



**COLORADO**  
Department of Health Care  
Policy & Financing

November 1, 2014

The Honorable Crisanta Duran, Chair  
Joint Budget Committee  
200 East 14<sup>th</sup> Avenue, Third Floor  
Denver, CO 80203

Dear Representative Duran:

Enclosed please find the Department's response to the Joint Budget Committee's Request for Information #5 regarding the status of distribution of enrollments for the Home and Community Based Services developmental disabilities waivers.

FY 2014-15 Request for Information #5 states:

*The Department is requested to submit a report to the Joint Budget Committee on November 1, 2014 regarding the status of the distribution of the full program equivalents for the developmental disabilities waivers. The report is requested to identify any current or possible future issues which would prevent the distribution and enrollment of all full program equivalents noted in the FY 2014-15 Long Bill.*

The enclosed report includes information regarding the distribution of enrollments and issues impacting enrollment of all full program equivalents for the Home and Community Based Services waivers for Persons with Developmental Disabilities, Supported Living Services and Children's Extensive Support.

If you require further information or have additional questions, please contact the Department's Legislative Liaison, Zach Lynkiewicz, at [Zach.Lynkiewicz@state.co.us](mailto:Zach.Lynkiewicz@state.co.us) or 720-854-9882.

Sincerely,

A handwritten signature in black ink that reads "Susan E. Birch".

Susan E. Birch, MBA, BSN, RN  
Executive Director

SEB/eeb



Cc: Senator Pat Steadman, Vice-Chair, Joint Budget Committee  
Representative Jenise May, Joint Budget Committee  
Representative Bob Rankin, Joint Budget Committee  
Senator Mary Hodge, Joint Budget Committee  
Senator Kent Lambert, Joint Budget Committee  
John Ziegler, Staff Director, JBC  
Eric Kurtz, JBC Analyst  
Henry Sobanet, Director, Office of State Planning and Budgeting  
Bettina Schneider, Budget Analyst, Office of State Planning and Budgeting  
Katherine Blair Mulready, Health Policy Advisor, Governor's Office  
Legislative Council Library  
State Library  
John Bartholomew, Finance Office Director, HCPF  
Suzanne Brennan, Health Programs Office Director, HCPF  
Dr. Judy Zerzan, Client and Clinical Care Office Director, HCPF  
Chris Underwood, Health Information Office Director, HCPF  
Jed Ziegenhagen, Community Living Office Director, HCPF  
Tom Massey, Policy, Communications, and Administration Office Director, HCPF  
Rachel Reiter, External Relations Division Director, HCPF  
Zach Lynkiewicz, Legislative Liaison, HCPF



Legislative Request for Information #5 states:

*The Department is requested to submit a report to the Joint Budget Committee on November 1, 2014 regarding the status of the distribution of the full program equivalents for the developmental disabilities waivers. The report is requested to identify any current or possible future issues which would prevent the distribution and enrollment of all full program equivalents noted in the FY 2014-15 Long Bill.*

### **FY 2014-15 Legislative Request for Information**

#### **Background**

The Developmental Disabilities waivers include the Home and Community Based Services waiver for Individuals with Developmental Disabilities (HCBS-DD), the Home and Community Based Services Supported Living Services (HCBS-SLS) waiver, and the Home and Community Based Services Children’s Extensive Supports (HCBS-CES) waiver. The Division for Intellectual and Developmental Disabilities (DIDD) is responsible for managing the waiting list and distributing enrollments for the HCBS-DD and HCBS-CES waivers. Community Centered Boards (CCBs) are responsible for managing the waiting list and enrollments for the HCBS-SLS waiver.

Enrollments occur on an ongoing basis throughout the fiscal year. An enrollment occurs once an individual’s eligibility has been confirmed and they are added as a participant in a waiver.

#### **Status of Enrollment Distribution**

All enrollments appropriated in HB 14-1336, the Long Appropriations Bill, have been distributed to CCBs in order to process enrollments. Once distributed, an enrollment is pending until completed by the CCB. Table 1. FY 2014-15 Summary of Enrollment Activity below, details the number of enrollments appropriated in the FY 2014-15 Long Bill and number of clients with completed enrollments in each waiver shown as Actively Enrolled.

<b>Table 1. FY 2014-15 Summary of Enrollment Activity</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Enrollment Type</b>	<b>Appropriated Maximum Enrollment</b>	<b>Actively Enrolled Individuals as of September 30, 2014</b>	<b>Pending Enrollments (Difference Between Appropriated and Actively Enrolled)</b>
HCBS-DD Total	4,820	4,759	(61)
HCBS-SLS Total	5,318	3,363	(1,955)
HCBS-CES Total	1,204	888	(316)

The Department anticipates that all HCBS-DD enrollments will be filled in the current fiscal year. For the HCBS-DD waiver, some enrollments are appropriated specifically for foster care transitions, emergency needs, deinstitutionalization and the Colorado Choice Transitions program. These specific enrollments are distributed on an as needed basis throughout the fiscal year.

For the HCBS-CES waiver, there is still a backlog of enrollments from FY 2013-14 that CCBs are currently processing. Applicants are currently being enrolled into the waiver at the rate of approximately 30 per month and the Department believes the CCBs are on track to fully process all pending enrollments by the end of this fiscal year.

In order to fully enroll all the pending enrollments for the HCBS-SLS waiver, approximately 250 individuals need to be enrolled per month. This volume presents a barrier to enrollment in addition to other factors described below. However, since the enrollment process has started for HCBS-SLS, the Department has discovered many clients are no longer in need of HCBS-SLS services, moved out of state or could not be located; therefore, the true number of pending enrollments may be lower than current data indicates. The Department will continue to track this information in collaboration with the CCBs throughout the rest of the year.

### **Current or Possible Future Issues Preventing the Distribution and Enrollment of the FY 2014-15 Full Program Equivalents**

There are no barriers preventing the distribution of enrollments as all appropriated enrollments have been distributed to the CCBs, with the exception of the HCBS-DD enrollments that are distributed on an as-needed basis.

The following are issues or barriers identified as preventing or delaying full enrollment of all program equivalents:

- **Process of Enrollment:** There is a time lag between the dates a person is authorized for enrollment and the date of active enrollment. It can take several months for a CCB to confirm Medicaid eligibility, for the family to accept the enrollment and choose a provider, and the family and CCB complete arrangements for services.

In addition, with the influx of new enrollments, most CCBs needed to hire additional staff in order to handle the increased workload associated with processing the new enrollments, as well as handle the additional ongoing caseload. The General Assembly provided funding from HB 14-1252, Concerning Funding for System Capacity Changes Related to Intellectual and Developmental Disabilities Waiver Services, in April 2014 to build capacity to process the high volume of enrollments. While that funding was provided to the CCBs in April 2014, it can take a significant amount of time to get new staff hired and fully trained. Getting new staff fully functional has taken longer than anticipated and impacts the timeliness of enrollments.

The CCBs are required to report to the Department regarding their use of the HB 14-1252 funds. The Department is currently reviewing these reports to determine the effectiveness

of these funds and conducting analysis to determine if there are additional capacity building needs at the CCB level to process enrollments and support the new caseload.

- **Provider Capacity:** Like the CCBs, many providers also need to build capacity by hiring and training new staff in order to serve the influx of newly enrolled individuals. The process to confirm provider interest in capacity building funds and distribution of funds was completed in August 2014. Providers are also required to report to the Department regarding their use of the funds; the Department received initial reports in October and providers will submit quarterly updates through the rest of the fiscal year. The Department is reviewing the reported information to determine the effectiveness of the use of these funds and to identify whether there are provider gaps still needing to be addressed.
- **Elimination of the HCBS-CES and HCBS-SLS Waiting Lists:** The Department believes that there are individuals who have historically not applied for services because of the presence of the waiting list. Since the General Assembly approved funding to enroll all eligible individuals, there has been higher rate of applications for HCBS-CES services compared to years past. The Department believes that as families learned that there was no longer a waiting list for services, families who previously declined to apply for their child due to the low probability of receiving services chose to submit applications (a phenomenon frequently referred to the "welcome mat" or "woodwork" effect). The Department anticipates this phenomenon will occur with the HCBS-SLS waiting list elimination as well. The additional processing of applications further increases the workload necessary to process enrollments, further compounding existing capacity issues which the Department will address through its review of the use of HB 14-1252 funds.
- **Person/Guardian Decline to Accept Enrollment:** In some cases the person or guardian is no longer interested or not ready to receive an enrollment when it has been authorized. There are several reasons this may occur, including: person is satisfied with existing services (Elderly, Blind and Disabled waiver, Home Care Allowance) changes in circumstances; the person or family is not ready to accept services; the family is not interested in receiving services from the currently available providers; or, there is no provider available to meet the specific needs of the individual. The enrollment is then offered to the next person on the waiting list. From July 1, 2013 through September 30, 2013, 72 people have declined HCBS-DD enrollments. However, the Department believes this data may be incomplete and is working with CCBs to capture all accurate data regarding the declined enrollments.
- **Eligibility for Medicaid is denied:** In some cases Medicaid eligibility cannot be established or the person's circumstances have changed and they are no longer Medicaid eligible.
- **Individual cannot be located:** Some individuals have moved out of state, left no forwarding address or otherwise cannot be located.

- Colorado Choice Transitions (CCT): The Department is responsible for the distribution of CCT enrollments and the concurrent enrollment in the HCBS-DD waiver. Of the 63 appropriated HCBS-DD CCT enrollments, 16 individuals have been enrolled and 7 additional individuals have authorized enrollments. Currently there is an under-utilization of the CCT enrollments due to individuals and guardians declining the program.

The Colorado Revised Statutes, specifically 25.5-10-207.5(4), C.R.S., requires the Department to develop a strategic plan to ensure individuals have access to services at the time they need and want services. The strategies identified in that plan, also submitted to the General Assembly on November 1, 2014, will address these identified barriers to enrollment in the long term to ensure all eligible individuals are enrolled timely and have access to necessary services.