



## COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

### MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203  
August 9, 2019

#### Call to Order

Ms. Blakely called the meeting to order at 9:01 a.m.

#### Roll Call

The Board Coordinator called the roll. There were sufficient members for a quorum with ten members participating.

##### A. Members Present

Christy Blakely, Cecile Fraley, Patricia Givens, Simon Hambidge Jessica Kuhns, Bregitta Hughes, Charolette Lippolis, Amanda Moorer, David Pump and Donna Roberts.

##### B. Members Excused

An Nguyen

##### C. Staff Present

Tom Massey, Deputy Executive Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

#### Announcements

Ms. Blakely announced the next Medical Services Board Meeting will be held at 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203 on Friday, September 13, 2019 at 9:00 a.m.

It is the policy of this Board and the Department to remind everyone in attendance that this facility is private property. Please do not block the doors or stand around the edges of the room. Please silence cell phones while in the meeting room.

#### Approval of Minutes

Ms. Kuhns moved for the approval of the July minutes. The motion was seconded by Dr. Hambidge. The minutes were approved, 10:0.

Our mission is to improve health care access and outcomes for the people we serve while demonstrating sound stewardship of financial resources.  
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## Rules

### A. Emergency Adoption

Document 05, MSB 19-03-05-A, Revision to the Medical Assistance Rule concerning Durable Medical Equipment Reimbursement, Section 8.590.7.K

January Montano, Pharmacy Section, presented the rule and explained the emergency adoption is necessary to avoid a gap in coverage. The rule implements a 1% across the board rate increase for DME.

Board Discussion – NA

Public Testimony – NA

Dr. Hambidge moved for the emergency adoption of Document 05. Ms. Roberts seconded the motion.

The Board voted the emergency adoption of Document 05, 10:0.

Doc 06, MSB 19-07-10-A – Revision to the Medical Assistance Special Financing Rule Concerning Colorado Dental Health Care Program for Low-Income Seniors, Section 8.960

Chandra Vital, State Programs Unit, presented the rule and provided background on the Low Income Senior dental program. Legislation was passed and requires the rule to be updated. A review of the updates in rule and in Appendix was given.

Board Discussion – Board discussion included how there is no maximum amount included in the Low Income Senior dental program, it is dependent on how many enrollees there are in the program. The rule author will present how many enrollees were seen last fiscal year and the number of individual procedures performed at the October final adoption.

Public Testimony – NA

Dr. Lippolis moved for the emergency adoption of Document 06. Ms. Kuhns seconded the motion.

The Board voted the emergency adoption of Document 06, 10:0.

### B. Consent Adoption Agenda

Document 01, MSB 19-06-06-A, Revision to the Medical Assistance Rule concerning the FQHC Rule, Section 8.700

Mr. Pump moved for the final adoption of Document 01. Ms. Roberts seconded the motion.

The Board voted the final adoption of Documents 01, 10:0.

### **C. Final Adoption Agenda**

Document 02, MSB 19-05-07-A, Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning the Children's Extensive Supports (CES) waiver, Section 8.503

Kathleen Homan, Benefits and Services Management Division presented the rule and discussed changes from the last meeting. The definition of movement therapy is included in the rule, as approved by CMS. Minor citation updates requested by the AG office were also corrected. The Department followed up with stakeholders. A comment request came in one day prior to the meeting and cannot be updated at this time. A request to change the Case Management definition was made, but cannot change a singular definition without changing all related versions of the definition. The Department is working with stakeholders.

Board Discussion – NA

Public Testimony – NA

Dr. Fraley moved for the final adoption of Document 02. Ms. Hughes seconded the motion.

The Board voted the final adoption of Document 02, 10:0.

Document 03, MSB 18-12-27-A, Revision to the Medical Assistance Rule Concerning Employment First, Section 8.500

Adam Tucker, Benefits and Services Management Division, presented the rule and explained the changes made outside of the rule at this time. Accessibility on website was necessary, to allow for flexibility for future programs and trainings. Direct care will remain at 2 years in rule to start and the Department will review and update as necessary. A reminder that all meetings were held in tandem with sister agencies.

Board Discussion – Board discussion included an appreciation that programs were not in rule. Having them on the website so they are accessible and flexible is great!

Public Testimony – NA

Dr. Lippolis moved for the final adoption of Document 03. Mr. Pump seconded the motion.

The Board voted the final adoption of Document 03, 10:0.

## **D. Initial Approval Agenda**

Document 04, MSB 19-07-17-A, Revision to the Medical Assistance Benefits Rule Concerning Pharmaceuticals, Section 8.800.4.C

Kristina Gould, Pharmacy Section, presented the rule and explained that an administrative error removed the adopted language from the January adoption. Stiripentol is FDA approved, and not investigational. The rule clarifies the language.

Board Discussion – NA

Public Testimony – NA

Ms. Roberts moved for the initial approval of Document 04. Dr. Hambidge seconded the motion.

The Board voted the initial approval of Document 04, 10:0.

## **E. Consent**

Ms. Moorer moved to add Document 04 to the Consent Agenda. Dr. Lippolis seconded the motion.

The Board voted approval, 10:0.

## **F. Closing Motion**

Ms. Roberts moved to close the rules portion of the agenda. The motion was seconded by Dr. Hambidge. The Board voted to close the rules portion of the agenda, 10:0.

## **Rule Previews**

- Colorado National Provider Identifier – Chris Underwood
- Emergent and Non-Emergent Medical Transportation – Ryan Dwyer

## **Open Comments**

Christel Aime – The Coach Home Care  
Paul Stein - People Centered Transportation Coalition

## **Department Updates**

- Department Updates/Questions – Tom Massey, Deputy Executive Director

**The meeting was adjourned at 10:21 a.m.**

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, September 13, 2019 at 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203.

Reasonable accommodations will be provided upon request for persons with disabilities. Please notify the Board Coordinator at 303- 866-4416 or [chris.sykes@state.co.us](mailto:chris.sykes@state.co.us) or the 504/ADA Coordinator [hcpf504ada@state.co.us](mailto:hcpf504ada@state.co.us) at least one week prior to the meeting.