



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
February 11, 2022

Call to Order

Mr. Pump called the meeting to order at 9:08 a.m.

Roll Call

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

A. Members Present

Simon Hambidge, Morgan Honea, William Kinnard, Barry Martin, Amanda Moorer, Christina Mulkey, An Nguyen, David Pump and Vincent Scott

B. Members Excused

Cecile Fraley

C. Staff Present

Tracy Johnson, Medicaid Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

Announcements

Mr. Pump announced the next Medical Services Board Meeting will be held at 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203 on Friday, April 8, 2022 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

Dr. Martin moved for the approval of the January minutes. The motion was seconded by Mr. Honea. The minutes were approved, 9:0.

Rules

A. Emergency Adoption

Document 10, MSB 22-01-19-A, Revision to the Medical Assistance Rule concerning Abortion Services, Section 8.770

Russ Zigler, Pharmacy Office, presented the rule and explained aligns rule with legislation and revise language to perform abortion through Medicaid within scope of practice.

Board Discussion – NA

Public Testimony – NA

Dr. Hambidge moved for the emergency adoption of Document 10. Mr. Scott seconded the motion.

The Board voted the emergency adoption of Document 10, 9:0.

Document 11, MSB 22-09-19-B, Revision to the Medical Assistance Act Rule concerning Pediatric Long-Term Home Health Prior Authorization Exceptions, Section 8.520.8.C

Russ Zigler, Operations Section, presented the rule and explained the proposed rule removes prior authorization requirements for Certified Nurse Assistant services, physical therapy services, occupational therapy services, and speech-language therapy services in relation to the reinstatement of pediatric long-term home health prior authorization.

Board Discussion – NA

Public Testimony – Bethany Pray – support emergency rule, lots of work to be done.

Ms. Moorer moved for the emergency adoption of Document 11. Dr. Hambidge seconded the motion.

The Board voted the emergency adoption of Document 11, 9:0.

B. Final Adoption by Consent Agenda

Document 01, MSB 21-04-26-A, Revision to the Medical Assistance Rule Concerning the Pharmacy Rate Methodology, Section 8.800

Document 02, MSB 21-10-19-A, Revision to the Special Financing Rule concerning FFY 2021-22 Healthcare Affordability & Sustainability (HAS) Fees & Supplemental Payments Amendment, Section 8.3000

Document 03, MSB 21-10-08-A, Revision to the Medical Assistance Eligibility Rules Concerning Definitions at Section 8.100.1, General Eligibility Transferring Requirements at Section 8.100.3.C, and Long-Term Care Medical Assistance Requirements at Sections 8.100.7.A&B

Dr. Mulkey moved for the final adoption of Document 01, 02 & 03. Dr. Nguyen seconded the motion.

The Board voted the final adoption of Document 01, 02 & 03, 9:0.

C. Final Adoption Agenda

Document 04, MSB 21-10-19-B, Revision to the Medical Assistance Health Programs Office Rule Concerning Medicaid Statewide Managed Care System, Section 8.205, 8.209, 8.212 and 8.215

Mark Quierolo, Health Programs Office, presented the rule and explained rule aligns with policy. Reviewed discussions with stakeholders.

Board Discussion – NA

Public Testimony – NA

Mr. Honea moved for the final adoption of Document 04. Ms. Moorer seconded the motion.

The Board voted the final adoption of Document 04, 9:0.

Document 05, MSB 22-01-18-A, Revision to the Medical Assistance Act Rule concerning Base Wage Requirement for Direct Care Workers, Section 8.511

Jessica Corral, Benefits & Services Management, presented the rule and explained final adoption of an emergency rule. The Department heard implementation success story and difficulties.

Board Discussion – Board discussion included provider difficulty in increasing wage across full range of workers. Larger agencies having issues with all staff.

Public Testimony – NA

Dr. Martin moved for the final adoption of Document 05. Mr. Honea seconded the motion.

The Board voted the final adoption of Document 05, 9:0.

Document 06, MSB 22-01-18-B, Revision to the Medical Assistance Act Rule concerning Pediatric Personal Care Base Wage, Section 8.535

Russ Zigler, Special Financing Division, presented the rule and explained final adoption of emergency rule. The rule increases the wage of direct care workers.

Board Discussion – NA

Public Testimony – NA

Dr. Mulkey moved for the initial approval of Document 06. Dr. Hambidge seconded the motion.

The Board voted the initial approval of Document 06, 9:0.

Document 07, MSB 22-01-18-C, Revision to the Medical Assistance Act Rule concerning Modification of Outpatient Hospital Payment Rates through EAPG Grouper Update, Section 8.300.6

Andrew Abalos, Rates Division, presented the rule and explained methodology for payment rates by 3M being updated. 3M no longer supporting version and providers would no longer be paid. Newer version now in place.

Board Discussion – Board discussion included EAPG grouper propriety to 3M and how it was developed by 3M, but slight modifications are ok.

Public Testimony – NA

Mr. Scott moved for the final adoption of Document 07. Dr. Nguyen seconded the motion.

The Board voted the final adoption of Document 07, 9:0.

D. Initial Approval Agenda

Document 08, MSB 21-06-04-A, Revision to the Medical Assistance Rule concerning CHCBS Cost Containment Rule Revision, Section 8.506

Victor Robertson, Office of Community Living, presented the rule and explained that revisions streamline and enhance the process and remove administrative barriers. Language added to rule for annual updates from Case Management agencies.

Board Discussion – NA

Public Testimony – NA

Mr. Honea moved for the initial approval of Document 08. Dr. Hambidge seconded the motion.

The Board voted the initial approval of Document 08, 9:0.

CONSENT Agenda discussion

Dr. Hambidge moved to add Document 08 to the consent agenda. Mr. Pump seconded the motion.

The Board voted to add Document 08 to the consent agenda, 9:0.

E. Closing Motion

Ms. Moorer moved to close the rules portion of the agenda. The motion was seconded by Dr. Nguyen.

Open Comments

NA

Department Updates

- Department Updates/Questions – Tracy Johnson, Deputy Medicaid Director

The meeting was adjourned at 10:09 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, April 8, 2022 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 or the 504/ADA Coordinator hcpf504ada@state.co.us at least one week prior to the meeting.