (a contractor of the Department's). In connection with their site visits, these providers completed PTPs with input and technical assistance from CDPHE or Telligen.

Since November 2018, all providers of adult residential HCBS (*i.e.*, services provided at alternative care facilities (ACFs), supported living program (SLP) and transitional living program (TLP) facilities, group homes, host homes, and certain other Individual Residential Services and Supports (IRSS) settings) have had access to a [web-based platform](#) on which they can complete and update their PTPs. For providers that already completed a PTP during a site visit, this process includes providing updates showing the

resolution of previously identified compliance issues as well as addressing compliance issues that were added to the PTP template after it was first developed.

A [User Manual](#) is available to assist providers in completing their PTPs.

Information/Procedure:

(1) If you provide adult residential HCBS, your initial PTPs on the web-based platform were due in January-February 2019, unless you received an extension from CDPHE. Completing your initial PTPs includes identifying compliance issues and a plan for addressing them; it does not mean you already need to have completed all remedial actions. After completing your initial PTPs, you will provide updates every three months showing your progress on implementing your remedial actions, until the setting is determined to be compliant or unable to comply.

If you were expecting a Welcome email and did not receive one, check your spam filters/quarantines to be sure the email was not screened out. If the email was not sent, or if you want to add provider agency staff who can access, review, and fill out your agency's PTPs, send a message to HCPF_PTP@state.co.us with the name(s) and email address(es) that you would like the system to invite. So far, only providers of adult residential HCBS have received a Welcome email. Providers of nonresidential and children's residential HCBS will be invited to the platform once the development of their part of the system has been completed.

If you have access to the platform and need more time to complete your initial PTPs or to update them down the road, contact your CDPHE staff lead (shown on your PTP dashboard and on the Site Visit/Desk Review Report page of each PTP).

(2) Compliance issues already identified as True—for example, from a CDPHE or Telligen site visit—should remain True, not be changed to False, when you first submit your PTPs. The selection of True means that there is a compliance issue to be remedied. If you believe that you resolved a compliance issue after it was first identified, please:

- Add a description of how you resolved it in the Other Remedial Action Plan text box for that compliance issue or in the Comment Box at the bottom of the relevant PTP screen;

RA-10.

Individuals cannot lock their bedroom doors. *

Mark this item False (no compliance issue) if the setting restricts the right in question, but does so only on an individualized basis that is supported by a specific assessed need and properly documented in the person-centered service plan. See above for documentation requirements.


Select at least one remedial action plan:

Install locks and distribute keys so that residents can lock their bedroom doors.

Training for individuals on managing budgets, safety, respecting others, and other independent living skills.

Other remedial action plan.

Other *



- And on the Documents screen, upload your evidence showing that the issue was resolved (*e.g.*, updated policies and procedures, receipts from items you purchased, pictures, signed informed consent with personal health information redacted).

Once your CDPHE staff lead has reviewed your evidence of compliance, they will change the compliance issue from True to Resolved if appropriate. This approach will help ensure that compliance issues are successfully addressed and do not fall through the cracks.

* * *

Thank you for all your hard work and cooperation in completing and updating your PTPs. Many providers are now well along their path toward full compliance with the HCBS Settings Final Rule.

Attachment(s):

None

Department Contact:

Inquiries regarding the web-based PTP may be sent to the following shared inbox: hcpf_ptp@state.co.us.