



## MINUTES OF THE RULE HEARING OF THE

### Executive Director of Health Care Policy and Financing

The Capitol Center

225 East 16<sup>th</sup> Avenue, 6<sup>th</sup> Floor Conference Room

December 20, 2010

*The mission of the Department of Health Care Policy and Financing is to improve access to cost-effective, quality health care services for Coloradans.*

**Staff Present:** Joan Henneberry, Executive Director; Sue Williamson, Client and Community Relations Office Director; Alisa Campbell, Assistant Attorney General; Judi Carey, Coordinator; and Natalie Bishopp, Support Staff

1. Call to Order: Executive Director Henneberry called the meeting to order at 9:02 a.m.
2. Announcements: Ms. Henneberry announced that it is the policy of the Department of Health Care Policy and Financing to remind everyone in attendance that this facility is private property and that sufficient chairs are available to accommodate the size of the room. If no chairs are available, please wait in the lobby until seating becomes available and to please turn off ringers on cell phones.
3. Introduction of Rules:  
Ms. Henneberry stated that this is an Executive Director Rules Hearing and introduced for consideration the following:

**Document 01      ED 10-11-02-A      Revision to the Executive Director Rules for Health Care Policy and Financing Concerning County Administration, Section 1.010**

Ms. Henneberry invited Donna Kellow, Audits and Compliance Division; Andrea Skubal, County Oversight and Outreach Division; Meri DeLyser, Internal Audits Section; and Heather Hewitt, County Oversight/Outreach Division to present the rule. Ms. Henneberry asked the presenters to focus their presentation on the fact that these changes and updates are very different from anything that existed previously.

Ms. Kellow explained that this rule was being presented as an Executive Director rule versus a Medical Services rule and stated that pursuant §25.5-1-108, CRS, the executive director has authority to promulgate rules.

Ms Kellow provided background on the rule, regarding SB 07-219, which gave the Department a direct relationship with the Department of Human Services (DHS). The bill allowed for a County Liaison and a County Monitor position. These Department staff have conducted site visits and reviews and worked to become familiar with DHS's rules.

Ms. Skubal explained that Stakeholder input was obtained from members of a sub-group of the HCPF County Director's Advisory Group. Adams, Larimer and Fremont counties participated in the pilot program. A Public Rule Review meeting was held and all of the County Directors were notified of the meeting.

Ms. DeLyser discussed that the rule set up a basic framework for the counties financial and internal controls, how the rule defines the controls that the counties are expected to follow and includes audits and corrective actions.

Ms. Hewitt discussed how the rule defines and corrects issues and communicated the various approaches that were taken by the Department in writing the rule. The Department will work with the counties in becoming compliant with the rule.

Ms. Henneberry asked staff to explain why this rule is being promulgated at this time, and she also asked for discussion regarding the tiered approach.

Ms. Kellow stated that the Department has a responsibility to the Federal government regarding sub-recipient monitoring as well as processing guidelines. The Department rules mirror DHS rules so that counties are not burdened with excess regulations.

Bob Douglas, Legal Division Director, explained that the Department has lacked the required architecture in our state to show that the Department is complying with the Office of Management and Budget circulars regarding standards imposed on counties and the Department had to rely on rules promulgated through DHS for this compliance. Mr. Douglas stated that this rule will ensure that the Department has the architecture in place to directly connect health care and policies relationship with the counties.

There were no people signed up to testify on this rule.

Ms. Henneberry stated that she had 180 days to decide if the rule should be made final, but given testimony of staff and extensive stakeholder input, she approved Document 01 as it was presented and adopted the rule to be effective 1/30/2011.

The Executive Director meeting adjourned at 9:20 A.M.