



March 26, 2020

The Honorable Ed Perlmutter  
1226 Longworth House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Perlmutter,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

In September 2019, CMS issued guidance that QRTPs "may qualify as IMDs if they are primarily engaged in providing diagnosis, treatment, or care of persons with mental diseases including medical attention, nursing care, and related services, and have more than 16 beds." The guidance states that under existing policy, State Medicaid agencies must review each QRTP to make a determination of an IMD according to Medicaid statute and regulations.

As states prepare to implement FFPSA, there continues to be nationwide confusion regarding the issue of whether QRTPs qualify as IMDs, which would in effect, prohibit Medicaid payment for any services provided to foster children and youth in QRTP placements. Depending on how this issue is approached in Colorado, our state could face the loss of, at minimum, approximately \$20 million Medicaid dollars for medical and mental health treatment for foster care children and youth and potentially more when you include other populations who utilize this level of care and seek Medicaid reimbursement for clinical services. Consequently, concerns around the major implications this would have regarding care are paramount.

In order to ensure Colorado children and youth who may need QRTP services continue to receive the best available care, we urge you to support such a fix or related efforts with the Centers for Medicare and Medicaid Services (CMS) and the Administration for Children and Families (ACF) to come up with a resolution that meets the needs of the states regarding this issue. Thanks in advance for your consideration of this important issue and please contact CCI's Legislative Director, Gini Pingnot, at [gpingenot@ccionline.org](mailto:gpingenot@ccionline.org), with any questions.

Sincerely,

A handwritten signature in black ink that reads 'James Zwetzig'.

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Jason Crow  
1229 Longworth House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Crow,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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As states prepare to implement FFPSA, there continues to be nationwide confusion regarding the issue of whether QRTPs qualify as IMDs, which would in effect, prohibit Medicaid payment for any services provided to foster children and youth in QRTP placements. Depending on how this issue is approached in Colorado, our state could face the loss of, at minimum, approximately \$20 million Medicaid dollars for medical and mental health treatment for foster care children and youth and potentially more when you include other populations who utilize this level of care and seek Medicaid reimbursement for clinical services. Consequently, concerns around the major implications this would have regarding care are paramount.

In order to ensure Colorado children and youth who may need QRTP services continue to receive the best available care, we urge you to support such a fix or related efforts with the Centers for Medicare and Medicaid Services (CMS) and the Administration for Children and Families (ACF) to come up with a resolution that meets the needs of the states regarding this issue. Thanks in advance for your consideration of this important issue and please contact CCI's Legislative Director, Gini Pingnot, at [gpingenot@ccionline.org](mailto:gpingenot@ccionline.org), with any questions.

Sincerely,

A handwritten signature in black ink that reads 'James Zwetzig'.

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Joe Neguse  
1419 Longworth House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Neguse,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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As states prepare to implement FFPSA, there continues to be nationwide confusion regarding the issue of whether QRTPs qualify as IMDs, which would in effect, prohibit Medicaid payment for any services provided to foster children and youth in QRTP placements. Depending on how this issue is approached in Colorado, our state could face the loss of, at minimum, approximately \$20 million Medicaid dollars for medical and mental health treatment for foster care children and youth and potentially more when you include other populations who utilize this level of care and seek Medicaid reimbursement for clinical services. Consequently, concerns around the major implications this would have regarding care are paramount.

In order to ensure Colorado children and youth who may need QRTP services continue to receive the best available care, we urge you to support such a fix or related efforts with the Centers for Medicare and Medicaid Services (CMS) and the Administration for Children and Families (ACF) to come up with a resolution that meets the needs of the states regarding this issue. Thanks in advance for your consideration of this important issue and please contact CCI's Legislative Director, Gini Pingenot, at [gpingenot@ccionline.org](mailto:gpingenot@ccionline.org), with any questions.

Sincerely,

A handwritten signature in black ink that reads 'James Zwetzig'.

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Ken Buck  
2455 Rayburn House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Buck,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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As states prepare to implement FFPSA, there continues to be nationwide confusion regarding the issue of whether QRTPs qualify as IMDs, which would in effect, prohibit Medicaid payment for any services provided to foster children and youth in QRTP placements. Depending on how this issue is approached in Colorado, our state could face the loss of, at minimum, approximately \$20 million Medicaid dollars for medical and mental health treatment for foster care children and youth and potentially more when you include other populations who utilize this level of care and seek Medicaid reimbursement for clinical services. Consequently, concerns around the major implications this would have regarding care are paramount.

In order to ensure Colorado children and youth who may need QRTP services continue to receive the best available care, we urge you to support such a fix or related efforts with the Centers for Medicare and Medicaid Services (CMS) and the Administration for Children and Families (ACF) to come up with a resolution that meets the needs of the states regarding this issue. Thanks in advance for your consideration of this important issue and please contact CCI's Legislative Director, Gini Pingenot, at [gpingenot@ccionline.org](mailto:gpingenot@ccionline.org), with any questions.

Sincerely,

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Dianna DeGette  
2111 Rayburn House Office Building  
Washington, D.C. 20515-4329

Re: QRTP Exemption of IMD Designation

Dear Congresswoman DeGette,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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Sincerely,

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Scott Tipton  
218 Cannon House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Tipton,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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Sincerely,

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Doug Lamborn  
2371 Rayburn House Office Building  
Washington, DC 20515

Re: QRTP Exemption of IMD Designation

Dear Congressman Lamborn,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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Sincerely,

A handwritten signature in black ink that reads 'James Zwetzig'.

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Cory Gardner  
354 Russell Senate Office Building  
Washington, DC 20510

Re: QRTP Exemption of IMD Designation

Dear Senator Gardner,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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Sincerely,

James Zwetzig, CCI President  
Morgan County Commissioner



March 26, 2020

The Honorable Michael Bennet  
261 Russell Senate Building  
Washington, DC 20510

Re: QRTP Exemption of IMD Designation

Dear Senator Bennet,

On behalf of Colorado Counties, Inc., we wish to express our strong support for a legislative fix, which is included in the President's 2021 Budget proposal, to assure that our children in residential treatment will maintain access to health care after the full implementation of the Family First Prevention Services Act (FFPSA). We believe this proposed legislative fix would exempt Qualified Residential Treatment Providers (QRTPs), as classified under the FFPSA, from the rule that bans Medicaid funds for Institutions for Mental Diseases (IMDs).

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James Zwetzig, CCI President  
Morgan County Commissioner