



## 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  
July 8, 2022

#### Call to Order

Mr. Honea called the meeting to order at 9:01 a.m.

#### Roll Call

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

#### A. Members Present

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

#### B. Members Excused

#### C. Staff Present

Cristen Bates, Deputy Medicaid Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

#### Announcements

Mr. Honea announced the next Medical Services Board Meeting will be held at 1570 Grant St Hibiscus Conference Room, Denver, CO 80203 on Friday, August 12, 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.



Our mission is to improve health care access and outcomes for the people we serve while demonstrating sound stewardship of financial resources.  
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## **Approval of Minutes**

Dr. Martin moved for the approval of the February minutes. The motion was seconded by Dr. Mulkey. The minutes were approved, 8:0.

## **Rules**

### **A. Emergency Adoption**

Document 04, MSB 22-06-14-A, Revision to the Medical Assistance Act Rule Concerning Outpatient Payment Rates for Opioid Antagonist, Section 8.300.6.A.4

Andrew Abalos, Special Rates Division, presented the rule and explained the methodology for reimbursing rates. HB 22-1326 reimburses for take home Naloxone. Payment is carved out from the payment group.

Board Discussion – NA

Public Testimony – NA

Dr. Hambidge moved for the emergency adoption of Document 04. Dr. Nguyen seconded the motion.

The Board voted the emergency adoption of Document 04, 8:0.

Dr. Kinnard joined – 9:10

Document 05, MSB 22-06-23-B, Revision to the Child Health Plan Plus Rule Concerning Waiving of Enrollment Fees, Sections 50.4 & 440.4

Jeffrey Jaskunas, Eligibility Policy Section, presented the rule and explained the emergency due to legislation, HB 22-1289. The revisions expand access to all Coloradans, no longer collect enrollment fees/premiums.

Board Discussion – Board discussion included a history of CHP fees, legislatively driven to no more enrollment fees.

Public Testimony – NA

Dr. Martin moved for the emergency adoption of Document 05. Dr. Hambidge.

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

Document 06, MSB 22-06-30-A, Revision to the Medical Assistance Act Rule concerning Long-Term Home Health Prior Authorization, Section 8.520.8.C

Russ Zigler, Operations Section, presented the rule and explained the rule is extending the emergency rule. A history of the suspension of par requirements during Public Health Emergency was provided.

Board Discussion – Board discussion included the presumed value of PARs and how ongoing discussions with stakeholders to determine the value. A general value of PAR to programs is a lever to control costs.

Public Testimony – NA

Dr. Fraley moved for the emergency adoption of Document 06. Mr. Scott.

The Board voted the emergency adoption of Document 06, 9:0.

Document 07, MSB 22-06-29-A, Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000

Candace Bailey, Office of Community Living, presented the rule and explained temporary changes authorized. No changes to rule.

Board Discussion – NA

Public Testimony – NA

Document 08, MSB 22-06-29-B, Revision to the Medical Assistance Rule concerning Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13

Clint Eatmon, Fiscal Agent Operations Section, presented the rule and explained temporarily removes visit requirements. No changes to the rules.

Board Discussion – NA

Public Testimony – NA

Document 09, MSB 22-06-29-C, Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation, Sections 8.018.1.F. and 8.018.4.D.1

Courtney Sedon, Benefits Section, presented the rule and explained temporarily expands sites for transportation. No changes to rule.

Board Discussion – NA

Public Testimony – NA

Document 10, MSB 22-06-29-D, Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3

Courtney Sedon, Benefits Section, presented the rule and explained expands list of allowable sites temporarily. No changes to rule language.

Board Discussion – NA

Public Testimony – NA

Document 11, MSB 22-06-29-E, Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815

Richard Clark, Office of Community Living, presented the rule and explained rule allows billing for vaccine administration. No changes to the rule.

Board Discussion – NA

Public Testimony – NA

Document 12, MSB 22-06-29-F, Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1,8100.3, 8.100.4, 8.100.5 and 8.100.6

Ana Bordallo, Eligibility Policy Section, presented the rule and explained rules revised to meet federal requirements.

Board Discussion – Board discussion included the purpose of the rule is to keep individuals enrolled during the pandemic, no churn.

Public Testimony – NA

Dr. Mulkey moved for the emergency adoption of Document 07, 08, 09, 10, 11, & 12. Mr. Pump seconded the motion.

The Board voted the emergency adoption of Document 07, 08, 09, 10, 11, & 12, 9:0.

Document 13, CHP 22-06-29-G, Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320

Ana Bordallo, Eligibility Policy Section, presented the rule and explained rules are changed to match enrollment fees. Based on federal requirements.

Board Discussion – Board discussion included enrollment fees and copays covered in the rule.

Public Testimony – NA

Dr. Hambidge moved for the emergency adoption of Document 13. Dr. Fraley seconded the motion.

The Board voted the emergency adoption of Document 13, 9:0.

Document 14, MSB 22-07-05-A, Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300

Russ Zigler, Operations Section, presented the rule and explained rules are unchanged. This is an extension of emergency rule. Provided a quick background of rule language.

Board Discussion – NA

Public Testimony – NA

Mr. Scott moved for the emergency adoption of Document 14. Dr. Fraley seconded the motion.

The Board voted the emergency adoption of Document 14, 9:0.

## **B. Final Adoption by Consent Agenda**

Document 01, MSB 22-01-20-A, Revision to the Federally Qualified Health Center Rule Concerning Reimbursement, Section 8.700.6

Document 02, MSB 22-03-22-A, Revision to the Medical Assistance Act Rule concerning Outpatient Payment Rates for Newly Enrolled and Out of State Hospitals, Sections 8.013 & 8.300.6

Dr. Martin moved for the final adoption of Document 01 & 02. Dr. Mulkey seconded the motion.

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

## **C. Initial Approval Agenda**

Document 03, MSB 22-05-03-B, Revision to the Medical Assistance Act Rule concerning Federally Qualified Health Center Clinical Social Worker, Section 8.700.1.B.1

Russ Zigler, Operations Section, presented the rule and explained Mental Health Practice Act includes Social Work licensure. The rule change aligns with DORA regulations.

Board Discussion – Board discussion included applause to staff for expanding access to mental health. Federally Qualified Health Centers hire Social Workers for integrative care and this will have a positive impact on rural centers.

Public Testimony – NA

Dr. Fraley moved for the initial approval of Document 03. Dr. Nguyen seconded the motion.

The Board voted the initial approval of Document 03, 9:0.

## **CONSENT Agenda**

Mr. Honea moved to add Document 03 to the consent agenda. Dr. Hambidge seconded the motion.

The Board voted to add Document 03 to the consent agenda, 9:0

## **D. Closing Motion**

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

## **Open Comments**

Bethany Pray, Colorado Center on Law and Policy

## **Department Updates**

- Department Updates/Questions – Cristen Bates, Deputy Medicaid Director

### **The meeting was adjourned at 10:19 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](mailto:chris.sykes@state.co.us) or the 504/ADA Coordinator [hcpf504ada@state.co.us](mailto:hcpf504ada@state.co.us) at least one week prior to the meeting.