

Case Management Redesign (CMRD) Draft Legislation – March 2021

In early March, Health Care Policy and Financing (HCPF) released the 73-page Case Management Redesign (CMRD) bill that, if passed, would replace the Conflict Free Case Management legislation that became law in 2017. With the submission of the CMRD bill (HB21-1187) to the legislature, HCPF's goal in making this system change is to create high-performing case management agencies that serve a defined area and meet the following goals: Federal compliance; Quality; Simplicity; Stability; and Accountability.

HCPF has also contracted with HCBS Strategies to help develop the components of CMRD, including the competitive solicitation that will be issued by December 31, 2022. HCBS Strategies is a consulting firm that focuses on helping states and other stakeholders build and improve home and community based supports. HCBS Strategies' mission is to help build systems that maximize individual control and community integration for older adults and individuals with disabilities.

During the next few months, as the bill goes through the legislative process, HCPF and HCBS Strategies will be gathering stakeholder feedback and will address three very important items:

- ✓ Determining the “Defined Service Areas” for the contracted case management agencies (CMA’s): Currently, there are 46 case management agencies (Community Centered Board case management agencies, Single Entry Point case management agencies, and private case management agencies). HCPF hopes to reduce the numbers of case management agencies by contracting with one case management agency for each of the newly defined service areas (to be determined by Summer 2021).
- ✓ Define “Only Willing and Able Provider” for the state of Colorado: Where applicable, the state can seek a federal waiver of the conflict-free case management requirements where the only willing and able provider to provide case management is also the only willing and able provider to provide Home and Community-Based Services in that defined service area.
- ✓ Determine the status of the Organized Health Care Delivery System (OHCDs): The current OHCDs designation allows Community Centered Boards as Targeted Case Management agencies to purchase services from qualified providers/community vendors and to bill HCPF for those services using the agency's Medicaid service provider's billing number.

The new CMAs for the defined service areas will be selected through a competitive solicitation process by January, 2024. Between January 2024 to July 1, 2024, the newly identified CMAs will make the necessary changes to assume responsibility for case management services effective 7/1/2024. The new CMAs will be responsible for providing case management services for individuals in all of the Long Term Services and Supports (LTSS) waivers: Developmental Disabilities (DD); Supported Living Services (SLS); Children's Extensive Support (CES); Children's Habilitation Residential Program (CHRP); Children's Home and Community Based Services (CHCBS); Elderly, Blind, and Disabled (EBD); Spinal Cord Injury (SCI); Brain Injury (BI), Community Mental Health Supports (CMHS); and, Children with Life Limiting Illness (CLII), and PACE.

The Community Centered Board (CCB) definition and designation process have also changed in the CMRD bill. The bill stipulates that the revised CCB designation process will be developed using stakeholder feedback and will be implemented effective 7/1/2024.

As the CMRD bill makes its way through the legislative process, it is likely that there will be changes (additions and deletions) made along the way. Once the bill has been approved by both Houses and signed by Governor Polis, another update will be provided via the Focus!