



COLORADO

Department of Health Care
Policy & Financing

303 E. 17th Ave
Denver, CO 80203

Vote YES HB25 1003: Children with Complex Health Needs Waiver

January 2025

What does this bill do?

This bill would merge the Children's Home and Community-Based Services (CHCBS) waiver with the Children with Life Limiting Illness (CLLI) waiver, and create a new waiver called the Children with Complex Health Needs waiver (CwCHN). The purpose of the CwCHN waiver is to streamline home and community based services (HCBS) for children's waiver programs, expand access to services, and ensure current and future CHCBS members have continued access to waiver services.

This bill establishes state authority for the Children with Complex Health Needs waiver, amends the existing Hospice Care Statute to ensure that children can receive Hospice Care and curative treatment simultaneously, and repeals language for the CHCBS and CLLI waivers that will be duplicative with the CwCHN statute.

Why is this bill needed?

The CHCBS Waiver currently has two services: the Wellness Education Benefit and In-Home Support Services (IHSS) Health Maintenance Activities. In July of 2025, the IHSS Health Maintenance Activities service will transition to Community First Choice (CFC). This change will leave only one service on the CHCBS Waiver, jeopardizing the state's federal authority to operate this waiver. Without federal authority to operate the waiver, CHCBS Waiver members may be at risk of losing access to their waiver services and all other Health First Colorado benefits. This bill will ensure 2000+ children currently on the CHCBS waiver will continue to have access to these critical services. Further, it will also expand existing 1915(c) waiver benefits on the CLLI waiver to the CHCBS waiver population.

What are the consequences if this bill is not passed?

If this bill is not passed, 2000+ children will lose access to waiver services and be at risk for entering a nursing facility. Some children may lose access to Health First Colorado entirely.

What is the fiscal impact of this bill?

This bill has no fiscal impact. HCPF received budgetary authority from the General Assembly to provide these services through the FY 2023-24 BA-07 Community Based Access to Services request that was approved by the JBC as a part of SB 23-214 Long Bill. HCPF projects to spend \$2,672,646 annually on the transition of the CHCBS waiver to the CLLI waiver.

What impact does this bill have on Case Management Agencies?

This bill will have minimal impact on Case Management Agencies as this new waiver will not require any new or additional assessment processes for Case Managers or members. The CLLI waiver is being renamed to the CwCHN waiver and will be amended to expand eligibility criteria. Children on the CHCBS Waiver will be transitioned to the CwCHN Waiver at the time of their annual Continued Stay Review (CSR). All HCBS waiver members have an annual CSR, so this will not be an added requirement due to this bill or the new waiver. Children on CHCBS and CLLI waivers will not have a change in their Case Management Agency due to the implementation of the CwCHN waiver.

Why is language being repealed from the Pediatric Hospice Care Statute (25.5-5-305) and language being added to the Hospice Care Statute (25.5-5-304)?

This portion of the bill is a technical change to allow children to receive curative care and Hospice Care simultaneously. The Pediatric Hospice Care Statute was established for the state to provide extra benefits through an HCBS waiver to children who receive Hospice Care. This section of statute gives the state authority to operate the CLLI waiver. The Hospice Care Statute gives the state authority to provide Hospice Care services to members with a terminal illness, regardless of age. Individuals over the age of 20 cannot receive curative treatment while also receiving Hospice Care. The language in this bill will maintain the state's ability to seek federal approval for exemptions for individuals age 20 and under.

For more information, contact:

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