

Case Management Redesign (CMRD) Update December 2022

In 2014, the federal government passed the Home and Community Based Services (HCBS) Final Settings Rule and, as part of that legislation, required that all agencies providing case management to individuals in HCBS waiver programs be 'conflict free'. In order to be conflict free, HCBS providers must not provide case management services or develop the service plan for persons served. Conflict occurs if the case management agency is also the provider agency, if case managers are employed by the provider agency, or if the case management agency has a financial interest in the provider agency or vice versa.

In the 1960's, the state passed legislation creating the Community Centered Board (CCB) system for people with intellectual and developmental disabilities. From inception, CCBs were able to provide both case management services and direct Home and Community Based Services (HCBS) and most of the state's 20 CCBs, including Foothills Gateway, have continued to provide both case management and direct services through the years. Because of the 2014 conflict-free legislation, the current CCB system must change to comply and legislation now referred to as Case Management Redesign is guiding this system-wide transition. As of **July 1, 2024**, case management agencies must be separate business entities from provider agencies. So, over the next year or so, the CCBs that have provided both case management and direct services in Colorado will be modifying their organizational structure to comply with the law.

The transformation to a conflict-free case management system will allow the state to consolidate the numbers of case management agencies in order to streamline the system. Currently, there are 46 case management agencies in the state and, when the new Case Management Agencies (CMA) are identified, there will be 20 case management agencies for the 20 newly created service areas (Larimer County is its own service area). As of **December 31, 2022**, the state will issue the CMA Request for Proposal (RFP) solicitation and interested parties will have 8 weeks to complete and submit the RFP response. The outcome of the CMA RFP should be known by **May 2023**.

Foothills Gateway is the current case management agency in Larimer County serving more than 2,500 children and adults in HCBS programs, state general fund programs, and Early Intervention services. Our plan is to complete and submit the CMA RFP response in order to become the Case Management Agency for all HCBS and state general fund programs in Larimer County. While there will be multiple respondents to the CMA RFP, the state will identify only one case management agency per service area to provide all the case management services to members enrolled in all 10 of the HCBS waiver programs along with state funded services. Once the CMA RFP outcome has been announced, then Foothills Gateway's evolution to the next phase will commence.

If Foothills Gateway is awarded the CMA contract effective **July 2024**, we will need to work with other agencies to transition case management services to our agency, as well as change our business structure to transition all HCBS provided by Foothills Gateway's direct services section to a new or existing agency. Conversely, if Foothills Gateway is not awarded the CMA contract, Foothills Gateway will need to help transition the case management services provided by Foothills Gateway to the CMA awardee. Foothills Gateway will be able to determine what these scenarios might entail with much more clarity once the outcome of the RFP process is known.

At this point in time, there are still many unknowns and Foothills Gateway is committed to supporting individuals served, families, and staff through the transition, whatever the outcome. Communication updates will be forthcoming as we have additional information. If you have questions and/or need additional information, please email info@foothillsgateway.org.