



## **Community First Choice (CFC) Personal Care Services Licensure Requirement Frequently Asked Questions**

### **1. Why is the Department of Health Care Policy & Financing (HCPF) requiring a Class A or Class B license for Personal Care under CFC?**

Implementation of CFC in Colorado requires the alignment of service definitions, provider qualifications, and licensing for all Personal Care. Personal Care provider licensing and certification requirements currently differ across Home and Community Based Services (HCBS) waivers. The Department of Health Care Policy & Financing (HCPF) intends to build provider credentialing for CFC on the current licensing and credentialing structures whenever possible, but some adjustments are needed based on current, differing licensing requirements for Personal Care. This approach ensures consistent oversight of all personal Care providers and protection for members receiving Personal Care under CFC, while streamlining provider enrollment requirements for these providers.

### **2. Will HCPF require a Class A or Class B license for Homemaker under CFC?**

Because Homemaker tasks are hands-off in nature, HCPF will not be requiring a license for Homemaker under CFC. HCPF's goal is to align provider requirements for Personal Care and Homemaker in a way that offers protection and oversight for members, but also does not unnecessarily restrict providers. At the time of CFC implementation, Homemaker will be moved into CFC. HCBS Program Approved Service Agency (PASA) providers enrolled in the 652-specialty code with HCPF will automatically be enrolled as CFC Homemaker providers and can continue providing Homemaker to members on CFC as Supported Living Services (SLS) waiver members will transition to utilizing Homemaker under CFC.

The extraordinary cleaning portion of Homemaker Enhanced will remain on the SLS and Children's Extensive Support (CES) Waiver. The habilitative tasks of Homemaker enhanced will be moved to CFC under a new service called Acquisition, Maintenance, and Enhancement of Skills (AME).

### **3. Is a Class A or Class B license required for hands-off Personal Care under CFC? What if there are fewer than 2 employees?**

A Class A or Class B license will be required for all Personal Care under CFC, unless provided under CDASS. There are no exceptions.

### **4. I am a family caregiver that provides Personal Care to my child on the SLS waiver. What options do we have if we don't want to get a license?**

If you choose to not pursue a license, the member could choose to enroll in HCBS Consumer-Directed Attendant Support Services (CDASS). If a member wants to continue receiving care from a caregiver employed by their PASA when they transition to CFC services, the member can work with their case manager to enroll in CDASS and hire the caregiver as their attendant.



Please outreach HCPF by email at [HCPF\\_PDP@state.co.us](mailto:HCPF_PDP@state.co.us) or by phone at 303-866-5638 for questions related to CDASS.

Additionally, if you choose to not pursue a license, the member can enroll in In-Home Support Services (IHSS). If a member wants to continue receiving care from a caregiver employed by their PASA when they transition to CFC services, the member can work with their case manager to enroll in IHSS and select an IHSS Agency to work with, then the caregiver can fulfill employment requirements and become an IHSS attendant. Please outreach HCPF by email at [HCPF\\_PDP@state.co.us](mailto:HCPF_PDP@state.co.us) or by phone at 303-866-5638 for questions related to IHSS.

**5. I am a member and my provider is not going to obtain a license, what should I do?**

The member should work with their current provider and case manager to find another Personal Care provider.

**6. Will a Class A or Class B license be required for IHSS or CDASS-Personal Care under CFC?**

To ensure minimal change in existing waiver services that are moving to CFC, HCPF only changed provider requirements for Personal Care as those were the only requirements out of alignment. Since the provider requirements for IHSS and CDASS do not vary across waivers, these requirements will remain the same under CFC. As a reminder, CDASS is exempt from licensure requirements per statute, but IHSS agencies must be Home Care Agencies with either a Class A or Class B license and an IHSS certification.

**7. How does CFC impact Developmental Disabilities (DD) waiver providers?**

CFC will not impact the Developmental Disabilities (DD) waiver. The DD offers comprehensive residential services that will not be moving into CFC. No changes will be made to existing provider requirements on the DD waiver.

**8. Does HCPF have concerns about existing 664 Personal Care providers on the SLS waiver not getting a Class A or Class B license and thus, creating a provider shortage?**

HCPF is always cognizant of how change can impact provider availability. The decision to require a Class A or Class B license for all Personal Care under CFC was not made lightly as HCPF is aware that this will impact providers. HCPF has sought stakeholder feedback and implemented solutions to reduce the negative impacts of this change. For example, waiving the initial licensure fees, aligning Personal Care and homemaker definitions with the most expansive definition found in the Elderly, Blind, and Disabled (EBD) waiver, and not requiring licensure for Homemaker.

Additionally, HCPF is actively working with the Colorado Department of Public Health and Environment (CDPHE) to monitor both 664 Personal Care providers along with licensed 666 Personal Care providers to ensure that the state does not lose provider coverage in counties where care is needed. HCPF and CDPHE have seen interest in Personal Care licensure amongst existing 664 providers and current providers that do not currently provide Personal Care.

Finally, HCPF is examining provider and workforce capacity across all HCBS services to ensure sufficient member access. This work includes receiving technical assistance from federal trade



organizations, engaging with stakeholders, developing accessible training, and promoting wage increases to support recruitment and retention efforts.

**9. I provide services such as accompanying the member to complete errands such as grocery shopping, banking, or medical appointments. Do I need a license to continue providing those services?**

It depends on the type of support being provided while these errands are being completed. Another consideration is if the attendant is teaching the member how to complete a task. Finally, it is important to consider the implementation of the new task: Acquisition, Maintenance, and Enhancement of Skills (AME). AME can be provided in conjunction with Personal Care and/or Homemaker services but shall not duplicate authorized service tasks for Homemaker, Personal Care, or other services reimbursed by Medicaid. Under Personal Care, this may include functional skills training for tasks such as Personal Hygiene or Mobility. Under Homemaker, this may include functional skills training for tasks such as Money Management, Household tasks, menu planning or meal preparation, shopping, or scheduling medical appointments.

When evaluating whether a task will fall under Personal Care or Homemaker, consider the above information and following examples. Are you assisting the member by helping them use the restroom? If so, this would be considered Personal Care or Health Maintenance, and a license would be required. If you are attending a medical appointment with the member to help the member get dressed or transfer onto the examination table, again, this would be Personal Care or Health Maintenance and a license would be required. If you are dropping the member off at their appointment and picking them up when they are done, this would be considered Non-Medical Transportation and is not covered under CFC. If you are accompanying the member to the grocery store for teaching purposes, and reminding them to purchase items on their list, assisting with questions on items to purchase, or reminding them where their form of payment is, this would be considered Homemaker AME and would not require a license.

HCPF cannot outline every scenario where Personal Care is currently being provided. However, tasks such as meal/menu planning, shopping, money management, and assistance scheduling or reminders to attend medical, dental, and therapy appointments, or teaching these tasks, will be Homemaker tasks under CFC. When it comes to accompanying members to complete these tasks, it depends on the nature of the tasks being completed that are identified in the members Person-Centered Service Plan.

**10. Will tasks such as shopping and money management require a license under CFC?**

The definitions for Personal Care will be aligned under CFC and represent what is currently reflected in the EBD waiver. This includes moving shopping and money management as tasks under Homemaker. Below are the proposed tasks for CFC services. Please note that these are still **pending CMS approval**:

- **Personal Care:** Eating/Feeding, Hair care, Nail care, Shaving, Mouth care, Respiratory care, Skin care, Bladder/bowel, Exercise, Dressing, Transfers, Mobility, Positioning, Medication reminders, Medical equipment: attendant provides maintenance and cleaning of medical equipment, i.e., oxygen tubing, etc., Bathing, Accompanying, Protective oversight:



Attendant provides intervention to prevent or mitigate disability-related behaviors that may result in imminent harm to people or property i.e., verbal redirection for wandering behavior. (Please note: Some of these tasks may also be provided under Health Maintenance Activities, which will be a service available through IHSS and CDASS under CFC. Health Maintenance includes assistance with health-related activities that are typically provided by a certified or licensed attendant, such as a CNA, LPN, or RN. In CDASS, the Nurse Practice Act has been waived so that members have the flexibility to hire and train staff without certifications or licensure.)

- **Homemaker:** Routine housekeeping such as dusting, vacuuming, mopping, and cleaning bathroom and kitchen areas, Meal preparation, Dishwashing, Bed making, Laundry, Shopping for necessary items to meet basic household needs.
- **Acquisition, Maintenance, and Enhancement of Skills (AME):** AME can be provided in conjunction with these services but shall not duplicate authorized service tasks for Homemaker, Personal Care, or other services reimbursed by Medicaid. Under Personal Care, this may include functional skills training for tasks such as Personal Hygiene or Mobility. Under Homemaker, this may include functional skills training for tasks such as Money Management, Household tasks, and menu planning or meal preparation.

**11. Why does HCPF recommend a Class B license over a Class A license for the current, unlicensed 664 Personal Care providers under the SLS waiver?**

A Class A license allows providers to provide "skilled" care, while the Class B license allows providers to provide "unskilled" care. Skilled care providers provide assistance with medication, wound care, and other recovery and medical needs. Non-skilled care providers assist with the everyday care and needs of the member. Because current unlicensed 664 Personal Care providers do not provide hands-on care, they likely will not begin providing the skilled care that requires a Class A license. Because this license is more expensive, administratively burdensome, and may be unnecessary for the providers we are discussing, HCPF does not recommend a Class A license.

IHSS Agencies may provide "skilled" care with a Class B license and an IHSS certification.