

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2 **Health Facilities Regulation Division**

3 **6 CCR 1011-1**

4 **STANDARDS FOR HOSPITALS AND HEALTH FACILITIES**

5 **CHAPTER XXVI - HOME CARE AGENCIES**

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7 5.4 License fees

8 (A) Unless otherwise specified in this chapter, all license fees paid to the department shall
9 be deemed non-refundable.

10 (B) The appropriate fee total shall accompany an agency's initial or renewal license
11 application. The fee total shall include any applicable branch and workstation fees as
12 set forth in this section, **except that the total fee amount shall not exceed \$1,500 for a**
13 **certified agency or \$8,000 for a non-certified agency.**

14 5.4.1 Initial licensure

15 ~~(A) Any HCA in operation prior to June 1, 2009, shall apply for an initial license consistent~~
16 ~~with the time frames set forth at Section 25-17.5-103(1), C.R.S.~~

17 ~~(1) The initial license fee for an HCA identified in 5.4.1(A) shall be based upon the~~
18 ~~following chart. Reported wages shall be determined by utilizing all wages paid~~
19 ~~to direct home care staff on an annual basis and verified by the most recent~~
20 ~~workers' compensation insurance audit.~~

21 ~~(a) Any agency unable to submit a recent workers' compensation~~
22 ~~insurance audit, shall submit an alternative form of wage verification as~~
23 ~~approved by the department.~~

Reported wages	Certified agency	Non-certified agency
Up to \$150,000	\$525	\$525
Greater than \$150,000	\$525 plus .10% of reported wages, not to exceed \$1,500	\$525 plus .15% of reported wages, not to exceed \$8,000

24 ~~(B) An HCA in operation less than a year without a verifiable annual wage report shall pay~~
25 ~~an initial license fee based upon its license classification as set forth in section 5.1 of~~
26 ~~this chapter. The applicable fee shall be as follows:~~

Class	Certified agency	Non-certified agency
A	\$1,500	\$3,000
B	\$1,500	\$2,200

1 (A) EACH APPLICANT FOR A HOME CARE AGENCY LICENSE SHALL SPECIFY THE TYPE AND EXTENT
2 OF SERVICES TO BE PROVIDED AND REQUEST THE APPROPRIATE LICENSE CATEGORY BASED
3 UPON THE CRITERIA SET FORTH IN SECTION 5.1 OF THIS CHAPTER. THE INITIAL LICENSE FEE
4 SHALL BE:

5 CLASS A - \$3,000

6 CLASS B - \$2,200

7 (B) ANY CURRENTLY LICENSED CLASS B AGENCY THAT DESIRES TO CHANGE ITS LICENSE
8 CATEGORY TO A CLASS A AGENCY SHALL SUBMIT AN INITIAL LICENSE APPLICATION AND INITIAL
9 LICENSE FEE FOR A CLASS A LICENSE.

10 5.4.2 Provisional licensure

11 (A) Any agency approved by the department for a provisional license, shall submit a fee
12 equal to 15 percent of the applicable initial license fee for each provisional license term.

13 (B) The appropriate fee shall be submitted before issuance of the provisional license.

14 (C) If the department finds reasonable compliance by an applicant holding a provisional
15 license, it shall issue an initial license upon receipt of the license application and total
16 fee specified in sections 5.4 and 5.4.1 of this Chapter.

17 5.4.3 Renewal licensure

18 (A) LICENSES WITH A RENEWAL DATE PRIOR TO MARCH 1, 2012.

19 The renewal license fee shall be based upon the following chart. Reported wages shall
20 be determined by utilizing all wages paid to direct home care staff on an annual basis
21 and verified by the most recent workers' compensation insurance audit or Medicare
22 cost report.

23 (1) Any agency unable to submit a recent workers' compensation insurance audit
24 shall submit an alternative form of wage verification as approved by the
25 department.

Reported wages	Certified agency	Non-certified agency
Up to \$150,000	\$525	\$525
Greater than \$150,000	\$525 plus .10% of reported wages, not to exceed \$1,500	\$525 plus .15% of reported wages, not to exceed \$8,000

26 (B) LICENSES WITH A RENEWAL DATE EFFECTIVE ON OR AFTER MARCH 1, 2012.

27 THE ANNUAL RENEWAL LICENSE FEE SHALL BE BASED UPON THE APPROPRIATE LICENSE
28 CATEGORY AS SET FORTH IN SECTION 5.1 OF THIS CHAPTER. THE RENEWAL LICENSE FEE
29 SHALL BE:

30 CLASS A - \$1,550

31 CLASS B - \$1,325

32 5.4.4 Performance incentive

- 1 (A) An HCA may be eligible for a performance incentive if the department's onsite
2 relicensure inspection demonstrates the HCA has no deficiencies that have negatively
3 affected, or have the potential to negatively affect, its consumers.
- 4 (1) A negative effect is one that constitutes more than a minor inconvenience to a
5 consumer.
- 6 (B) The incentive payment shall be calculated at 10 percent of the agency's renewal license
7 fee and shall apply when:
- 8 (1) The inspection is completed with the full and timely cooperation of the agency,
9 (2) Inspection findings do not document harm or potential harm to consumers, and
10 (3) The plan of correction is submitted and accepted, and correction of the deficient
11 practice is verified by the department on or prior to the respective due dates.
- 12 (C) The incentive payment shall be paid to the licensee within 60 days following the
13 acceptance of the validation of correction of all cited deficiencies, or within 60 days of
14 the inspection exit date if no deficiencies were cited.

15 5.4.5 Branch and workstation fees

- 16 (A) In addition to any other licensure fees, the following fees shall apply to the
17 circumstances described. The fees shall be submitted with the license application or as
18 otherwise specified.
- 19 (1) An HCA shall submit a \$200 fee for each branch office as defined in section 3.2
20 of this chapter.
- 21 (a) For existing branches, the fee shall be submitted with the license
22 application.
- 23 (b) For new branches, the fee shall accompany the notice of the agency's
24 intent to open a branch office pursuant to section 6.2 of this chapter.
- 25 (2) An HCA ~~with reportable wages over \$525,000~~ that operates one or more
26 satellite work stations solely for the convenience of direct care staff shall pay a
27 fee of \$50 per workstation.

28 5.4.6 Revisit fee

- 29 (A) An agency's annual license fee may be increased as the result of a licensure inspection
30 or substantiated complaint investigation where a deficient practice is cited that has
31 either caused harm or has the potential to cause harm to a consumer and the agency
32 has failed to demonstrate appropriate correction of the cited deficiencies at the first on-
33 site revisit.
- 34 (B) The fee shall be ~~50~~ 100 percent of the agency's initial or renewal license fee and shall
35 be assessed for the second on-site inspection and each subsequent on-site inspection
36 pertaining to the same deficiency.

37 5.4.7 Change of ownership fee

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(A) Any agency meeting the criteria set forth in 6 CCR 1011-1, Chapter II, section 2.7.2 shall pay a change of ownership fee. The fee shall be determined according to the license classifications set forth in section 5.1 of this chapter and submitted with the change of ownership notice. The fee shall be:

Class A - \$3,000

Class B - \$2,200