

Understanding Q RTPs and IMDs



The Family First Prevention Services Act (Family First) is the most significant change to child welfare in decades. For the first time, federal funding can be accessed for prevention services that keep kids safe, growing up with their families. If staying home safely is not possible, Family First encourages care in a family-like setting or, if necessary for a short time period, care in a congregate setting designed to meet specialized treatment needs.



Qualified Residential Treatment Program

Children and youth who can't grow up safely at home should grow up in the least restrictive setting. Sometimes, these young people need more than foster care. They need more intensive services and treatment at a facility for a limited time to achieve stability before transitioning to a family-like setting or returning home.

Family First creates a new facility license type called a Qualified Residential Treatment Program (QRTP). A QRTP:

- Is licensed and nationally accredited;
- Has a trauma-informed treatment model;
- Has registered or licensed nursing staff and other licensed clinical staff available 24/7;
- Facilitates family outreach and participation in the child or youth's treatment program; and
- Provides discharge planning and family-based aftercare supports for at least six months post-discharge.

Placement in a QRTP must be **necessary, temporary and treatment focused**. Family First requires the use of an Independent Assessment to determine whether this level of care is appropriate. Any child or youth staying in a QRTP longer than 12 months (or six months if younger than age 13) requires review and signed approval by the Executive Director of the Colorado Department of Human Services (CDHS).

In Colorado, current Residential Child Care Facilities (RCCFs) can apply to become QRTPs.



Institutions for Mental Diseases

In 1965, the federal Helping Families in Mental Health Crisis Act changed the way mental health services are funded and delivered so individuals with mental illnesses would no longer languish in large institutions. The law prohibited Medicaid from reimbursing services provided to members while they are in Institutions for Mental Diseases (IMD), defined as a “hospital, nursing facility, or other institution of more than 16 beds, that is primarily engaged in providing diagnosis, treatment, or care of persons with mental diseases including medical attention, nursing care, and related services.” This prohibition includes services provided outside of an IMD as well (i.e. medical, dental, pharmacy, etc.).

The creation of QRTPs through Family First put a spotlight on this long-standing federal law. With a QRTP’s primary focus on treatment, the Colorado Department of Health Care Policy and Financing (HCPF), which administers Medicaid, has established a policy to only reimburse QRTPs with 16 beds or less in order to remove the risk of IMD designation.

How QRTP & IMD Rules Work Together

HCPF has created new rules to address QRTPs and avoid the IMD designation, allowing Medicaid reimbursement for many current programs. Any overnight facility that is greater than one mile from another overnight facility controlled by the same owner and/or governing body will be deemed an independent facility if the following criteria are met:

- The facility maintains its own license;
- The facility has dedicated staff that ensures a stable milieu; and
- Residents do not move between facilities during their care.

For multiple overnight facilities closer than one mile controlled by the same owner and/or governing body:

- All beds at a single address or on adjoining properties regardless of program or facility type will be considered one institution. The total bed count must be 16 or less to be reimbursed by Medicaid.
- Facilities in home-like structures (ex. a cottage, house, apartment) not on a single campus or adjoining properties and located farther than 750 feet apart within a community setting that includes publicly used infrastructure (roads, parks, shared spaces, etc.) can be reimbursed by Medicaid as long as there are 16 or fewer beds at each facility.

CDHS Timeline

FALL AND WINTER 2019

QRTP rules drafted.

SPRING 2020

QRTP Memo published outlining the rules. QRTP application process opens.

JUNE 2021

Final QRTP rules (7.705) go to the State Board of Human Services.

OCTOBER 1, 2021

QRTP applications will be reviewed, revised and approved on an ongoing basis, with the goal to have as many QRTPs in operation as possible.

HCPF Timeline

SEPTEMBER 2021

HCPF allows enrollment in Medicaid for facilities that have met the QRTP certification requirements.

JUNE 30, 2022

For facilities that need more time to transition, HCPF will continue to reimburse under existing policy.

JULY 1, 2022

Only QRTPs with 16 beds or less will be reimbursed. Facilities on the same campus, as well as facilities that provide services reimbursed through HCPF waivers, must also meet new HCPF policy guidelines by this date.

IMPACT ON OTHER LICENSE TYPES

Oftentimes, providers in Colorado have multiple programs with different certifications. Requirements for QRTPs may not automatically impact requirements for other programs or certifications. Please contact your licensing specialist at the Colorado Department of Human Services if you have questions.