Schedule 13

Funding Request for the FY 2024-25 Budget Cycle

Health Care Policy and Financing

Request Title

S-07 NEMT Provider Credentialing and Reviews BA-07 NEMT Provider Credentialing and Reviews

Dept. Approval By:

X

Supplemental FY 2023-24

OSPB Approval By:

Adrian Leiter

X

Budget Amendment FY 2024-25

0		FY 202	3-24	FY 202	FY 2024-25			
Summary Information	Fund	Initial Appropriation	Supplemental Request	Supplemental		Continuation Request		
	Total	\$156,093,581	\$1,313,618	\$129,876,006	\$1,587,721	\$44,222		
	FTE	741.0	0.6	732.1	1.0	0.5		
Total of All Line Items	GF	\$48,686,790	\$394,085	\$50,396,161	\$476,316	\$13,267		
Impacted by Change Request	CF	\$25,847,341	\$262,723	\$10,674,228	\$317,544	\$8,844		
Request	RF	\$3,184,377	\$0	\$3,372,784	\$0	\$0		
	FF	\$78,375,073	\$656,810	\$65,432,833	\$793,861	\$22,111		

		FY 202	3-24	FY 202	FY 2025-26	
Line Item Information	Fund	Initial Appropriation	Supplemental Request	Base Request	Budget Amendment	Continuation Request
	Total	\$3,290,125	\$1,630	\$3,943,068	\$2,885	\$1,45
01. Executive Director's	FTE	0.0	0.0	0.0	0.0	0.0
Office, (A) General Administration, (1)	GF	\$1,292,773	\$489	\$1,682,899	\$865	\$43
General Administration,	CF	\$237,090	\$326	\$224,338	\$577	\$29
Amortization Equalization	RF	\$62,817	\$0	\$62,817	\$0	\$
Disbursement	FF	\$1,697,445	\$815	\$1,973,014	\$1,443	\$72
	Total	\$62,877,160	\$1,256,773	\$34,123,691	\$1,500,000	\$
1. Executive Director's	FTE	0.0	0.0	0.0	0.0	0.
Office, (A) General Administration, (1)	GF	\$13,811,567	\$377,032	\$12,477,539	\$450,000	\$
General Administration,	CF	\$16,155,462	\$251,354	\$2,665,692	\$300,000	\$
General Professional Services and Special	RF	\$81,000	\$0	\$81,000	\$0	\$
Projects	FF	\$32,829,131	\$628,387	\$18,899,460	\$750,000	\$
	Total	\$10,436,584	\$6,421	\$12,628,886	\$11,033	\$5,56
	FTE	0.0	0.0	0.0	0.0	0.
)1. Executive Director's Office, (A) General	GF	\$4,144,398	\$1,926	\$5,369,355	\$3,310	\$1,66
Administration, (1) General Administration,	CF	\$753,615	\$1,284	\$822,903	\$2,206	\$1,11
Health, Life, and Dental	RF	\$221,797	\$0	\$221,797	\$0	\$
	FF	\$5,316,774	\$3,211	\$6,214,831	\$5,517	\$2,78
	Total	\$3,925,908	\$2,706	\$3,711,808	\$4,650	\$2,34
	FTE	0.0	0.0	0.0	0.0	0.
)1. Executive Director's Office, (A) General	GF	\$1,477,587	\$812	\$1,470,812	\$1,395	\$70
Administration, (1) General Administration.	CF	\$448,474	\$541	\$348,876	\$930	\$46
eased Space	RF	\$38,849	\$0	\$38,849	\$0	\$
	FF	\$1,960,998	\$1,353	\$1,853,271	\$2,325	\$1,17
	Total	\$3,703,098	\$7,428	\$2,922,539	\$735	\$37
14. Evenutive Disease	FTE	0.0	0.0	0.0	0.0	0.
11. Executive Director's Office, (A) General	GF	\$1,424,388	\$2,228	\$1,231,171	\$220	\$11
Administration, (1) General Administration,	CF	\$461,677	\$1,486	\$239,086	\$147	\$7
Operating Expenses	RF	\$40,724	\$0	\$22,515	\$0	\$
	FF	\$1,776,309	\$3,714	\$1,429,767	\$368	\$18
	Total	\$0	\$147	\$362,760	\$260	\$13

		FY 202	3-24	FY 202	FY 2025-26	
Line Item Information	Fund	Initial Appropriation	Supplemental Request	Base Request	Budget Amendment	Continuation Request
O4. For suffice Directors	FTE	0.0	0.0	0.0	0.0	0.0
01. Executive Director's Office, (A) General	GF	\$0	\$44	\$154,853	\$78	\$39
Administration, (1) General Administration,	CF	\$0	\$29	\$26,394	\$52	\$26
Paid Family and Medical	RF	\$0	\$0	\$0	\$0	\$0
Leave Insurance	FF	\$0	\$74	\$181,513	\$130	\$66
	Total	\$68,472,030	\$36,831	\$68,122,067	\$65,181	\$32,858
	FTE	741.0	0.6	732.1	1.0	0.5
01. Executive Director's Office, (A) General	GF	\$25,204,598	\$11,049	\$26,276,162	\$19,555	\$9,859
Administration, (1)	CF	\$7,546,836	\$7,367	\$6,115,966	\$13,037	\$6,572
General Administration, Personal Services	RF	\$2,674,462	\$0	\$2,881,078	\$0	\$0
	FF	\$33,046,134	\$18,415	\$32,848,861	\$32,589	\$16,427
	Total	\$98,551	\$52	\$118,120	\$92	\$47
	FTE	0.0	0.0	0.0	0.0	0.0
01. Executive Director's Office, (A) General	GF	\$38,706	\$16	\$50,471	\$28	\$14
Administration, (1)	CF	\$7,097	\$10	\$6,635	\$18	\$9
General Administration, Short-term Disability	RF	\$1,911	\$0	\$1,911	\$0	\$0
	FF	\$50,837	\$26	\$59,103	\$46	\$24
	Total	\$3,290,125	\$1,630	\$3,943,067	\$2,885	\$1,455
01. Executive Director's	FTE	0.0	0.0	0.0	0.0	0.0
Office, (A) General Administration, (1)	GF	\$1,292,773	\$489	\$1,682,899	\$865	\$436
General Administration,	CF	\$237,090	\$326	\$224,338	\$577	\$291
Supplemental Amortization	RF	\$62,817	\$0	\$62,817	\$0	\$0
Equalization Disbursement	FF	\$1,697,445	\$815	\$1,973,013	\$1,443	\$728

Auxiliary Data

Requires Legislation? NO

Type of Request?

Health Care Policy and Financing Prioritized Request

Interagency Approval or Related Schedule 13s:

None

Kim Bimestefer, Executive Director Department of Health Care Policy & Financing January 2, 2024



Department Priority: S-07/BA-07 NEMT Provider Credentialing and Reviews

Summary of Funding Change for FY 2023-24										
		Incren	nental Change							
	FY 2023-24 Appropriation	FY 2023-24 Request	FY 2024-25 Request							
Total Funds	\$156,093,581	\$1,313,618	\$1,587,721							
FTE	741.0	0.6	1.0							
General Fund	\$48,686,790	\$394,085	\$476,316							
Cash Funds	\$25,847,341	\$262,723	\$317,544							
Reappropriated Funds	\$3,184,377	\$0	\$0							
Federal Funds	\$78,375,073	\$656,810	\$793,861							

Summary of Request

The Department requests \$1,313,618 total funds, including \$394,085 General Fund, in FY 2023-24 and \$1,587,721 total funds, including \$476,316 General Fund, in FY 2024-25 to effectively safeguard against a suspected Non-Emergent Medical Transportation (NEMT) fraud scheme within the state. The requested resources will include hiring a vendor to implement a statewide credentialing process for NEMT providers, contracting with a vendor to aid in current program integrity efforts surrounding the NEMT program, and hiring a term-limited FTE to complete newly required screening processes for NEMT providers. This request aligns with the Department's strategic pillar of Cost Control by ensuring the State is paying for the right services, at the right place, at the right price. The request represents less than 0.5% of the Department's total appropriation.

Requires Legislation	Equity Impacts	Impacts Another Department?	Statutory Authority
No	Neutral	No	25.5-5-202 (2), C.R.S.

Current Program

Non-Emergent Medical Transportation (NEMT) is a Health First Colorado benefit for members who do not have transportation to medical appointments. NEMT is provided through a transportation broker for the nine Denver metro counties and through local transportation providers outside of that area.

The Department recently identified a suspected fraud scheme within the NEMT provider industry in Colorado. The Department has taken proactive steps to protect members and taxpayer dollars to address the potential gaps leading to the suspected fraud scheme while continuing to ensure that members have access to transportation for medical needs. This includes collaborating broadly with all levels of law enforcement, the Centers for Medicare and Medicaid Services, and the U.S. Department of Health and Human Services, to protect Medicaid members and maintain the integrity of Colorado's Medicaid program.

After receiving approval from the Centers for Medicare and Medicaid Services (CMS), the Department instituted a moratorium on enrolling any new NEMT providers into the Medicaid network for a minimum of six (6) months. The Department also instituted prepayment reviews to ensure NEMT claims are valid before payment.

In early October, the Department alerted health care providers, counties, and tribal partners about the situation and how to help protect members. The Department also informed members about what NEMT drivers should and should not do when giving rides, and how to report suspicious activity. This information was sent out in the member newsletter to 168,000 subscriber households and was posted on the HCPF website. Health care providers were also asked to post fliers - created in English and Spanish - in spaces for members to see.

Problem or Opportunity

The Department is taking action to address the suspected fraud scheme through existing resources but needs emergency resources to ensure that there are no providers delivering

services that are acting fraudulently and that all of the claims were appropriately paid. Without procuring additional services, the State risks paying millions of dollars for potentially fraudulent NEMT claims, both for claims that have already been processed and for future services.

Proposed Solution and Anticipated Outcomes

The Department requests \$1,313,618 total funds, including \$394,085 General Fund, in FY 2023-24 and \$1,587,721 total funds, including \$476,316 General Fund, in FY 2024-25 to mitigate risks related to the suspected NEMT fraud scheme. These resources will allow for retroactive claims research to claw back any inappropriately paid claims and provide additional safeguards around the NEMT provider network going forward.

Statewide Credentialing

The Department requests funding for the Department's transportation broker to credential all NEMT providers statewide, effective immediately. Currently only NEMT providers serving the nine-county metro area are credentialed by the broker. Statewide credentialing would ensure there is a standardized approach to certifying providers and would include: in-person vehicle inspection; liability and insurance checks; and driver qualification review, including license and background checks, requirements for standards of service, and accident protocol reviews. Providers who fail to meet credentialing standards would be terminated from enrollment. The funding would only be needed in FY 2023-24, as the Department included these activities in the new contract for the transportation broker effective July 1, 2024.

Claims Review Contract

The Department requests funding for professional and consultative services through a contracted vendor to aid in current program integrity efforts surrounding the NEMT program. Matching federal funds would be available in assisting the Department in procuring a contract, with a matching rate of at least 50%, subject to federal review and approval.

The contract would give the Department immediate access to coders, auditors, data scientists and consultants who all have experience in Medicaid, cost avoidance calculations, MMIS systems, auditing and program integrity. The vendor would assist the Department in conducting pre- and post-payment claims reviews of NEMT providers, analyzing utilization and billing habits to build fraud referrals, calculating cost avoidance and savings, and provide subject matter expertise on how to make program improvements and address existing vulnerabilities.

Currently, the Department has placed nearly 400 providers on prepayment claims review. Each review would take approximately 6-8 weeks per provider to conduct. Additionally, there are about 25,000 claims paid to approximately 130 providers that would need to be reviewed to determine if an overpayment was made. Post-payment claims review typically takes approximately 210 calendar days to complete, not accounting for any litigation that could take place following a post-payment claims review.

Because of these concerns within the NEMT program, the Department is currently working with multiple law enforcement agencies at the state and federal level on several suspected fraud cases. The Department anticipates that additional fraud cases will be identified, which would require additional resources. A contract funded by the requested funds would help the Department address this need.

Term Limited FTE

The Department now considers NEMT provider applications as high risk due to the suspected fraud scheme. The Department will need to make sure NEMT providers complete additional screening requirements since their screening level will be elevated to high risk, in accordance with 42 CFR § 455.450. The Department requests one term-limited FTE to outreach providers on the process for screening at a high risk, processing the results from the required fingerprint-based background checks, determining whether the results prohibit the provider from enrolling, and then processing either the enrollment or denial of the application. The Department anticipates that all 900 currently enrolled NEMT providers will be required to comply with a fingerprint-based criminal background check, with approximately 10 new NEMT providers enrolling monthly after the moratorium is lifted that would also be subject to the requirement.

This position would also process a high volume of transmittals for paying or denying claims that are currently on prepayment review, as well as coordinate and complete requests for information from law enforcement.

Assumptions and Calculations

The Department estimated the costs for the centralized credentialing based on a quote from the current vendor of \$72,396 per month. The Department assumes the contract would be in place for seven months until the end of FY 2023-24. Similarly, the Department based the costs for the claims review contract on an estimate from a vendor of the scope of work. The Department calculated the FTE costs for an Administrator III classification for a two-year term limit.

Supplemental, 1331 Supplemental

This request meets supplemental criteria as the suspected NEMT fraud scheme is an unforeseen contingency. The Department was not aware of any suspected fraud at the time of setting the FY 2023-24 budget. The Department has taken proactive steps to address the issues with existing resources but needs additional spending authority urgently to ensure there are no fraudulent NEMT providers delivering services and that any claims already paid are investigated. The Department received approval for emergency spending authority from the JBC for the FY 2023-24 resources on December 20, 2023. This request is for the resources to be reflected in the supplemental bill.

Table 1.0
Summary by Line Item
FY 2023-24

	FY 2023-24										
Row	Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations		
Α	Personal Services	\$36,831	0.6	\$11,049	\$7,367	\$0	\$18,415	50.00%			
В	Health, Life, and Dental	\$6,421	0.0	\$1,926	\$1,284	\$0	\$3,211	50.00%			
С	Short-term Disability	\$52	0.0	\$16	\$10	\$0	\$26	50.00%			
D	Amortization Equalization Disbursement	\$1,630	0.0	\$489	\$326	\$0	\$815	50.00%			
Е	Supplemental Amortization Equalization Disbursement	\$1,630	0.0	\$489	\$326	\$0	\$815	50.00%			
F	Paid Family and Medical Leave Insurance	\$147	0.0	\$44	\$29	\$0	\$74	50.00%			
G	Operating Expenses	\$7,428	0.0	\$2,228	\$1,486	\$0	\$3,714	50.00%			
Н	Leased Space	\$2,706	0.0	\$812	\$541	\$0	\$1,353	50.00%			
	General Professional Services	\$1,256,773	0.0	\$377,032	\$251,354	\$0	\$628,387	50.00%			
J	Total Request	\$1,313,618	0.6	\$394,085	\$262,723	\$0	\$656,810		Sum of Rows A thru I		

Table 1.1
Summary by Line Item

	FY 2024-25											
Row	Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations			
Α	Personal Services	\$65,181	1.0	\$19,555	\$13,037	\$0	\$32,589	50.00%				
В	Health, Life, and Dental	\$11,033	0.0	\$3,310	\$2,206	\$0	\$5,517	50.00%				
С	Short-term Disability	\$92	0.0	\$28	\$18	\$0	\$46	50.00%				
D	Amortization Equalization Disbursement	\$2,885	0.0	\$865	\$577	\$0	\$1,443	50.00%				
Е	Supplemental Amortization Equalization Disbursement	\$2,885	0.0	\$865	\$577	\$0	\$1,443	50.00%				
F	Paid Family and Medical Leave Insurance	\$260	0.0	\$78	\$52	\$0	\$130	50.00%				
G	Operating Expenses	\$735	0.0	\$220	\$147	\$0	\$368	50.00%				
Н	Leased Space	\$4,650	0.0	\$1,395	\$930	\$0	\$2,325	50.00%				
	General Professional Services	\$1,500,000	0.0	\$450,000	\$300,000	\$0	\$750,000	50.00%				
J	Total Request	\$1,587,721	1.0	\$476,316	\$317,544	\$0	\$793,861		Sum of Rows A thru I			

Table 1.2
Summary by Line Item
FY 2025-26

	11 2023 20											
Row	Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations			
Α	Personal Services	\$32,858	0.5	\$9,859	\$6,572	\$0	\$16,427	50.00%				
В	Health, Life, and Dental	\$5,562	0.0	\$1,669	\$1,112	\$0	\$2,781	50.00%				
С	Short-term Disability	\$47	0.0	\$14	\$9	\$0	\$24	50.00%				
D	Amortization Equalization Disbursement	\$1,455	0.0	\$436	\$291	\$0	\$728	50.00%				
I F	Supplemental Amortization Equalization Disbursement	\$1,455	0.0	\$436	\$291	\$0	\$728	50.00%				
F	Paid Family and Medical Leave Insurance	\$131	0.0	\$39	\$26	\$0	\$66	50.00%				
G	Operating Expenses	\$370	0.0	\$111	\$74	\$0	\$185	50.00%				
Н	Leased Space	\$2,344	0.0	\$703	\$469	\$0	\$1,172	50.00%				
Ī	General Professional Services	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	_			
J	Total Request	\$44,222	0.5	\$13,267	\$8,844	\$0	\$22,111		Sum of Rows A thru I			

S-07/BA-07 NEMT Provider Credentialing and Reviews Appendix A: Assumptions and Calculations

Table 1.3 Summary by Line Item FY 2026-27 and Ongoing

	1 1 ZOZO-Z7 and Ongoing											
Row	Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations			
Α	Personal Services	\$0	0.0	\$0	\$0	\$0	\$0					
В	Health, Life, and Dental	\$0	0.0	\$0	\$0	\$0	\$0					
С	Short-term Disability	\$0	0.0	\$0	\$0	\$0	\$0					
D	Amortization Equalization Disbursement	\$0	0.0	\$0	\$0	\$0	\$0					
Е	Supplemental Amortization Equalization Disbursement	\$0	0.0	\$0	\$0	\$0	\$0					
F	Paid Family and Medical Leave Insurance	\$0	0.0	\$0	\$0	\$0	\$0					
G	Operating Expenses	\$0	0.0	\$0	\$0	\$0	\$0					
Н	Leased Space	\$0	0.0	\$0	\$0	\$0	\$0					
Ī	General Professional Services	\$0	0.0	\$0	\$0	\$0	\$0					
J	Total Request	\$0	0.0	\$0	\$0	\$0	\$0		Sum of Rows A thru I			

S-07/BA-07 NEMT Provider Credentialing and Reviews Appendix A: Assumptions and Calculations

	Table 2.0 Summary by Initiative FY 2023-24									
Row	ltem	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations	
Α	Statewide Credentialing	\$506,773	0.0	\$152,032	\$101,354	\$0	\$253,387	30.00%	Vendor quote; \$72,396 per month for seven months	
В	Retroactive Claims Review	\$750,000	0.0	\$225,000	\$150,000	\$0	\$375,000	50.00%	Hire a vendor to aid in current program integrity efforts surrounding the NEMT program	
С	Term Limited FTE	\$56,845	0.6	\$17,053	\$11,369	\$0	\$28,423	50.00%	Oversee initiatives and research other strategies	
D	Total Request	\$1,313,618	0.6	\$394,085	\$262,723	\$0	\$656,810		Sum of Rows A thru C	

	Table 2.1 Summary by Initiative FY 2024-25										
Row	ltem	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations		
Α	Statewide Credentialing	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	No ongoing costs as credentialing will be built into reprocured contract		
В	Retroactive Claims Review	\$1,500,000	0.0	\$450,000	\$300,000	\$0	\$750,000	50.00%	Hire a vendor to aid in current program integrity efforts surrounding the NEMT program		
С	Term Limited FTE	\$87,721	1.0	\$26,316	\$17,544	\$0	\$43,861	50.00%	Oversee initiatives and research other strategies		
D	Total Request	\$1,587,721	1.0	\$476,316	\$317,544	\$0	\$793,861		Sum of Rows A thru C		

	Table 2.2									
	Summary by Initiative									
	FY 2025-26									
Row	ltem	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations	
Α	Statewide Credentialing	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	No ongoing costs as credentialing will be built into reprocured contract	
В	Retroactive Claims Review	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	Contract would end in June 2025	
С	Term Limited FTE	\$44,222	0.5	\$13,267	\$8,844	\$0	\$22,111	50.00%	Oversee initiatives and research other strategies	
D	Total Request	\$44,222	0.5	\$13,267	\$8,844	\$0	\$22,111	-	Sum of Rows A thru C	

	Table 2.3 Summary by Initiative FY 2026-27 and Ongoing									
Row	ltem	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FFP Rate	Notes/Calculations	
Α	Statewide Credentialing	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	No ongoing costs as credentialing will be built into reprocured contract	
В	Retroactive Claims Review	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	Contract would end in June 2025	
С	Term Limited FTE	\$0	0.0	\$0	\$0	\$0	\$0	50.00%	Term would end December 2025	
D	Total Request	\$0	0.0	\$0	\$0	\$0	\$0		Sum of Rows A thru C	

S-07/BA-07 NEMT Provider Credentialing and Reviews Appendix A: Assumptions and Calculations

			Table 3				
			FTE Calculations				
			Personal Services				
			I crosmar services	I	I		
Position Classification	FTE	Start Month	End Month (if Applicable)	FY 2023-24	FY 2024-25	FY 2025-26	Notes
ADMINISTRATOR III	1.0	Dec 2023	Dec 2025	\$36,831	\$65,181	\$32,858	
Total Personal Services (Salary, PERA, Medicare)	1.0			\$36,831	\$65,181	\$32,858	
			Centrally Appropriated (Costs			
Cost Center	FTE Year 1	FTE Year 2+	Cost or Percentage	FY 2023-24	FY 2024-25	FY 2025-26	Notes
Health, Life, Dental	0.6	1.0		\$6,421	\$11,033	\$5,562	
hort-Term Disability	-	-	0.16%	\$52	\$92	\$47	
Amortization Equalization Disbursement	-	-	5.00%	\$1,630	\$2,885	\$1,455	
Supplemental Amortization Equalization Disbursemen	-	-	5.00%	\$1,630	\$2,885	\$1,455	
aid Family and Medical Leave Insurance	-	-	0.45%	\$147	\$260	\$131	
Centrally Appropriated Costs Total				\$9,880	\$17,155	\$8,650	
			Operating Expenses	1			
Ongoing Costs	FTE Year 1	FTE Year 2+	Cost	FY 2023-24	FY 2024-25	FY 2025-26	Notes
Supplies	0.6	1.0		\$291	\$500	\$252	
[elephone	0.6	1.0		\$137	\$235	\$118	
Other	0.6	1.0	\$0	\$0	\$0	\$0	
Subtotal				\$428	\$735	\$370	
One-Time Costs (Capital Outlay)	FTE		Cost	FY 2023-24	FY 2024-25	FY 2025-26	Notes
urniture	1.0		\$5,000	\$5,000	\$0	\$0	
Computer	1.0		\$2,000	\$2,000	\$0	\$0	
Other	1.0		\$0	\$0	\$0	\$0	
Subtotal				\$7,000	\$0	\$0	
Total Operating				\$7,428	\$735	\$370	
			Leased Space				
	FTE Year 1	FTE Year 2+	Cost	FY 2023-24	FY 2024-25	FY 2025-26	Notes
_eased Space	0.6	1.0	\$4,650	\$2,706	\$4,650	\$2,344	