



COLORADO

Department of Health Care
Policy & Financing

Public Notice

Title XXI Section 1115 Demonstration Extension Application for Colorado Adult Prenatal Coverage In CHP+ (NO. 21-W-00014/8)

Public Comment Period Begins: July 10, 2020 at 8:00 a.m. MDT
Public Comment Period Ends: August 10, 2020 at 5:00 p.m. MDT

Public notice is hereby given that the State of Colorado Department of Health Care Policy & Financing is seeking public comments on a title XXI Section 1115 Demonstration Extension Application (“Demonstration”) to support the improvement of health outcomes for low-income mothers and their babies by providing necessary prenatal, delivery, and postpartum care to eligible Medicaid clients who identified as pregnant.

Proposed Demonstration Extension Summary

Medicaid and CHIP Section 1115 waivers allow states to test new approaches to administering Medicaid and CHIP programs beyond what is required by federal statute. The Colorado Department of Health Care Policy & Financing (“Department”) is submitting the Demonstration to request an extension to the program from August 1, 2020, through July 31, 2025. Specifically, the State is requesting an extension of the federal authority for Colorado to continue to receive title XXI funds for uninsured pregnant women with income from 142% of the Federal Poverty Level (FPL) to 195% of the FPL. The state is not requesting any program changes during the requested renewal period.

The Department plans to submit the Demonstration to CMS at the end of July 2020. The waiver, if approved, will authorize an extension of the federal authority for Colorado to continue to receive title XXI funds for pregnant women with income from with income from 142% of the FPL to 195% of the FPL.

Program Background

- In September 2002, the State of Colorado received approval from the Centers for Medicare and Medicaid Services (CMMS) for a five-year demonstration period through September 2006 for its “Adult Prenatal Coverage in CHP+” program. This program permitted the state to use Title XXI funds to expand coverage to uninsured pregnant women with family incomes between 133% and 185% of the federal poverty level (FPL).
- In January 2006, Center for Medicaid Services (CMS) approved an amendment to the demonstration, allowing Colorado to expand eligibility for uninsured pregnant women under the demonstration, from 185% to 200% of the FPL.
- On September 29, 2006, CMS approved Colorado’s request to renew the demonstration for a three-year period through September 30, 2009.
- CMS then approved Colorado’s extension request, which extended the program through June 2012. On July 30, 2012, Colorado received approval to expand coverage for uninsured pregnant women from 200% to 250% of the FPL.
- In July 2015, the Colorado’s application for extension of Colorado’s title XXI section 1115 demonstration project No. 21-W-00014/8 was approved by CMS. This extension effectively continued the project at the 2012 FPL levels that raised the upper limit to 250% FPL and applied a five-year demonstration period.

Section 111 of the Children's Health Insurance Program Reauthorization Act (CHIPRA) added Section 2112(b)(1)(A) of the Social Security Act, which specifies that a state must first cover pregnant women on Medicaid to at least 185% of the FPL before expanding coverage to pregnant women in the Children's Health Insurance Program (CHIP). Section 111 of CHIPRA also added a provision to give states the option to provide necessary prenatal, delivery and postpartum care to targeted, low-income, pregnant women through the Title XXI State Plan.

To comply with the spirit of CHIPRA, Colorado submitted a Medicaid State Plan Amendment and received approval for transitioning pregnant women from 133% to 185% of the FPL, to the Medicaid State Plan and to provide full Medicaid benefits to these women. The State has continued to receive Title XXI funds for uninsured pregnant women from 133% to 185% of the FPL. In addition, the State submitted and received approval for a corresponding CHIP State Plan Amendment to transition pregnant women between 185% and 250% of the FPL to the CHIP State plan. As required under Special Terms and Conditions (STCs) #17, the State transitioned coverage of pregnant women from this demonstration to the Medicaid State Plan and the CHIP State Plan, effective January 1, 2013.¹

Waiver Objectives and Goals

The demonstration population includes pregnant Medicaid expansion clients who would have been covered under CHP+ if not for the expansion (142%-195% FPL). The state targeted this population to achieve three key objectives:

1. Decrease the uninsured rate for pregnant women;
2. Increase prenatal and postpartum care for pregnant women enrolled in the Demonstration;
3. Increase the number of healthy babies born to pregnant women enrolled in the Demonstration

Eligibility

The eligibility criteria included as part of this demonstration from the program's current standards will not change. The demonstration will be open to uninsured pregnant women age 19 and over, with family income above 141% through 195% of the FPL. The demonstration will not have enrollment limits.

Services

The Department will continue to provide health benefits coverage to those eligible for the demonstration using the State's fee-for-service and managed care delivery systems. Demonstration enrollees receive all services pursuant to the approved CHIP State plan and Medicaid State plan. The benefit coverage approved in the State Medicaid State Plan and CHIP State Plan are provided in accordance with CMS classification of this demonstration as MEC.

Cost Sharing

Cost sharing is not applied to this population for any type of service.

Delivery System

Under the service delivery systems authorized under section 1915(a), section 1915(b), and section 1932(a) of the Social Security Act, the State provides services through this demonstration in combination of fee-for-service and managed care delivery systems. Upon full implementation of the

¹ The federal poverty levels listed in the Historical Summary of the Demonstration Project section prior to January 2014 are pre-MAGI-converted levels.



proposed extension, the Department will continue to provide health benefits coverage to those determined eligible for the demonstration using the State's fee-for-service and managed care delivery systems.

Demonstration Hypotheses and Measures

The state is committed to ensuring that there is a robust monitoring and evaluation process in place for this demonstration. It is anticipated that this waiver demonstration will:

- Decrease the uninsured rate for pregnant women;
- Increase prenatal and postpartum care for pregnant women enrolled in the Demonstration;
- Increase the number of healthy babies born to pregnant women enrolled in the Demonstration

During the present demonstration period, August 1, 2015 through July 31, 2020, the following objectives, hypotheses, and methodology were used to determine if Colorado is achieving the demonstration's goals. The table below presents an overview of possible evaluation objectives, hypothesis, and methodology for measurement, which are subject to change and will be further defined as the program is implemented. The example measures are not final and do not represent an exhaustive list of measures that could be used to test each hypothesis.

Table 1. Evaluation Objectives, Hypotheses and Methodology

Hypothesis	Methodology
OBJECTIVE 1: Increase the percentage of pregnant women in the demonstration who received prenatal and postpartum care	
Pregnant women enrolled in the CHP+ demonstration will have a statistically significant increase in prenatal care visits.	Use of claims data, birth certificate data, and HEDIS data to measure prenatal and postpartum care for the women in the demonstration program, as well as, for the pregnant women in CHP+ and Medicaid.
Pregnant women enrolled in the CHP+ demonstration will have a statistically significant increase in postpartum care visits.	
OBJECTIVE 2: Increase the number of healthy babies born to pregnant women enrolled in the Demonstration	
The proportion of babies born to women enrolled in CHP+ and admitted to the NICU will decrease over the five years of the demonstration. ²	Use of claims data, birth certificate data, HEDIS data and PRAMS data to track the birth weights of newborns and length of stay and time spent in the ICU for babies born to mothers in the demonstration program, as
The proportion of babies born to women enrolled in the demonstration that weigh	

² The original evaluation proposal included this hypothesis, but a corresponding measure was not included in the approved demonstration evaluation design, dated April 26, 2017. Details on this change are included in the Interim Evaluation Report.



under 2,500 grams will decrease by 10 percent over the five-year demonstration.	well as, for the newborns born to mothers in Medicaid as a whole.
OBJECTIVE 3: Decrease the uninsured rate for pregnant women	
This objective is included here for completion but was not part of the approved demonstration evaluation design, dated April 26, 2017.	As described in the interim evaluation report, the absence of an appropriate dataset prevented the state from further analysis during the demonstration period.

Proposed Federal Demonstration Authorities

Colorado is requesting the same waiver and expenditure authority as approved in the current demonstration to authorize title XXI expenditures for health benefits coverage to uninsured pregnant women age 19 and over, with family income above 141% through 195% of the FPL. Specifically, Colorado requests, under the authority of section 1115(a)(2) of the Social Security Act (the Act), that expenditures made by Colorado identified below, which are not otherwise included as expenditures under section 1903 of the Act, shall, for the period of this demonstration extension, be regarded as expenditures under the state's title XXI plan:

1. Section 2112(b)(2) Minimum Income Standard for Pregnant Women in CHIP
 - a. To permit Colorado to have income levels for eligibility for the specified demonstration population that are lower than applicable Medicaid levels, to the extent necessary to provide title XXI coverage for the Medicaid benefit package for pregnant women.

2. Section 2105(c)(6)(B) CHIP Secondary Payer to Medicaid
 - a. To permit Colorado to make payment under title XXI primary to payment under Medicaid for this demonstration population, to the extent necessary to provide title XXI coverage for the Medicaid benefit package to pregnant women with incomes above 141 percent of the FPL through 195 percent of the FPL.

Estimated Impact of the Demonstration

Historical and projected enrollment trends for Colorado's Combination CHIP program, which is represented as the Separate CHIP population (SCHIP), Medicaid expansion CHIP population (MCHIP), and the Prenatal Demonstration CHIP population, are presented in the following tables. The figures presented in tables 2 through 5 provide an assessment of how the proposed demonstration is expected to impact CHIP program enrollment for the extension period Colorado is requesting. These figures are total annual, unduplicated, person counts.

Estimated Projections of Annual Enrollment

Table 2. Historical and Projected Enrollment Figures by Category

	Total Combination CHIP Enrollment by Year	SCHIP Plan Enrollment by Year	MCHIP Plan Enrollment by Year	Total 1115 Demonstration Enrollment by Year (142%-195% FPL)



FFY 2015	107,800	52,346	53,747	1,707
FFY 2016	117,471	54,549	61,103	1,819
FFY 2017	137,145	69,603	65,503	2,039
FFY 2018	147,012	81,893	62,854	2,265
FFY 2019	141,221	80,967	57,995	2,259
FFY 2020	135,265	76,032	57,088	2,145
FFY 2021	137,874	77,519	58,121	2,234
FFY 2022	140,290	79,121	58,856	2,313
FFY 2023	140,290	79,121	58,856	2,313
FFY 2024	140,290	79,121	58,856	2,313
FFY 2025	140,290	79,121	58,856	2,313

Due to the State's 2013 transition of the pregnant women from this demonstration to the Medicaid State Plan and the subsequent MAGI conversion, were the demonstration extension not implemented, individuals receiving benefits through the demonstration and with income between 142% and 195% FPL would be expected to enroll in benefits through Medicaid.

Table 4. Annual counts of individuals expected to be enrolled in the demonstration, assuming that the proposed demonstration is implemented.

	Annual counts of individuals expected to be enrolled in the demonstration by year
FFY 2021	2,234
FFY 2022	2,313
FFY 2023	2,313
FFY 2024	2,313
FFY 2025	2,313

Table 5. Annual counts of individuals that would be expected to enroll in CHIP, if the proposed demonstration is not implemented, based on historical program trends and expectations as described in the state's analysis.³

	Annual counts of individuals that would be expected to enroll in CHIP, if the proposed demonstration is not implemented.
FFY 2021	135,640
FFY 2022	137,977

³ The annual counts in Table 5 are calculated by removing the projected annual demonstration population figure from the corresponding annual total combination CHIP enrollment figure(s). These individuals would be expected to enroll in benefits under the Medicaid state plan.



FFY 2023	137,977
FFY 2024	137,977
FFY 2025	137,977

Table 6. Annual counts of individuals expected to be enrolled in CHIP, assuming that the proposed components of the demonstration are implemented, for each year of the proposed demonstration period, and by each category of beneficiary whose Medicaid or CHIP enrollment is likely to be impacted by the demonstration.

	Total Combination CHIP Enrollment by Year	SCHIP Plan Enrollment by Year	MCHIP Plan Enrollment by Year	Total 1115 Demonstration Enrollment by Year (142%-195% FPL)
FFY 2021	137,874	77,519	58,121	2,234
FFY 2022	140,290	79,121	58,856	2,313
FFY 2023	140,290	79,121	58,856	2,313
FFY 2024	140,290	79,121	58,856	2,313
FFY 2025	140,290	79,121	58,856	2,313

Historical Expenditures and Projected Annual Expenditures

The table below provides historical demonstration expenditures and projected costs over the requested extension period.

Table 7. Summary Historical and Projected Demonstration Expenditures

Federal Fiscal Year (Demonstration Period)	Expenditure
FFY 2016 (Current Demonstration Period - Year 1)	\$ 18,135,045
FFY 2017 (Current Demonstration Period - Year 2)	\$ 14,820,787
FFY 2018 (Current Demonstration Period - Year 3)	\$ 18,689,341
FFY 2019 (Current Demonstration Period - Year 4)	\$ 23,151,976
FFY 2020 (Current Demonstration Period - Year 5)	\$ 22,279,510
FFY 2021 (Requested Demonstration Extension Period - Year 1)	\$ 23,153,954



FFY 2022 (Requested Demonstration Extension Period - Year 2)	\$ 24,075,335
FFY 2023 (Requested Demonstration Extension Period - Year 3)	\$ 25,055,201
FFY 2024 (Requested Demonstration Extension Period - Year 4)	\$ 26,074,948
FFY 2024 (Requested Demonstration Extension Period - Year 5)	\$ 27,136,198

Opportunity for Public Comment

The proposed section 1115 demonstration extension application and interim evaluation report are available for public review and comment at:

<https://www.colorado.gov/pacific/sites/default/files/CHPPlusPrenatal1115DemonstrationApplication.pdf>

<https://www.colorado.gov/pacific/sites/default/files/CHPPlusPrenatal1115InterimEvaluation.pdf>

To request a copy of the waiver, please contact the Department by:

- Sending an email request to hcpf_PrenatalDemonstration@state.co.us
- Send a request by fax to 303-866-2573, Attn: 1115 CHP+ Prenatal Waiver Application, or
- Obtaining a paper copy in person is not possible at the Department's office due to the need to follow proper social distancing and safety precautions for the COVID-19 public health emergency.
- You may request to receive a paper copy by post by submitting a request to the email or telephone number below.
 - hcpf_PrenatalDemonstration@state.co.us
 - 303-866-3284

During the public comment period, comments may be sent to hcpf_PrenatalDemonstration@state.co.us. Public comments may also be submitted by post to:

Colorado Department of Health Care Policy and Financing
1570 Grant Street
Denver, Colorado 80203
ATTN: Public Comment – 1115 CHP+ Prenatal Waiver Application

Additional information will be posted on the Department's Child Health Plan *Plus* Prenatal Waiver webpage, at <https://www.colorado.gov/pacific/hcpf/child-health-plan-plus-prenatal-waiver>.

Public Hearings

The Department invites the public to attend public hearings by teleconference/webinar to learn more about Colorado's waiver application and provide comments.

	Public Hearing #1	Public Hearing #2
Date	Wednesday July 15, 2020	Thursday July 16, 2020
Time	11:00 am — 1:00 pm	11:00 am — 1:00 pm



Venue	Virtual Remote Meeting	Virtual Remote Meeting
Teleconference	Conference Line: 1-877-820-7831 Participant Code: 499-449 #	Conference Line: 1-877-820-7831 Participant Code: 499-449 #
Webinar	https://cohcpf.adobeconnect.com/chpp/usprenatal1115waiver/	https://cohcpf.adobeconnect.com/chpp/usprenatal1115waiver/

Reasonable accommodations will be provided upon request for persons with disabilities. Please notify the Department's 504/ADA Coordinator at hcpf504ada@state.co.us or Jeffrey Jaskunas at jeffrey.jaskunas@state.co.us at least one week before the public notice period to make arrangements.

CMS/Medicaid Demonstration Website

Relevant webpages and additional information regarding the Medicaid demonstration can be viewed on the CMS/Medicaid website, at: <https://www.medicaid.gov/medicaid/section-1115-demo/index.html>

This notice is submitted pursuant to Title 42 Code of Federal Regulations, Part 431.408, Subpart G, which outlines public notice processes and transparency requirements for Section 1115 Demonstrations.

