

COUNTY EDITS V.2 - JUNE 9, 2025

1.020.3. County Department Director Administrative Responsibilities

1. Director Responsibilities

- a. The County Department Director shall be charged with the executive and administrative duties and responsibilities of the County Department, subject to the policies, Rules, and Regulations of the State Department.
- b. Delegation of County Department Director Administrative Responsibilities

The County Department Director can delegate administrative responsibilities to a County designee so long as the County Department Director is ultimately responsible for those delegated functions and the County Department maintains written documentation of the delegation.

2. Continuity of Operations

- a. To ensure the Continuity of Operations for Medical Assistance eligibility and enrollment, the County Department or Department Director shall be charged with drafting and implementing a Continuity of Operations Plan (COOP). The COOP shall address how the County Department continues to provide eligibility and enrollment services in the event of a disaster, public health emergency, or other emergency situation, including situations where continuing services may not be possible such as system, phone or internet outages.
 - i. Plans may be submitted to the State Department at any time for pre-approval
 - ii. Existing COOP plans may also be submitted for approval
 - iii. Plans may be drafted by the County or County Department
 - iv. The County Department COOP shall meet the minimum requirements dictated in both the Colorado Information Security Policies, and the Division of Homeland Security and Emergency Management's Continuity of State Government Operations as outlined in 8 C.C.R. § 1507-40 which is hereby incorporated by reference.
 - v. The County Department COOP Plans must also include the following data security controls. Additional guidance on each of the following requirements can be found in the Colorado Information Security Policies (CISPs) listed below, which are available through the Governor's Office of Information Technology (<https://oit.colorado.gov/standards-policies-guides/technical-standards-policies>).
 - A. Access Control & Authentication (CISP 001)
 - i. Multi-factor Authentication (MFA): Ensure that systems involved in eligibility and enrollment processes require multiple layers of authentication, especially when remote work or system access is needed during an emergency.
 - ii. Role-Based Access Control (RBAC): Ensure that only authorized personnel have access to sensitive information based on their job roles.

- iii. Emergency Access Procedures: Establish secure emergency access protocols to systems or data in case of disruption. This could include backup admin credentials or access granted to specific individuals to ensure continuity.

B. Data Protection & Encryption (CISP 010)

- i. Data Encryption: All sensitive data related to medical assistance eligibility and enrollment should be encrypted in transit and at rest to protect against unauthorized access or leaks, particularly when systems are functioning in crisis mode.
- ii. Third-Party Access Control: If third-party Vendors are involved in providing services or technology for eligibility and enrollment, ensure that their systems also comply with the COOP's security measures, including access controls, data protection, and incident reporting.

C. Contingency Plan (CISP 006)

- i. Disaster Recovery Plan: Establish a robust disaster recovery strategy to restore services after an emergency. This includes system restoration, data recovery, and operational continuity.

D. Incident Response & Reporting (CISP 008)

- i. Incident Management Protocols: Develop clear procedures for identifying, reporting, and addressing security incidents or breaches during a disaster or emergency. This should include escalation procedures and contact information for relevant stakeholders.

E. Training & Awareness (CISP 002)

- i. Employee Training: Ensure that all staff are trained on the COOP, particularly on how to handle emergencies and maintain security controls under crisis conditions.

- vi. The COOP is not required to be submitted to the State Department but is subject to review during any compliance review as found in section 1.020.13 of these Rules.

3. County Department Contacts

By January 5 and July 5 of each calendar year, the County Department shall provide the most recent, updated contact information, including names, phone numbers and email addresses, for certain County Department employee types to the State Department. The employee types include contact information for the County Department Director, Deputy Director(s) and/or Eligibility Director(s) and other critical personnel determined by the State Department.

4. Reporting from the County Department to the State Department

The County Department is required to report any information to the State Department, at such times and in which manner and form the State Department may from time to time direct, in accordance with C.R.S. § 25.5-1-118. This includes any and all information that is pertinent to the

County Department's role in Medical Assistance eligibility and enrollment. In these situations, the State Department shall provide proper noticing to the County Departments and allow a reasonable timeline for responses.

5. Administrative Internal Controls and Responsibilities for Medical Assistance Administration

a. Establish Adequate Internal Controls

The County Department Director shall be responsible for organizing operations and staff functions to assure the effectiveness and efficiencies of operations of the County Department and compliance with applicable State and federal requirements, laws, and Regulations. The County Department Director shall establish adequate Internal Controls that include, but are not limited to:

- b. Operations of the overall County Department, such as Accounting or Administrative Support
- c. Eligibility determinations
- d. Quality, accuracy and compliance with audits and reviews
- e. Performance management. As part of establishing adequate Internal Controls regarding performance management, the County Department Director shall:
 - i. Designate County Department staff as Medical Assistance performance owners
 - ii. Document processes and procedures for performance management, which shall include how staff will be trained.
 - iii. Train County Department staff on the importance of performance management and meeting performance targets, and how they impact Members.
- f. Internal communications
- g. Knowledge and information sharing, such that the County Department Director can assure knowledge of and compliance with applicable State and federal requirements, laws, and Regulations
- h. Program integrity activities
- i. Customer service that is provided in a timely, respectful and culturally appropriate manner

6. Business Process Standards

Business Process Standards are intended to ensure all applicants and members receive timely and accurate program information and eligibility determinations.

a. Process for Developing Business Process Standards

No later than JANUARY 1, 2026, there shall be a defined process for determining Business Process Standards in collaboration with County Departments, including:

- i. The process shall include Counties, a provider, a member, an advocate, and other Programs (where applicable), in the development of Business Process Standards.
- ii. The process must allow for expedited adoption of Business Process Standards when required for compliance with federal and state laws and Regulations.

b. Considerations for Business Process Standards

- i. No new business process standards will be implemented prior to July 1, 2027 to allow for the development process outlined in (a).
- ii. The process must include a review all available data sources to determine a need for implementing a new or updated Business Process Standard. Business Process Standards will address only systemic issues impacting timeliness and/or accuracy of determining eligibility.
- iii. Business Process Standards must be replicable between counties across all sizes and locations.
- iv. A full analysis of potential fiscal and/or other resource implications for both the State Department and County Departments shall be conducted by both the State and County Departments prior to implementation.
- v. The process to determine a new standard shall focus on processes that have an impact on the timeliness and/or accuracy of the County Department's Medical Assistance process of determining eligibility.
- vi. Implementation of a Business Process Standard shall not be required if it presents a risk of negatively impacting the administration of other programs and/or is incompatible with a county's existing systems, process, organizational structure.

c. Implementation of Business Process Standards

Upon conclusion of the development of any new Business Process Standards, the State Department shall initiate rulemaking prior to requiring implementation by county departments.

-

- i. If the Business Process Standards developed determine that funding is necessary and available, the State Department shall allocate funding necessary for implementation of the Business Process Standard to the County Departments.
- ii. If the Business Process Standards developed determine that funding is necessary but not available, the State Department shall delay implementation of such standards until funding becomes available.
- iii. If the State Department requires implementation of a Business Process Standard, the State Department shall provide proper notice and reasonable timeline for the County Department to plan for and implement the Business Process Standard.
- iv. Business Process Standards shall be supported by sub regulatory guidance that provides details of the minimum standards for the Business Process Standard.
- v. A County Department may request an exemption to a business process standard and or rebut required implementation of a business process standard from the Executive Director of Health Care Policy and Financing in writing.

d. County Department Compliance with Business Process Standards

As part of the approved review types listed in 10 CCR 2505-5 1.020.13, the State Department shall assure compliance by the County Department with the approved Business Process Standards that have been promulgated in rule, including initiating non-compliance actions detailed in 10 CCR 2505-5 1.020.14.

