

COLORADO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES (CDASS) PROTOCOL
CDASS Service Utilization Review & Allocation Management Protocol for Case Management
Agencies Effective **8/1/2019**

I. PURPOSE AND AUTHORITY

A. PURPOSE

The purpose of this protocol is to establish policy and procedures for Case Management Agencies (CMA) in the utilization review of services rendered through the Consumer Directed Attendant Support Services (CDASS) delivery option to ensure appropriate, timely and effective management of CDASS client service and allocation utilization.

Previous over expenditure episodes expire three years from the date of the episode except for episode five resulting in termination. This protocol is continuous and applies to the duration of the client's participation in CDASS.

B. AUTHORITY

Consumer Directed Attendant Support Services, [10 CCR 2505-10 8.510](#).

II. DEFINITIONS

- A. Allocation means the funds determined by the Case Manager in collaboration with the client and made available by the Department through the Financial Management Service (FMS) vendor for attendant support services available in the CDASS delivery option.
- B. Attendant Support Management Plan (ASMP) means the documented plan at 8.510.5, detailing management of attendant support needs through CDASS.
- C. Authorized Representative (AR) means an individual designated by the client or the client's legal guardian, if applicable, who has the judgment and ability to direct CDASS on a client's behalf and meets the qualifications contained in 8.510.6 and 8.510.7.
- D. Benefits Utilization System (BUS) means the web based data system maintained by the Department for recording case management activities associated with Long Term Care (LTC) services.
- E. Case Management Agency (CMA) means a public or private entity that meets all applicable state and federal requirements and is certified by the Department to provide case management services for Home and Community Based Services waivers pursuant to §§ 25.5-10-209.5 and 25.5-6-106, C.R.S., and has a current provider participation agreement with the Department.

- F. Case Manager means an individual employed by a Case Management Agency who is qualified to perform the following case management activities: determination of an individual client's functional eligibility for one or more Home and Community Based Services (HCBS) waivers, development and implementation of an individualized and person-centered care plan for the client, coordination and monitoring of HCBS waiver service delivery, evaluation of service effectiveness, and periodic reassessment of client needs.
- G. Consumer Directed Attendant Support Services (CDASS) means the service delivery option that empowers clients to direct their care and services to assist them in accomplishing activities of daily living when included as a waiver benefit. CDASS benefits may include health maintenance, personal care and homemaker services.
- H. Continued Stay Review (CSR) means a comprehensive evaluation with the individual seeking services and appropriate collaterals (such as family members, advocates, friends and/or caregivers) conducted by the Case Manager, with supporting diagnostic information from the client's medical provider to determine the client's level of functioning, service needs, available resources, and potential funding resources.
- I. CDASS Certification Period Allocation means the funds determined by the Case Manager and made available by the Department for attendant services for the date span the client is approved to receive CDASS within the annual certification period.
- J. CDASS Training means the required CDASS training and comprehensive assessment provided by the Training and Operations Vendor to a client or Authorized Representative.
- K. Department means the Colorado Department of Health Care Policy and Financing, the Single State Medicaid Agency.
- L. Financial Management Services (FMS) vendor means an entity contracted with the Department and chosen by the client or Authorized Representative to complete employment-related functions for CDASS attendants and to track and report on individual client CDASS allocations.
- M. Long Term Care Certification Period means the designated period of time in which a client is functionally eligible to receive services not to exceed one year.
- N. Monthly Member (client) Expenditure Statement (MMES) is a report that details all service utilization during the month. This statement is produced by the FMS organization and includes all payments made to attendants during the month. The statement summarizes expenditures for the month and the remaining yearly allocation amount. The statement reflects payment that has been processed through the date the statement is generated by the FMS. Late timesheets will not be reflected in the account statement until they are approved and processed by the FMS.

- O. Reassessment means a review of the Assessment, to determine and document a change in the client's condition or client's service needs.
- P. Allocation Reserves are funds that remain unspent when a client spends less than the average monthly allocation from the start date of the certification period to the current month of expenditure.
- Q. Training and Operations Vendor means the organization contracted by the Department to provide training and customer service for self-directed service delivery options to clients, Authorized Representatives and Case Managers.

III. POLICY OVERVIEW

The purpose of this policy is to provide guidance to Case Managers on how to conduct utilization and allocation reviews of services provided through the CDASS delivery option. This policy overview does not provide guidance for every situation, but rather provides standards for use by Case Managers.

Allocation management is a key element of the CDASS delivery model, allowing for increased client choice and control. Flexibility in how CDASS is utilized enables clients to manage the services they need to live independently and to more fully participate in their communities. CDASS covered service tasks as defined in 8.510.3 and 8.510.94.B are health maintenance activities, personal care and homemaker services. The allocation shall only be used for covered CDASS tasks within the flexibility of the ASMP.

Upon enrollment, at the time of the CSR, or on request of the client/client representative, the Case Manager assesses the client's needs and identifies services to address those needs. CDASS allocations are authorized utilizing the CDASS Task Worksheet based on the client's need for services and adhere to all service authorization requirements and limitations established by the client's waiver program. If the client experiences a change in condition the Case Manager may determine (as set forth in 8.510.16.E) during the service plan year that a reassessment is necessary. If a reassessment is completed and indicates that a change in Attendant support is necessary, the Case Manager shall follow Department guidelines to adjust the service plan. **Previous utilization should not determine an increase or decrease to a CDASS allocation.**

Each month, the FMS organization shall notify each CMA when the MMES is available. The Case Manager shall review the MMES for appropriate utilization of services within the allocated amount. CDASS monthly utilization can fluctuate due to factors including but not limited to short term changes in individual needs and attendant turnover. A member is not allowed to exceed their authorized monthly allocation by more than 29.99% even if reserves are present. Exceeding the monthly allocation by 30% or higher will result in denial of attendant payment.

IV. PROTOCOL FOR OVER EXPENDITURE

Case Manager will review the MMES to obtain the percentage of the monthly allocation that the client/AR spent for the month. Clients using CDASS through the Supported Living Services waiver may have two budgets they will manage each month. One budget for personal care, homemaker and enhanced homemaker services while the other budget is for health maintenance activities. For these clients, overspending in either budget (or both) will result in one overspending episode.

Expenditures exceeding up to 9.9% percent of the client's average monthly allocation (determined by dividing the total allocation by the number of months in the CDASS period), are allowable and do not require the Case Manager to perform immediate follow up. The Case Manager is expected to discuss CDASS expenditures at each scheduled client contact to discuss overall spending and budget management.

Expenditures which exceed 10%-29% of the average monthly allocation are allowed **if** the client has allocation reserves that fully cover the expenditure or has received prior authorization from the Case Manager. Prior authorization requires case management approval documented in the service plan, ASMP or BUS log notes. CDASS expenditures which exceed the client's monthly CDASS Allocation by 30% or higher are not allowed, even with allocation reserves.

FORMAL ACTION STEPS FOR OVER-EXPENDITURE

If review of the MMES shows expenditures which exceed 10% -29% of the average monthly allocation without reserves available or prior-authorization, the following formal action steps should be taken using the client/AR preferred communication method:

1. First episode of over expenditure without reserves or prior-authorization:
 - a. The Case Manager shall contact the client/AR within five business days of receipt of the MMES to:
 1. Request information from the client/AR on what caused the over expenditure and remind client/AR to outreach Case Manager for prior-authorization in the future. Discuss if the client experienced a change in condition (short term or long term) resulting in the need for additional services. Discuss with the client/AR whether the current task worksheet is accurate based on change in condition. Evaluate whether additional care needs will continue and if they will be met through natural supports, CDASS, another state plan or waiver benefit; or a combination thereof without duplication of services rendered.
 2. Discuss with the client/AR the plan to address the over expenditure. Refer the client/AR to review their ASMP and offer additional training through the Department contracted

training and operations vendor if the client/AR reports difficulty with managing the allocation. Additional training at this point is advised but not a requirement to continue participation in CDASS.

- b. The Case Manager shall document all activity in the BUS log notes including any training referral submission. The Case Manager will send the client/AR a copy of this protocol and advise it is also available on the training and operations vendor webpage. If retraining is selected, the client and AR will receive a letter from the Case Manager summarizing the conversation and the referral for additional training.
2. Second episode of over expenditure without reserves or prior-authorization:
- a. The Case Manager shall contact the client/AR within five business days of receipt of the MMES to:
 1. Request information from the client/AR on what caused the over expenditure and remind client/AR to outreach Case Manager for prior-authorization in the future. Discuss if the client experienced a change in condition (short term or long term) resulting in the need for additional services. Discuss with the client /AR whether the current task worksheet is accurate based on change in condition. Evaluate whether additional care needs will continue and if they will be met through natural supports, CDASS, another state plan or waiver benefit; or a combination thereof without duplication of services rendered.
 2. Discuss the over expenditure and develop a plan to reduce expenditures for a period of time within the certification period to support the client to stay within their annual allocation.
 - b. Refer the client/AR for additional training through the Department contracted training and operations vendor. Additional training is a **requirement** to continue participation in CDASS. The client/AR will sign an acknowledgement of this allocation management protocol during the training session.
 - c. The Case Manager will send the client and AR a letter summarizing the conversation and the referral for additional training within five business days of the discussion.
 - d. The Case Manager will document in the BUS log notes the discussion and date of training referral submission.

3. Third episode of over expenditure without reserves or prior-authorization:
 - a. The Case Manager shall contact the client/AR within five business days of receipt of the MMES to:
 1. Request information from the client/AR on what caused the over expenditure and remind client/AR to outreach Case Manager for prior-authorization in the future. Determine if the client experienced a change in condition resulting in the need for additional services. Discuss with the client/AR whether the current task worksheet is accurate based on change in condition. Evaluate whether additional care needs will continue and can be met through natural supports, CDASS, another state plan or waiver benefit; or a combination thereof.
 2. Discuss the over expenditure and develop a plan to reduce expenditures for a period of time within the certification period to support the client to stay within their annual allocation.
 3. Inform the client/AR that a **mandatory** change in AR or a use of an AR will be required. The AR shall be identified and scheduled for training with the Department contracted training and operations vendor within 15 calendar days.
 - i. The AR training shall be completed within 45 calendar days of the referral to the training and operations vendor. At completion of training the AR must complete a new ASMP for Case Manager approval to document a plan for service utilization and allocation management.
 - ii. Failure to complete AR training within designated timelines requires case management action. The Case Manager will issue a Notice of Action (803) to the client stating CDASS participation is being terminated. Case Manager will follow termination steps outlined in step 6.
 - b. Mail client a Notice of Action (803) for requirement to change or appoint an AR.
 - c. Mail client a copy of the spending modification plan in a letter sent to the client and AR within five business days of the discussion.

- d. Document all activities in the BUS log notes.
4. Fourth episode of over expenditure without reserves or prior-authorization:
 - a. The Case Manager shall contact the client/AR within five business days of receipt of the MMES to:
 1. Request information from the client/AR on what caused the over expenditure and remind client/AR to outreach Case Manager for prior-authorization in the future. Determine if the client experienced a change in condition resulting in the need for additional services. Discuss with the client/AR whether the current task worksheet is accurate based on change in condition. Evaluate whether additional care needs will continue and can be met through natural supports, CDASS, another state plan or waiver benefit; or a combination thereof.
 2. Discuss the over expenditure and develop a plan to reduce expenditures for a period of time within the certification period to support the client to stay within their annual allocation.
 3. Inform the client and AR that mandatory retraining of the AR is required utilizing the Department contracted training and operations vendor.
 - i. The AR shall be scheduled for training with the Department contracted training and operations vendor within 15 calendar days. The AR training shall be completed within 45 calendar days from the date of the referral to the training and operations vendor.
 - ii. Require allocation management training with the Department contracted training and operations vendor for the newly assigned AR. The AR must complete a new ASMP to document plan for service utilization and allocation management
 - iii. Failure to complete AR training within designated timelines requires case management action. The Case Manager will issue a Notice of Action (803) to the client stating CDASS

participation is being terminated. Case Manager will follow termination steps outlined in step 6.

- b. Mail client a Notice of Action (803) for requirement to change or appoint an AR.
 - c. Mail client a copy of the spending modification plan in a letter sent to the client and AR within five business days of the discussion.
 - d. Document all activities in the BUS log notes.
5. Fifth episode of over expenditure without reserves or prior-authorization:
- a. The Case Manager shall contact the client /AR within five business days of receipt of the MMES to:
 - 1. Inform the client and AR that the client will be terminated from the CDASS service delivery option in accordance with 8.510.12 within 30 calendar days.
 - b. Case Manager will mail Notice of Action (803) to client for CDASS termination. Client is not eligible for re-enrollment in the service delivery option.
 - c. The Case Manager will work collaboratively with the client and their support system to secure agency-based waiver and/or state plan services. If the Case Manager determines that the client cannot be safely served given the type or amount of services available, the Case Manager shall comply with all provisions of 8.393.25. A.2. The Case Manager shall provide the client with a Notice of Action, in accordance with 8.510.13.A.2
 - d. The Case Manager shall notify the FMS organization of the date on which the client is being terminated from CDASS.
 - e. The Case Manager shall document all activities in the BUS log notes and close the clients service authorization in the FMS portal.

V. PROTOCOL FOR UNDER EXPENDITURE

If the MMES indicates that expenditures are 30% below the client's average monthly allocation determined by dividing the total allocation by the number of months in the CDASS period, the Case Manager will contact the client/AR to review service utilization reasons such as; health and safety supports are being met, experienced a change in condition or support needs, or hospitalization. Case Manager shall offer support through the Departments contracted training and operations vendor for hiring and/or budgeting assistance, if needed, and document all activities in the BUS log notes. Underutilization

should not determine a decrease to a CDASS allocation for current certification period or future certification period.

