



Facility Schools Model Work Group Meeting Notes
January 18, 2024, 9:00 - 12:00 PM Virtual - Zoom Meeting

Work Group Members Present: Kari Chapman, Michele Craig, Wendy Dunaway, Mylynda Herrick, Sandy Malouff, David Molineux, Betsy Pepper, Steven Ramirez, Deon Roberts, Robin Singer, Ann Symalla, Lindsey Tapp, Barb Taylor, Callan Ware, Cate White, Laura Writebol

Work Group Members Absent: Sarah Baumgartner, Laurie Burney, Danny Combs, Sonjia Hunt, Erin Osterhaus, Judy Stirman, Kevin Tracy, Maureen Welch

Guest Observers: Lori Kochevar, Shannon Huska (HCPF), Olga Gintchin (HCPF), Annie Haskins

Facilitator & Support: Virginia (G) Winter, Equinox Consultancy LLC, Darren Serrato

Analysis Team: Nick Stellitano – Dillinger Research & Applied Data

Public Comment: no public comment

1. Medicaid Reimbursement, Continuous Learning

- Guests from HCPF provided responses to the comments and questions from the work group regarding Medicaid funding for facility schools
- A draft resource document will be brought back to the work group for feedback in February or March

2. SB23-219 implementation updates

- Work group members review their work plan and received updates on a dashboard of progress specific to the elements in SB 23-219
- Aug - Nov 2023 data regarding total number of students served each month by facility schools was provided

3. Preview process to authorize Specialized Day Schools

- Work group members reviewed and discussed a draft of the authorization process; member suggestions were recorded for the next draft

4. Statutory elements specific to third party evaluation

- Work group members made a decision by consensus to request an extension to the deadline for the evaluation report from September 1, 2025 to September 1, 2026

5. Deeper analysis: trends from the annual facility schools report

- Work Group members reviewed selected survey data, discussed the diversity of responses regarding waitlists and indicated an interest in research that may be done via the shared operational services grantee.

6. Update on tuition cost rate system

- The work group was provided with an overview of the proposed system for calculating tuition cost rates
- Work group members on the tuition stakeholder group as well as school district representatives expressed appreciation for this innovative new approach and hope it receives State Board approval.

Next Steps - Reminder of upcoming Work Group meetings:

- Next meeting dates: Thursday, February 1
 - Friday, March 1
 - Friday, April 5
 - Thursday, May 2
 - Thursday, June 6

SB 23-219 Facility Schools Work Group



January 18, 2024

Virtual Meeting



Greetings Facility Schools Work Group Members and Guest Observers

A few notes prior to the meeting starting:

- **Work Group Members please have your camera on and relevant documents available at the beginning of the meeting.**
- **If you are a guest observer to our meeting and would like to participate in the public comment portion of the meeting, please submit your name, group or entity you are representing, and public comment topic in an email to: *Darren Serrato Serrato_D@cde.state.co.us***
- ***Note: we request that this is done 24 hours before scheduled meeting times.***
- **The Work Group has allocated time for public comment near the beginning of each meeting. Reference the Agenda, the exact time varies slightly.**
- **The guidelines for the public comment include: 3 minutes per person, with a maximum of 5 people (or 15 minutes total) allowed.**
- **If you are a guest/observer you will be asked to state your name and affiliation at the beginning of the Work Group meeting**

Facility Schools Work Group Guidelines for Interaction, Deliberation and Collaboration

Amended and recertified using consensus decision making - August 24, 2023

- Be open minded; Avoid bringing any hidden agendas to the table.
- Not afraid to express your opinion.
- Listen to understand, not respond.
- Don't be afraid of change. Expect changes.
- Stay mission-focused; being transparent in why we're here.
- Tap into the variety of perspectives and expertise while being respectful of different points of view
- Full understanding of purpose.
- Challenge ourselves to be innovative.
- Consistent attendance, participation, and engagement.
- Focus and stay on track with the agenda and tasks at hand.
- Create a safe environment to discuss disagreements.
- What is the common denominator we go away with? (i.e. Can we agree on a global fix?)
- Allow all voices to be heard
- Focus on the kids. Keep it kid-focused. Kids and family-focused.
- Patience with opposing viewpoints and creative thinking.
- Come to the meeting prepared; adhere to timelines.
- Allow folks that are speaking to finish their comments without interruption.
- Assume positive intention.
- Respect voices for representing constituencies. (Appreciate that members may serve as liaisons to a constituency).
- Good access to materials. Maintain the Google drive with the background information which will help us and aid transparency.
- Critique ideas, not people.

Purpose & Today's Agenda Items

The Facility Schools Work Group shall monitor the implementation of changes to the facility school system and educational services for students with exceptionally severe or specialized needs. The Facility Schools Work Group's role is to advise the State.

- 1) Engage in continued learning re: Medicaid reimbursement - John, Michele, Shannon, Olga (30+ minutes)
- 1) Receive SB 23-219 Implementation updates.
- 1) Preview process to Authorize Specialized Day Schools - provide comment on draft.

Mid-Meeting Break

- 1) Reflect on the 'Statutory Elements Specific to Third Party Evaluation'. Timeline and evaluative measures.
- 1) In Depth Analysis: discuss trends that surfaced from the FS annual reporting regarding Wait-lists
- 1) Opportunity to preview the stakeholder group's Tuition cost recommendations/schedule

Medicaid Reimbursement Funds - Implementation of SB23-219

SB23-219 requires the department of Health Care Policy and Financing (HCPF) and the work group to engage in learning dialogues and HCPF to recommend a plan to provide guidance to approved facility schools on the eligibility standards required to request and receive medicaid reimbursement funding for therapeutic services to reduce reliance on school district revenue for therapeutic services.

Listening and learning - the answers to some questions that have come up since the Bill was passed, and learning more in general about School-based Health Services and opportunities for funding to be directed to approved facility schools?

Monitoring & Implementation - 2024 Work Plan Elements

2024 Priorities, Deliberations & Decisions:

1. Implement legislation with fidelity
2. Measure impact of legislation/change
3. Waitlists / priority lists & their place in facility school operations
4. The role of multi-site facility schools
5. SY24-25 baseline funding updates

Current Actions

Priority	Action	Owner	Timeline
1	Discuss & Review process to Authorize Specialized Day Schools	Workgroup	Jan Meeting
2	Month/Annual Data Collection	Dillinger RAD	On Going
3	Discuss Survey Results	Work Group	Jan Meeting

Future/Planned Actions

Priority	Action	Owner	Timeline
2	Draft RFP for 3rd Party Impact Analysis	Work Group	TBD
4	Discuss & Review advantages & disadvantages to Multi Sites	Work Group	TBD
5	Analyze SY2223 Annual Reports	Dillinger RAD	Feb
5	Recommend Changes to Baseline Funding Model	Work Group	March Meeting

Monitoring & Implementation Dashboard

Data Collection

Action	Status
Collecting all Baseline Data from Facility Schools	In Progress
Analysis of Monthly Data	In Progress

Baseline Funding Model

Action	Status
School Finance Rules Update	Hearing in February

Shared Operational Services

Action	Status
Funds awarded to CAFCA	In process
Baseline Assessment	In process

Technical Assistance Center

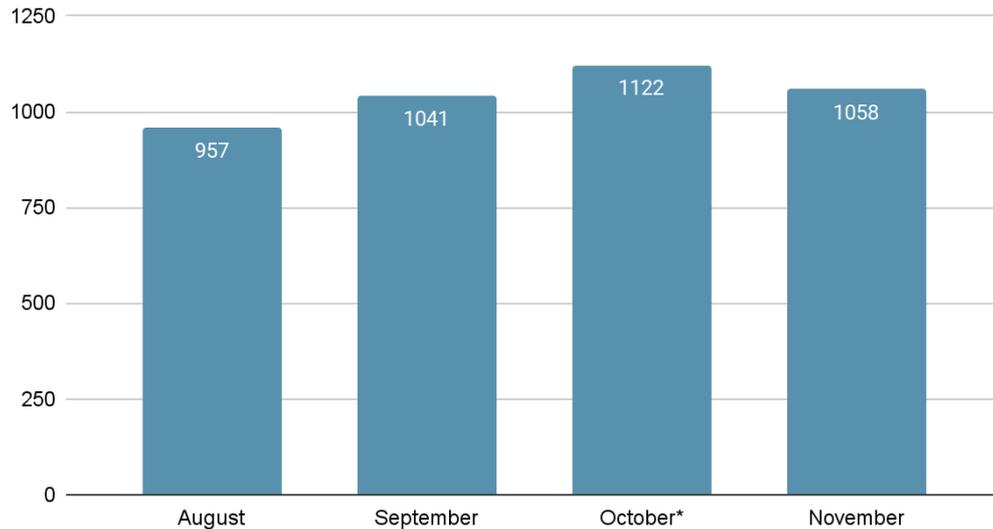
Action	Status
Coordinator Job Posting	Working through HR process

Revision & Support of Licensing/Authorization

Action	Status
Draft Interagency Resource Guide	Draft is being reviewed by stakeholders
Draft Specialized Day School Process	Draft is being reviewed by stakeholders

Data Review for SY 23-24 - a snapshot

of Unique Students Served per Month



Open Seats & Waitlists

20 Facility Schools indicated they have an average of at least 1 open seat; **22** indicated they have on average at least 1 youth on a waitlist; **12** indicated they have both.

Outstanding Questions

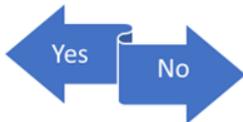
1. What are main drivers around empty seats and waitlists?
2. Is the number of unique students served increased?
3. Are the number of total students served for the entire SY increasing?

* October includes Southgate Hospital (an additional 97 youth)

Specialized Day School's Authorization

Will your entity/school offer a treatment component?

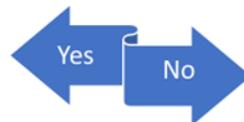
Seek day treatment license thru CDHS



Seek authorization thru CDE

Will all education staff be licensed by CDE?

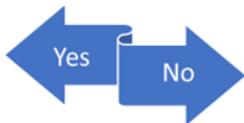
Seek authorization thru CDE



Not eligible to be a specialized day school or approved facility school without CDE licensed staff

Will you accept children/youth placed by CDHS/Child Welfare?

Seek day treatment license thru CDHS



Seek authorization thru CDE

Please reference the pre-read sent in advance with today's Agenda...

Process for Becoming Authorized as a Specialized Day School

Provider Resource Guide

DRAFT – December 2023

- Local municipality zoning
- Local fire, health, safety inspections
- Colorado Department of Education (CDE) licensed staff
- Background checks and registries
- Incident tracking policy/procedures

Submit a letter of intent to the Office of Facility Schools – [Letter of Intent Form](#)

All required components noted must be obtained prior to submitting an application for authorization to the department.

Preview process to Authorize Specialized Day Schools - provide comment on DRAFT

Incident reporting and tracking:

- Varying expectations and practices
- Consider what private and charter schools do
- Potential Solution - set parameters for what is reported and tracked - then outline in each contract between school districts and approved facility schools based on specific situations

Training of all education staff:

- Consistent orientation for new staff
 - Include mandatory reporting training
- Consider partnering with county DHS (#4) for some training
- Does training need to be vetted?

Other questions:

- Can general ed students be placed in SDS?
- Can a SDS be located on a campus with a day treatment and/or residential treatment facility?
- Will students be transported? Safety standards/policies for transportation?

Once a Specialized Day School is authorized by CDE-Office of Facility Schools, they must begin the application process to become an approved facility school. An entity must begin that approval process within 30 days of authorization. An authorized SDS may not remain in operation without approved facility school status.

Time for a short break!



Reflect on the 'Statutory Elements Specific to Third Party Evaluation'

SB 23-219 External Evaluation Requirement

Third-Party Evaluation- Ahead of SY2024-25, an RFP will be written by the Office of Facility Schools, applications will be reviewed and an evaluator will be selected.

Data will need to be collected, starting no later than July 1, 2024

Evaluation Report due to JBC September 1, 2025 and must be included in the October 1 annual JBC report.

Third Party Evaluation - items in SB 23 - 219

SB23-219 states - Evaluate and report the following:

1. Whether the number of approved facility school placements for students with exceptionally severe or specialized needs has stabilized or increased
2. Whether the reliance on homebound and out-of-state placements has decreased
3. Whether administrative units that are unable to access approved facility school placements due to geographic or other constraints receive sufficient support from the Technical Assistance Center, to provide effective services to students with exceptionally severe or specialized needs
4. Whether parents, guardians, advocates, county departments of human services, and other interested parties assess that the work group's implementation plan has had a positive impact on services for students with exceptionally severe or specialized needs
5. Any other measures of success the office, work group, and third-party evaluator determine necessary

Third Party Evaluation - Pause for Deliberation - Action Item for Today



Would you support a recommendation within, or before, this year's Annual Report to the JBC that asks for the REQUIRED third party evaluation to be pushed forward by one year (vs. the Evaluation Report being due to the JBC Sept. 1, 2025, thereby allowing for two school years of data/measures to be reportable).



Refresher on Group Consensus Decision Making

A decision using the consensus method is a decision in which all group members have found common ground. It is a decision all members agree to support. Groups that make best use of this method of DECISION-MAKING know ahead of time, and accept that it requires open expression of concerns, surfacing areas of disagreement and *integrative thinking and conversation*. Groups that choose this generative method decision-making and succeed establish a climate that promotes and sanctions these behaviors.

- (1) The chair, facilitator or member indicates that a 'proposal' (a certain matter) is before the group for a decision. The proposal is clearly stated.
- (2) Questions for *clarification* are called for. If there are any, they are responded to. Responses to clarify a 'proposal' are primarily the responsibility of the person offering up the 'proposal' but they can be clarified by anyone. If clarification is not needed move on to step (3).
- (3) Next, *concerns* are called for. (Sample script: "Are there any unresolved concerns about accepting the 'proposal' as stated/written?"). If there are - they are responded to and integrated into a revised proposal. If no concerns arise, move on.
- (4) Closure/Decision. The facilitator, member or chairperson states something like " there being no (further) unresolved concerns, then, (for our records), the proposal has approval of the Work Group and a decision has been made."

Work Group Decision Time

Consensus Decision Making Steps in Brief

1. Decision is needed.
Recommendation stated
1. Clarifying questions
1. Unresolved concerns (Y/N)
1. (Re)state consensus decision & record



The Work Group recommends that the JBC extend the deadline for the REQUIRED third party evaluation from Sept. 1, 2025 to Sept. 1 2026*.

(*thereby allowing for two school years of data/measurements to be accessible & reportable).

In Depth Analysis: discuss data and trends from annual reporting regarding wait-lists

Purpose of the Survey: To collect feedback and input on whether “... the System is additionally optimized with waitlists or without? Will we have less kids on waitlists over time because we have increased capacity in a school or multiple schools?”. Specific questions included:

1. If your facility school utilizes waitlists, how do you track and manage your waitlists? Is the waitlist primarily day treatment or residential youth?
2. Would waitlists benefit from coordination across or with other facility schools? Would you want support in managing your waitlist?
3. Do you track referrals and their disposition? If so how?
4. Has the increase in baseline funding met the needs of your facility school, if not, what gaps have you experienced?

Participation: 10 out of 32 Facility Schools

Discussion: ([Survey Results](#)):

1. Given the responses, should the workgroup continue to pursue and discuss waitlists?
2. If so, what do you envision achieving?

Tuition Cost Stakeholder Group - Update

The model includes 5 tiers, each with a set base tuition amount. At each level, approved facility schools would be able to contract for “add-on” costs for individual student needs per their IEP. An operational cost amount may also be included in each contract as a percentage of the base tuition amount.

Brief Descriptions for each tier:

Tier 1 - not yet defined, but included in the model for expansion of the continuum as needed - would likely serve students with a single disability or medical challenge, with no mental health issues

Tier 2 - serve students who primarily have serious emotional disabilities and behavioral/mental health issues

Tier 3 - serve students who have a combination of disabilities, including but not limited to, being on the autism spectrum, having an intellectual disability as well as a serious emotional disability, behavioral or mental health challenges

Tier 4 - serve students who have a combination of many challenges including developmental disabilities, intellectual disability, communication disorders, autism, and significant behavioral/mental health challenges

Tier 5 - not yet defined, but included in the model for expansion of the continuum as needed

Tuition Cost Stakeholder Group - Update

A sample contract with all costs outlined in a table will be provided as a resource.

	Tier 2	Tier 3	Tier 4
Base Tuition Rate			
Add-ons			
Operational Cost			
Day Treatment Cost			
TOTAL			

The sample contract provides information about additional services a facility school may charge for, or that a school district may provide.



Service - Facility Schools	Base Tuition	Add-ons
Speech-Language Therapy		
Occupational Therapy		
BCBA		
Additional Adult Support		
Other		

Service - School Districts	
Speech-Language Therapy	
Occupational Therapy	
Interpreter	
Transportation	
Other	

Wrap Up and Closing

Next Meeting date and time
February 1, 2024
9 - 12 Noon



Photo images of teachers and teen age students

Maximizing Medicaid Services in Facility Schools

Presented by: Olga Gintchin, Shannon Huska, John Laukkanen & Michele Craig
Department of Health Care Policy & Financing

January 18, 2024

Medicaid Services- Overview



Questions Submitted by Workgroup

1. Is there a connection with HB22-1260 where EPSDT service providers come into school districts to provide services?

Response:

The School Health Services (SHS) Program is the means of Medicaid reimbursement for health services provided in schools. Medically necessary services should be listed in a plan of care, for example an Individual Educational Program (IEP) or Healthcare plan. Individual service providers must be employed by or contracted with the school district and included in a time study. The reimbursement goes back to the school district.

Questions Submitted by Workgroup

2. What is the burden on small sites to maintain eligibility and reimbursements?

- **Response:** Would like further discussion to understand this questions

3. Can translation services be covered by Medicaid?

- **Response:** Health First Colorado currently covers translation services through the behavioral health rates, the FQHC cost reports, and as part of the overhead component of some of the fee-for-service rates. There is no open CPT code on the Health First Colorado fee schedule that reimburses for translation services. The Department looked into adding a CPT code to the fee schedule for translation services but the budget impact was too large.

Translation services are reimbursed through the SHS Program through administrative claiming.

Questions Submitted by Workgroup

4. Do facility schools obtain “consent for treatment” of minors as part of eligibility?

- **Response:** For school districts utilizing the services of a facility school for its students, the consent for treatment should be part of the IEP process.

5. Are transportation costs for transition aged students (18-21) a billable service?

- **Response:** Transportation reimbursement for students under the age of 21 is available for school districts who wish to participate.

Questions Submitted by Workgroup

6. Are services provided at home and at school considered duplication?

- **Response:** Students receive health services at school to receive a Free and Appropriate Public Education (FAPE). Health services received at school do not interfere with benefits in the community.

Home and Community Based Services (HCBS) waivers: HCBS cannot supplant services that are required to be provided under IDEA and can be used to supplement services provided under IDEA.

Questions Submitted by Workgroup

7. Can Facility schools join in partnership with the SHS program -the only listed partnerships are with school Districts?

- **Response:** Public schools and Boards of Cooperative Educational Services (BOCES) are eligible to participate in the SHS program. Facility schools may work with school districts/BOCES to provide health services to students. Individual service providers from the facility schools may be contracted with the school district to provide services to their students for reimbursement to go to the school district.

Questions Submitted by Workgroup

8. If Facility schools mostly provide special education services, how do they use the reimbursed funds to support “ALL” students?

- **Response:** Facility schools are not eligible to be reimbursed directly through the SHS program. Reimbursement for health services through the SHS program goes back to the participating school district/BOCES.

Questions Submitted by Workgroup

9. What if the provider comes from the school district to the facility school to provide services? How do we track that?

- **Response:** Billing is a requirement of services provided through the SHS program. Services can be tracked through the Medicaid Management Information System (MMIS) system or the school district's billing platform.

10. Can the Medicaid “permission form” follow the student to a Facility School or does the parent need to sign one for that placement?

- **Response:** The plan of care is the consent for treatment. Services received at the facility school should be included in the plan of care.

Barriers

- Maintaining eligibility
- Facility schools are not “School Districts”
- Getting parent permission for both the school district and the facility school when they transfer between the two

Possible Solutions

- Find a way for the funding to follow the youth and flow directly to facility schools rather than through the school district
- Allow the Medicaid permission form to follow the student to the facility school (they are still technically a student of their home district)

Next Steps

What is the outcome the group is looking for?

- Resource list?
- FAQ?
- Other?

- Existing fact/informational sheets
 - School Health Services [website](#)

Current Barriers?

- Somethings we have heard:
 - Consent for treatment of minors
 - Knowing Medicaid eligibility
 - Confusion on what services are the responsibility of the school and what can be covered by Medicaid
 - Availability of qualified personnel (e.g. therapists, other specialized clinicians)
 - Understanding the role of Regional Accountable Entities



Questions?



Contact Info

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Thank you!