

**Family Caregiver Overview**  
**Colorado Department of Human Services**  
**Division for Developmental Disabilities**

**November 1, 2010**

**Background Information**

The Family Caregiver Act, Senate Bill 08-002, creates more options for services and supports for persons with developmental disabilities. This Act provides the opportunity for services to be delivered in the family home and/or for family members to be paid to deliver specified services wherever the person in service lives. Until 2008, the Colorado developmental disability system (DD system) did not allow certain services to be delivered in the family home or for family members to be paid to provide most services. In July 2009, the State was given approval by the federal centers for Medicare and Medicaid Services (CMS) to implement the expansion of services being provided by family members to the structure of the Medicaid HCBS (Home and Community Based Services) waivers. These services will also now be available in non-Medicaid funded services for adults with Developmental Disabilities.

The creation of this new model has multiple benefits to individuals and the service delivery system. The model was created to increase flexibility and choice and to allow the individual receiving services to remain in the family home when desired. Additionally, the model increases opportunities for Program Approved Services Agencies to meet the needs of individuals who live in rural areas, have unique service delivery needs, or who have specific faith or cultural preferences. While a family caregiver model may not be appropriate for or selected by everyone, it is believed that for a number of individuals, it will have a positive and effective outcome in meeting individual preferences and needs.

The Colorado Department of Human Services (CDHS) and the Division for Developmental Disabilities (DDD) embraces the Family Caregiver model in service delivery as a mutually beneficial approach that supports the values and guiding principles that direct services within the State of Colorado. National trends indicate strong and increasing use of families as paid service and support providers, and DDD looks forward to the addition of this choice for individuals in service in the array of options available within Colorado's developmental disabilities service system.

**Choice**

Individuals with developmental disabilities who are receiving services now have more choices available to them. Individuals may choose to live and receive services in the family home, or may elect to live outside of the family home and receive services. Additionally, individuals may choose to receive services by a family member but if this is not desired, may receive services by staff or providers of the agency. Specifically, an individual or guardian may choose among the following:

- Services in the family home, provided by a family caregiver as an employee of a Program Approved Service Agency (PASA).
- Services in the family home, provided by an unrelated staff or provider
- Services outside of the family home (e.g., individual's home, agency owned home, group home) provided by a family caregiver

- Services outside of the family home (e.g., individual’s home, agency owned home, group home, host home) provided by an unrelated staff or provider.

### **Eligibility**

Individuals who choose to have services delivered by a family caregiver must be enrolled in one of the following:

- The state general fund Supported Living Services (State-SLS) or Home and Community Based Services-Supported Living Services (HCBS-SLS)
- HCBS-Children’s Extensive Support (HCBS-CES)
- HCBS-for persons with Developmental Disabilities (HCBS-DD), formally known as the “Comprehensive” waiver
- OBRA Comprehensive services-for persons with developmental disabilities who have moved out of a Nursing Facility.

Family Caregivers must currently be employed by a Program Approved Service Agency (PASA) in order to receive payment for the delivery of services to an individual.

### **Process**

In the DD system, there are many different processes involved in assessing, identifying, delivering, and monitoring services to each individual centered around the individual’s choices and input of the Interdisciplinary Team. These processes remain the same whether an individual chooses the family caregiver model or not. Along with the family and the individual, there are several agencies and agency staff (e.g., DDD, the case management agency and the Program Approved Service Agency) that are usually involved in meeting federal and state assurances. Each of these agencies have specific roles and responsibilities that ensure federal and state requirements are met, that individuals rights are upheld, that health and safety is maintained, and that the services delivered are of the highest quality.

Rules and regulations from various governmental agencies and policies and procedures of local agencies are applied uniformly to all service options for individuals in the DD system, including the family caregiver option. An individual’s choice is at the center of decisions for service provision, however as in all service delivery options, choices and decisions are not unlimited and there may be some agency policy and procedure that narrows choices. There may be some limitations to the ability to implement a family caregiver model in all or in part for some individuals due to these regulations or local agency policies and procedures. The individual’s choices and/or preferences for services delivered by a family caregiver may need to be modified or adjusted in order to maintain the agency’s accountability. Examples of some of these regulations include but are not limited to standards for the conditions of the home environment, the type of service that may be delivered, employment policies of the agency, training requirements for all employees, requirements for providing safety and protection from abuse and neglect, review of rights suspensions by the Human Rights Committee, agency’s documentation requirements, etc.

**Additional/Contact Information:**

DDD believes that this model of service delivery will create positive outcomes for many individuals receiving services. An initial guide for the Developmental Disabilities system is available and attached to this overview and should be referenced for more detailed guidance. This guide will be periodically updated over the next year to include more information for individuals, families and providers interested in accessing this option. For additional information about the Family Caregiver service delivery model, contact Laurie Jensen, at the Division for Developmental Disabilities, (303) 866-7460 or email at [laurie.jensen@state.co.us](mailto:laurie.jensen@state.co.us).