



What Providers Need to Know about HB 18-1407: Questions & Answers

****** These answers are based on our current understanding of the law and may be subject to change depending on interpretation by the Colorado Department of Health Care Policy and Financing. ******

Question 1: If you don't have a set hourly rate that you pay a DSP and hire someone after June 30th, how will you show that you used the funds to increase compensation?

Answer: We will be working with HCPF to clarify the answer to this question. We believe it is likely that agencies will not be able to use the funds to create entirely new positions, but that they will be able to show what they previously paid a person in a DSP position that is vacant or in an established personnel "class" by the employer, and compare that to an increased rate of compensation once a person is hired.

Question 2: For payroll taxes, can the funding only be used to cover the employer's portion?

Answer: Yes, that is our understanding at this time.

Question 3: Can agencies use the funds to pay for workers' comp premiums?

Answer: Yes, we believe that workers' compensation is included in the definition of "compensation" provided in the law.

Question 4: Can bonuses include professional development opportunities for DSPs?

Answer: We will be working with HCPF to clarify the answer to this question. We believe that, if the bonus for professional development is W-2 reportable compensation, it should be included as "compensation" as defined in the law.

Question 5: What happens to the 6.5% increase after 2021?

Answer: The 6.5% increase will not expire. Once a rate increase is in place, that becomes the new reimbursement rate for the service until and unless the General Assembly decides through its annual budget process to increase or decrease a reimbursement rate.

Question 6: Will increases related to the minimum wage hike on 1/1/19 count toward DSP increases as required by this law?

Answer: Yes, any increase to DSP compensation given after 6/30/18 counts toward the increases required by this law. *Caveat:* we do not yet know if HCPF will set parameters about how much the compensation increase must be for a given type of DSP.