



## INFORMATIONAL MEMO

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<b>Title:</b> Ex Parte Reinstatement Guidance for MCOs	<b>Topic:</b> Public Health Emergency Unwind
<b>Audience:</b> Regional Accountable Entities (RAEs), Managed Care Organizations (MCOs), CHP+ Plans	<b>Sub-Topic:</b> End of Continuous Coverage Requirement, Reinstatement
<b>Supersedes Number:</b> N/A	<b>Division:</b> Eligibility Division, Accountable Care Collaborative
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<b>Approved By:</b> Chris Underwood	

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### Purpose and Audience:

The purpose of this Informational Memo is to inform regional accountable entities (RAEs) and managed care organizations (MCOs) about the impacts of [recent CMS guidance](#) on ex parte to their operations, provide an overview of the reinstatement process and address frequently asked questions on that process.

### Information:

#### New Federal Guidance on Ex Parte Process

All states received [guidance from CMS on August 30, 2023](#), that requires a change to the ex parte (automation) process for renewals.

Instead of renewing members with ex parte at the household level (all members of a household receiving Health First Colorado or CHP+ benefits reviewed for eligibility at the same time), as has been done in the past, CMS is requiring states to perform ex parte automation reviews on an individual basis, meaning each person in the household is reviewed and approved separately.

HCPF implemented a short-term system change in mid-October to have the system identify individuals who were determined eligible during ex parte and approve them regardless of whether the household returns a renewal packet or renewal signature. This change will continue until a longer-term change is implemented in the future.

### Reinstatement

To fully comply with CMS guidance, HCPF is retroactively reinstating coverage for members who were identified as eligible at ex parte in the renewal months prior to September 2023, but lost coverage because a packet was requested and not received from the household. We initially identified around 10,000 individual members affected by this change. We are sending letters to affected members starting the week of October 30, 2023 and targeting early November for most members to be reinstated.

1. Some members will remain eligible prospectively for a program they were approved for at ex parte.
2. Some members may be reinstated to a program that they passed for during ex parte, but then transitioned to another program. This may occur due to members reapplying and the highest applicable coverage being provided.
3. Some members may NO longer be eligible prospectively (November 2023 forward) if they re-apply or report a change in circumstances.

### Impact of Reinstatement on RAEs and MCOs

Normally, if a member is disenrolled from Health First Colorado or CHP+ and they re-enroll within 60 days from their original termination date, they will be automatically re-assigned to their RAE or MCO. Members impacted by reinstatement are beyond this 60-day period.

Members affected by the CMS guidance above will be reinstated retroactively to the date at which their household was terminated for failure to return or sufficiently complete the renewal packet. **Individuals will be reinstated into the program they passed for at ex parte.** These members will not be retroactively assigned to a RAE or MCO, instead any outstanding claims during the period in which they are reinstated coverage will be billed directly to the Department as fee-for-service Medicaid or CHP+. This includes both physical and behavioral health claims.

Providers must resubmit claims to the Department for payment if a service occurred during the reinstatement period. Once Health First Colorado or CHP+ coverage has been reinstated, providers cannot bill the member directly and must bill the Department to receive payment.

If a member continues to qualify for Health First Colorado or CHP+ following reinstatement, they will be assigned to a RAE or MCO prospectively and go through normal assignment process for a RAE, MCO, and/or primary care medical provider (PCMP). Members must re-elect a PCMP if that PCMP is different than the assignment process and depending on their preferences.

Member letters include information about where to call for help and how to get claims reimbursed that occurred when they lost coverage. Health First Colorado members can call customer service 800-221-3943 (State Relay: 711) and CHP+ members can call 800-359-1991 (State Relay: 711).

### **Attachment(s):**

Medical Assistance Reinstatement Desk Aid

[COVID Resources for County and Eligibility Partners](#)

[PHE Unwind FAQs- Ex Parte](#) (includes sample member reinstatement letters)

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