



*We believe in a life of opportunity, of choice, and of dignity
for every individual, regardless of age or ability.*

*The Mission of Foothills Gateway, Inc. is to advocate for and empower
individuals with disabilities to lead lives of their choice.*

**Board of Director's
Agenda
March 7, 2016
8:00 pm**

MEETING CALLED TO ORDER

Open Forum-Please limit presentations to 10 minutes

CONSENT AGENDA

Approval of Minutes – February 16, 2016

OLD BUSINESS

NEW BUSINESS

Election of Officers
YMCA Camp
Committee Meeting times

COMMITTEE REPORTS

Executive Committee
Fiscal and Property Committee
Legislative Affairs Committee
Joint Resource Committee

ADJOURNMENT

March 18, 2016

Andrew Slavitt, Acting Administrator
Centers for Medicare and Medicaid Services
Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Mr. Slavitt,

We are writing in regards to the Centers for Medicare and Medicaid Services' (CMS) 2014 final rule that imposed significant changes to the Medicaid Home and Community Based Service (HCBS) waiver program. This rule included new standards for community integration and conflict-free case management (CFCM), which has the direct effect of separating providers of waiver services from the case management function for the same individual in service.

As you may be aware, as of fiscal year 2015, there are over 21,900 children and adults with intellectual and developmental disabilities in service in Colorado supported by a network of nonprofit Community Centered Boards (CCBs) throughout the state. Of that population, approximately 11,187, or 51% are qualified within the Medicaid HCBS waiver program. The CCB system was created by state law and for decades CCBs have been providing successful case management and direct services to individuals in service. Of the 11,187 individuals in HCBS Medicaid programs in Colorado all are provided case management services by CCBs, but only 4,843, or 43% are also provided direct services. Because of high demand and a state-mandated wait list for HCBS services, many local communities help to fund additional services through the use of local mill levy tax dollars and other funding sources. It is imperative that this more than \$55 million per year remains intact while working to find the best solution to meet the guidelines of CFCM.

CCBs work seamlessly with local school districts, other provider agencies, businesses, charities, and government partners to integrate individuals in service into their community with the utmost dignity and comfort. As Colorado moves toward the person-centered approach that CMS now requires, we know that you will agree that many of the benefits of our current community-centered system should not be sacrificed in the process. The CFCM portion of the final rule directly flies in the face of person-centered thinking and decision making.

We understand and appreciate that the intent of these regulations is to ensure that families of individuals with developmental disabilities are empowered with the best choices for the care of their loved ones. However, some of these regulations as presently written will require a dramatic change in the system of care for individuals in service that exists in Colorado, and we want to ensure that these individuals experience the least amount of disruption during the implementation of these recent rules.

We respectfully request that CMS provide the State of Colorado and its network CCBs an additional five years from the 2019 contract renewal date to the year 2024 to comply with the HCBS conflict-free case management requirements. We believe that ongoing changes to

HCBS programs managed by the State of Colorado's Department of Health Care Policy and Financing may help address any potential conflicts within the process, but may not be ready by 2019. We are confident that CMS can work with the State of Colorado to establish benchmarks towards compliance while also allowing the flexibility needed to continue seamless case management and service delivery.

We respectfully request that CMS provide better clarity on the meaning of the "capacity" exemption clause for conflict-free case management, and consider both "rural" status as well as local government support as factors within that definition. Rural areas, and areas limited by Colorado's geography, cannot realistically separate case management and service delivery without causing significant disruption to individuals in service in their catchment area. Many CCBs in suburban and urban communities receive significant support from county governments or mill levies to further assist individuals in service in obtaining services. HCBS waivers support a fraction of individuals in service, but these local government subsidies are spread among a much larger population. Compliance with the conflict-free rules as written may require locally-subsidized CCBs to segregate the public funding that supports individuals in service into silos, which might limit overall funding for some individuals in service or certain services. The rules may also create different case management methods for different individuals in service depending upon their HCBS status, which could result in a "have" vs. "have not" perception.

We respectfully ask CMS to consider additional flexibility and options for Colorado and its CCBs to meet the intent of the rules in the interim. The Colorado General Assembly passed legislation assigning a deadline of June 30, 2016 to develop a plan for compliance with the conflict-free case management rules. Colorado's Department of Health Care Policy and Financing is presently gathering input from stakeholders and working diligently to meet this deadline. **As such, we ask that CMS respond to our request by April 30, 2016.**

Again, we appreciate CMS' intent to further empower families and individuals through the changes made to the Medicaid HCBS program. We hope you will consider these requests favorably. Please do not hesitate to contact us to discuss this issue further. Our primary point of staff contact will be [?????] in Congresswoman {????}'s office.

Sincerely,

Member of Congress

Member of Congress

Member of Congress



Kids Ages UNDER 10:
Join us for the **FREE, FUN,**
"PIGLET WALK". Begins
at 9:30. A treat for each
"PIGLET WALKER".



Child's Name: _____
Age: _____
Parent Name: _____
Parent Phone # _____

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FAMILIES!**

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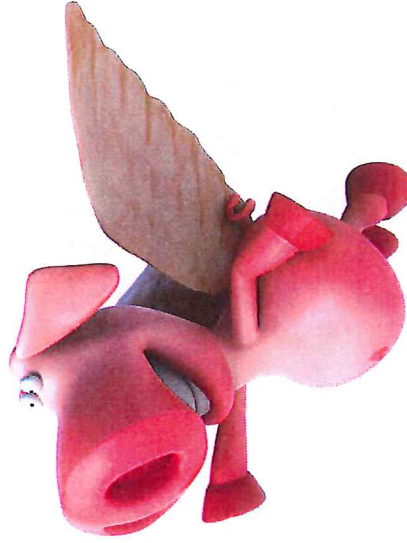


- PASCO * Eye Center of Northern Colorado
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- Columbine Health Systems
- Markley Motors * Trumpet Behavioral Health
- Advanced Energy * Braces U Orthodontics
- PSA * Evergreen Home Health Care
- Sports Authority * Preferred Home Health
- Frontier Access & Mobility Systems, INC
- Engelhardt & Associates Family Dentistry
- The ARC of Larimer County
- Mary and Dick Real Estate
- Alexander Home Healthcare Agency
- Edge Optics * Maxim Healthcare Services
- Advanced Medical Imaging Consultants
- The Neenan Company
- University of Colorado Health

**8th Annual Flying Pig 5K
Run/Walk**

SUNDAY - APRIL 10, 2016

Benefit for
The Foothills Gateway, Inc.
Family Support Services Program



At Spring Canyon Park

2626 W. Horsetooth Rd., Ft. Collins

