

1.010.1 Definitions

Business Process Standard is a structured guideline that defines minimum requirements for how core activities must be carried out to address/promote consistency in the timely and accurate delivery of benefits and quality customer service to Coloradans within the County Department's role in determining seeking or renewing Medical Assistance coverage. Business Process Standards will be developed in collaboration between the State Department and County Departments and must account for the varying sizes of County Departments. Nothing in Business Process Standards precludes best practices being developed above these minimum standards.

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1.020. COUNTY ADMINISTRATIVE RULES

The incorporation by reference (as indicated within) throughout section 1.020 excludes later amendments to, or editions of, the referenced materials. Pursuant to C.R.S. § 24-4-103(12.5) the Department maintains copies of this incorporated text in its entirety available for public inspection during regular business hours, at: Colorado Department of Health Care Policy and Financing, 303 E 17th Ave, Denver, CO 80203. Certified copies of incorporated materials are provided at cost upon request.

Incorporated materials are found in the following sections: 1.020.1, 1.020.2, 1.020.3, 1.020.4, 1.020.6, 1.020.8, 1.020.11 and 1.020.13. The definitions set forth at section 1.010.1 of these Rules are also applicable to this section section 1.020.

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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 quality customer service and 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. That the process shall include interested parties beyond County Departments, such as providers, members, advocacy organizations and other Programs in the development of Business Process Standards.
 - a. The State Department shall establish transparent criteria for selecting provider, member and advocacy organization representatives. The selection process shall include public notice and application opportunities made available on the State Department's public website.
- ii. The process must allow for expedited adoption of Business Process Standards when required for compliance with federal and state laws and Regulations.
- iii. The process must identify what data will be reviewed to determine Business Process Standards.
- iv. The process must include a review of 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 either timeliness, accuracy and/or quality customer service of determining eligibility.
- v. Business Process Standards addressing quality customer service shall only be identified after customer service is defined through the Business Process Standards process.
- vi. The Business Process Standards process shall include a joint data review between County Departments and the State Department of potential fiscal and/or other resource implications for both the State Department and County Departments prior to implementation.
- vii. The process to determine a new standard shall focus on processes that have an impact on the timeliness, accuracy and/or customer service of the County Department's Medical Assistance process of determining eligibility.

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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. Business Process Standards must be replicable between counties across all sizes and locations and shall consider County Department processes and organizational structure.
- iii. ~~The process shall consider options to mitigate the impacts on the administration of other Programs.~~
- iv. At the discretion of the State Department, a newly developed Business Process Standard may be piloted by a selected group of County Departments prior to statewide implementation.

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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 State Department determines that a new Business Process Standard requires funding and that funding is available, the State Department shall allocate the necessary funding to the County Departments.
- ii. ~~If the State Department determines that a new Business Process Standard requires funding and that funding is not available, the State Department shall may review other implemented Business Process Standards and work with County Departments to identify the capacity and resources necessary to implement the new Business Process Standard.~~
- iii. In collaboration with County Departments, the State Department shall work to identify opportunities to improve efficiencies and consistencies among Programs, as well as to identify efficiencies and best practices across county administration.
- iv. The State Department may engage with County Departments to solicit input and feedback on strategies to address potential funding gaps associated with new Business Process Standards.
- v. 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.
- vi. Business Process Standards shall be supported by sub regulatory guidance that provides details of the minimum standards for the Business Process Standard.

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d. ~~Term-Limited Waiver for Temporary Exemption from a Business Process Standard~~

- i. A County Department may individually request a term-limited waiver to delay the implementation, or pause ongoing compliance, of a Business Process Standard from the State Department by submitting an action plan that will demonstrate when and how the County Department will be able to implement, or regain compliance with, the temporarily waived Business Process Standard.
- ii. The State Department will provide a form or template for term-limited waiver action plans, which must include estimated timelines for resolution and interim measures to safeguard member access to eligibility and enrollment services.
- iii. A State Department-approved term-limited waiver shall not diminish member access to services, extend processing times beyond federal requirements or absolve the County Department of complying with federal and state requirements.

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e. 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.