

*Dear Stakeholders;*  
*This is the second draft of the Division's proposed changes to Chapter 26. All changes from the current rule are highlighted in yellow. Please direct any questions or comments to Laurie Schoder, policy analyst, at [laurie.schoder@state.co.us](mailto:laurie.schoder@state.co.us) by Wednesday, June 25, 201.*

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2 **Health Facilities Regulation Division**

3 **STANDARDS FOR HOSPITALS AND HEALTH FACILITIES**

4 **CHAPTER XXVI - HOME CARE AGENCIES**

5 **6 CCR 1011-1 Chap 26**

6 \* \* \* \* \*

7 **Section 3. DEFINITIONS**

8 \* \* \* \* \*

9 3.6 "Community Centered Board" means a private corporation, for profit or not for profit, that, when  
10 designated pursuant to section ~~27-10.5-105~~ 25.5-10-208, C.R.S., provides case management services  
11 to persons with INTELLECTUAL AND developmental disabilities, is authorized to determine eligibility of  
12 those persons **WITHIN A SPECIFIED GEOGRAPHICAL AREA, SERVES AS THE SINGLE POINT OF ENTRY FOR**  
13 **PERSONS** to receive services and supports under C.R.S. Title ~~27~~ 25.5, article 10.5, and provides  
14 authorized services and supports to those persons either directly or by purchasing services and  
15 supports from service agencies. [Revised to correspond to definition at 25.5-10-202(4), C.R.S.]

16 \* \* \* \* \*

17 5.1 License classification

18 \* \* \* \* \*

19 (B) An agency providing home care services that are ALSO regulated by the Colorado Department of  
20 Health Care Policy and Financing (HCPF), excluding certified agencies defined in section 3.4 of  
21 this chapter, shall be licensed as a Class B agency unless otherwise specified below.

22 (1) Any agency providing services regulated by HCPF **or the department of human services**  
23 that also provides skilled care or services delivered by a licensed professional shall be  
24 licensed as a **Class a A** agency.

25 **Section 8. NON-MEDICAL/PERSONAL CARE**

26 \* \* \* \* \*

27 8.5 Personal care worker

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29 (B) Personal care service employees shall provide services in accordance with the policies and  
30 requirements of the agency as well as the service arrangements spelled out in the service plan.

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(1) Organizations with personal care service employees do not have to be licensed as a home care agency if the only services they provide to consumers are housekeeping, respite care or companionship.

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(D) In order to delineate the types of services that can be provided by a personal care worker, the following are examples of limitations where skilled home health care would be needed to meet higher needs of the consumer.

\* \* \* \* \*

(20) Respite care and companionship. A personal care worker may provide respite and companionship in the consumer's home according to the service plan as long as the necessary provision of services during this time does not include skilled personal care HOME HEALTH services as described in this regulation.

(21) Housekeeping services. A personal care worker may provide housekeeping services, such as dusting, vacuuming, mopping, cleaning bathroom and kitchen areas, meal preparation, dishwashing, linen changes, laundry and shopping in accordance with the service contract. Where meal preparation is provided, the personal care worker should receive instruction regarding any special diets required to be prepared.

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(E) In addition to the exclusions prescribed in the preceding section, the agency shall not allow personal care workers to:

(1) Perform skilled home health services as defined in section 3.20 3.25 of this chapter;

\* \* \* \* \*