



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

303 E. 17th Avenue, Suite 1100, Denver Colorado 80203

January 9, 2026

Call to Order

Ms. Carroll called the meeting to order at 9:05 a.m.

Roll Call

The Board Coordinator called the roll. There were sufficient members for a quorum with 9 members participating.

A. Members Present

Laura Carroll, JK Costello, Morgan Honea, William Kinnard, Cassana Littler, Barry Martin, James McLaughlin and Christina Mulkey.

B. Members Excused

Amanda Jichlinski and David Pump

C. Staff Present

Adela Flores Brennan, Medicaid Director, Rachel Entrican, Legal Director, Jennifer Weaver, Attorney General; and Chris Sykes, Board Administrator

Announcements

Ms. Carroll announced the next Medical Services Board Meeting will be held at 303 E 17th Ave, Suite 1100, Denver, CO 80203 on Friday, February 13, 2026 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

Mr. McLaughlin moved for the approval of the December minutes. The motion was seconded by Dr. Littler. The minutes were approved, 8:0.

Rules

A. Emergency Adoption

Document 12, MSB 25-09-19-A, Revision to Individual Residential Services and Supports, Section 8.7542.B

Cassandra Keller, Office of Community Living, presented the rule and provided a background of the program. Staff identified billing issues with unclear policy with staff homes have higher costs versus host homes. The Governor's Executive Order requires The Department to determine cost savings.

Board Discussion – Board discussion included the amount of 5k members versus 8500 in the presentation – with 3k in group homes and 5k in home settings. One setting lives with family. If you reside in a shared environment, rotating staff coming into the home. Staff talked about the budget issues facing the state.

Public Testimony – Nicole Villas, caregiver, this is a rate cut. Family homes to group homes is a cut. Not an emergency.

5 minute recess

Thomas Cunningham, Loving Life, this is a cut – attempts predate the Executive Order. Group home, IRSS, IRSS host home – not home – bill at IRSS rate.

Ellen Jensby, Alliance, the rule is complex to account for settings. No action places burden on case managers and creates inconsistency.

Bryce Rafferty, CCDC, support the rule. Simplify definitions, they still are confusing.

Heather Wilson, parent, the rule is confusing, resources hard to get aligned.

Cathleen, parent, pay cut forces to go to contract position and have to go onto Medicaid.

Susan Root, parent, concern of speed of rule a 10% reduction is a big impact.

Kathy Fieber, parent, definitions confusing.

Michelle Dumay, parent, stakeholder engagement only allowed definition input but not rule overall. The Department did not perform an access to care assessment.

Traci Anderson, parent, rates are unsustainable – a rate cut is not an emergency.

Neil Schirmer, MFC, Program Approved Service Agency (PASA) bill only, the idea of home doing it wrong is incorrect.

Cindy Colwell, parent, rule developed on not full picture.

5 min Break

The Board did not make a motion for Document 12.

B. Final Adoption

Document 03, MSB 25-11-23-A, Revision to the Medical Assistance Rule Concerning Coverage for Abortion Services, Section 8.770

Erica Schaler, Administrative Law and Policy Section, presented the rule and explained the Medical Assistance and CHP+ rules will be presented together. Revisions are necessary to comply with state statute. Reviewed stakeholder engagement leading up to the rule. Revisions from legislation passed.

Board Discussion – NA

Public Discussion – NA

Dr. Littler moved for the final adoption of Document 03. Dr. Martin seconded the motion.

The Board voted the final adoption of Document 03, 06:0:2.

Document 04, CHP 25-11-23-B, Revision to the Children’s Health Plan Rule Concerning Coverage of Abortion Services

Erica Schaler, Administrative Law and Policy Section, presented the rule and explained revisions.

Board Discussion – NA

Public Discussion – NA

Dr. Littler moved for the final adoption of Document 04. Dr. Martin seconded the motion.

The Board voted the final adoption of Document 04, 06:0:2.

Document 05, MSB 25-11-23-C, Revisions to the Direct Care Direct Care Services Calculator and Protective Oversight definitions, Sections 8.7502.K & 8.7538.C.1

Danielle Krause, Community Options & Benefits Section, presented the rule and explained revisions clarify how services are authorized. Reviewed the status quo form and highlighted the revisions being made. Reviewed excessive use of the benefit, rule revisions are working on appropriateness of services. Reviewed

definition revisions. See a decline in program costs with revisions. Reviewed stakeholder feedback.

Board Discussion – NA

Public Discussion – Ronnie Broyles, parent, Case Management Agencies that follow the rules.

Sarah, clear language necessary – how to train agencies to do that.

Megan Bowser, Family Voices, appreciate the rule, still needs work.

Summer Zera, caps on services age appropriateness.

Dr. Costello moved for the final adoption of Document 05. Mr. McLaughlin seconded the motion.

The Board voted the final adoption of Document 05, 08:0.

Document 06, MSB 25-11-23-D, Revision to the Medical Assistance Act Rule Concerning RAC Program Technical Changes, Sections 8.076.2.G, 8.076.2.H, and 8.076.2.I

David Smith, Program Integrity, presented the rule and provided a background of Recovery Audit Contractor program. Rulemaking is necessary to comply with state statute, SB 314. Reviewed revisions.

Board Discussion – Board discussion included how the statute clarifies the federal guidance for providers.

Public Discussion – NA

Dr. Costello moved for the final adoption of Document 06. Mr. McLaughlin seconded the motion.

The Board voted the final adoption of Document 06, 07:0:1.

C. Final Adoption by Consent

Document 01, MSB 25-07-02-A, Revision to the Medical Assistance Act Rule Concerning Adult and Child Respite, Sections 8.7545 & 8.7546 and Document 02, MSB 25-08-12-B, Revision to the Medical Assistance Act Rule Concerning Adult and Child Respite, Sections 8.7545 & 8.7546.

Dr. Kinnard moved for the final adoption of Document 01 and Document 02. Mr. McLaughlin seconded the motion.

The Board voted on the final adoption of Document 01 & 02, 8:0.

D. Initial Approval

Document 07, MSB 25-07-01-F, Revision to the Medical Assistance Act Rule Concerning Federally Qualified Health Centers, Section 8.700.6.B

Greta Moser, Health Policy Office, presented the rule and explained payments shifting to fee for service payments.

Board Discussion – Board discussion included that a short term shifted to integrated care as larger revision. A discussion on the impact to cover all Coloradans was held. It is the timing of payments. Faster payment to FQHC's concern of gaming system.

Public Discussion – NA

Mr. McLaughlin moved for the initial approval of Document 07. Dr. Littler seconded the motion.

The Board voted the initial approval of Document 07, 07:1.

5 minute break

Document 08, MSB 25-11-20-A, Revision to Reentry Services for Incarcerated Individuals, Section 8.100.3.G.b.ii

Nancy Brenes, Office of Medicaid Operations, presented the rule and explained revisions increase care to 90 days prior to the release.

Board Discussion – NA

Public Discussion – NA

Mr. McLaughlin moved for the initial approval of Document 08. Dr. Kinnard seconded the motion.

The Board voted the initial approval of Document 08, 07:0:01.

Document 09, CHP 25-12-01-A, Revision to Reentry Services for Incarcerated Individuals, Sections 120.1.C. and 210.U

Nancy Brenes, Office of Medicaid Operations, presented the rule and explained revisions increase care to 90 days prior to the release.

Board Discussion – NA

Public Discussion – NA

Mr. McLaughlin moved for the initial approval of Document 09. Dr. Kinnard seconded the motion.

The Board voted the initial approval of Document 09, 07:0:01.

Document 10, MSB 25-10-07-A, Revision to the Medical Assistance Act Concerning Pharmacy Reimbursement Methodology Update, Sections 8.800.13.B, 8.800.13.C, 8.800.13.H, 8.800.13.I, 8.800.13.J, and 8.800.13.K

Korri Conilogue, Pharmacy Office, presented the rule and explained This proposed rule revises the pharmacy reimbursement methodology under Colorado's Medicaid program. The amendment updates Maximum Allowable Cost (MAC) rates to Wholesale Acquisition Cost (WAC) minus 22% for generic drugs and WAC minus 4% for brand drugs and incorporates MAC into the "lesser-of" reimbursement calculation. Under the proposed structure, pharmacy reimbursement will be the lesser of the Average Acquisition Cost (AAC), National Average Drug Acquisition Cost (NADAC), MAC, or Submitted Ingredient Cost (SIC). Previously, the MAC rate applied only when AAC or NADAC were unavailable. Including MAC in the "lesser of" methodology ensures more consistent and cost-effective reimbursement. The MAC is designed to function as a NADAC equivalency rate where applicable. In addition, based on the Department's most recent Cost of Dispensing Survey, the dispensing fees for the two lowest tiers (pharmacies with the highest annual prescription volumes) will be reduced from \$10.25 to \$9.93 and from \$9.31 to \$8.72.

Board Discussion – Board discussion included the types of pharmacies impacted.

Public Discussion – NA

Dr. Costello moved for the initial approval of Document 10. Ms. Carroll seconded the motion.

The Board voted the initial approval of Document 10, 08:0.

Laura Carroll left at 1:00

Document 11, MSB 25-09-03-B, Revision to Mental Health Transitional Living Homes, Sections 8.7532 A. through G

Grant Reefer, Office of Community Living, presented the rule and explained revisions create efficiency, and transfer oversight authority from Health Care Policy & Financing & The Colorado Department of Public Health and Environment to the Behavioral Health Administration.

Board Discussion – Board discussion included an appreciation for the rule. A request to streamline administrative burden on entities is requested.

Public Discussion – NA

Mr. McLaughlin moved for the initial approval of Document 11. Dr. Costello seconded the motion.

The Board voted the initial approval of Document 11, 07:0.

E. Consent Discussion

Mr. Martin motioned to add Documents 07, 08, 09, 10 & 11 to the Consent Agenda. The motion was seconded by Dr. Kinnard.

The Board voted to add Documents 07, 08, 09, 10 & 11 to the consent Agenda, 08:0.

F. Closing Motion

Dr. Martin moved to close the rules portion of the agenda. The motion was seconded by Dr. Costello.

Dr. Littler and Dr. Costello left at 1:15

G. Rule Preview - Executive Order Initiatives – Community First Choice and Community Connector (Madeline Quartero, Office of Community Living)

H. Open Forum for Public Comments

Britta Jimenez, Aveanna, concern over 56 hour cap

Shannon Moore, parent, concern over 56 hour cap

Rosemarie Harrison, parent, concern over 56 hour cap

Barbara Frazier, parent, concern over 56 hour cap

Tony Shackelton, parent, concern over 56 hour cap

Summer zera, parent, concern over 56 hour cap

Rachael Meza, Aveena, concern over 56 hour cap

Pam Rogers, concern over 56 hour cap

Victoria Moul, concern over 56 hour cap, utilize wrap around theory

Bell Hays, concern over 56 hour cap

Jeff Dobhriste, concern over 56 hour cap

Devon Gates, concern over 56 hour cap

Sharon Miller, concern over 56 hour cap

Nancy Chavez, concern over 56 hour cap

Ronnie Broyles, concern over 56 hour cap

Ondrea Fernandez, concern over 56 hour cap

Chloe Weber, concern over 56 hour cap

RaeAnn Gerritsen, concern over 56 hour cap

Terri Magrans-Courtney, concern over 56 hour cap

Bryce Rafferty, CCDC, concern over 56 hour cap

Ashton Rinker, concern over 56 hour cap

Corrin Jensen, Caregiver, concern over 56 hour cap

Traci Anderson, parent, concern over 56 hour cap

Amanda Swagger, parent, concern over 56 hour cap

Sarah Morgan, concern over 56 hour cap

Christina Reynolds, concern over 56 hour cap

Donna Floyd, concern over 56 hour cap

The meeting was adjourned at 2:45 p.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, February 13, 2026 at 303 E. 17th Ave, Suite 1100, 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.