



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
June 10, 2022

Call to Order

Mr. Honea called the meeting to order at 9:03 a.m.

Roll Call

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

A. Members Present

Cecile Fraley, Morgan Honea, William Kinnard, Barry Martin, Christina Mulkey and Vincent Scott

B. Members Excused

Simon Hambidge, Amanda Moorer, An Nguyen and David Pump

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, July 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.



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 March minutes. The motion was seconded by Mr. Scott. The minutes were approved, 6:0.

Rules

A. Emergency Adoption Agenda

Document 05, Document 05, MSB 22-05-19-A, Revision to Medical Assistance Act Rule concerning Base Wage regarding certain Home and Community Based Services, Section 8.511

Michele Craig, Benefits & Services Division, presented the rule and explained revisions add base wage to HCBS direct care workers, adding the CHRP waiver now. This will increase providers available.

Board Discussion – NA

Public Testimony – NA

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

The Board voted the final adoption of Document 05, 6:0.

Document 06, Document 06, MSB 22-05-31-B, Revision to the Medical Assistance Act Rule concerning Non-Emergent Emergency Department Services Cost Sharing, Section 8.754.2

Russ Zigler, Operations Section, presented the rule and explained the Long Bill increased the copayment amount and requires implementation by 7/1.

Board Discussion – NA

Public Testimony – NA

Dr. Kinnard moved for the final adoption of Document 06. Dr. Fraley seconded the motion.

The Board voted the final adoption of Document 06, 6:0.

Document 07, Document 07, MSB 22-05-31-A, Revision to the Medical Assistance Act Rule concerning Non-Invasive Prenatal Testing, Section 8.732.4.E

Russ Zigler, Operations Section, presented the rule and explained the Long Bill covers Non-Invasive Prenatal Testing. The rule aligns with national standards and must be effective by 7/1.

Board Discussion – NA

Public Testimony – NA

Dr. Fraley moved for the final adoption of Document 07. Dr. Mulkey seconded the motion.

The Board voted the final adoption of Document 07, 6:0.

Document 08, Document 08, MSB 22-05-27-A, Revision to the Special Financing Division Colorado Dental Health Care Program for Low-Income Seniors and Old Age Pension Concerning SB21-199, Section 8.900

Chandra Vital, Special Financing Division, presented the rule and explained the Dental Health Care Program for Low-Income Seniors revisions and Old Age Pension changes. Lawful presence is no longer a requirement, SB 21-199.

Board Discussion – Board discussion included program funding and how there is no fiscal impact because the program receives a set amount and there is no change.

Public Testimony – Bethany Pray, Colorado Center on Law & Policy, appreciate the rule. Lawful presence is not required for state programs. Request forms, trainings and notice should be looked at to align with the rule. One training is already completed.

Mr. Scott moved for the final adoption of Document 08. Dr. Martin seconded the motion.

The Board voted the final adoption of Document 08, 6:0.

B. Final Adoption by Consent Agenda

Document 01, MSB 22-04-27-A, Revision to the Medical Assistance Rule concerning Maternity Services Episode Based Payments, Section 8.733

Dr. Mulkey moved for the final adoption of Document 01. Mr. Scott seconded the motion.

The Board voted the final adoption of Document 01, 6:0.

C. Final Adoption Agenda

Document 02, Document 02, MSB 22-04-28-A, Revision to the Medical Assistance Rules concerning Skilled Nursing Facility Enhanced Supplemental Payments, Section 8.443

Jeff Wittreich, Special Financing Division, presented presented the rule and explained nursing homes have been hit hard by the public health emergency. Staffing shortages create less new residents and financing is impacted. Legislation passed allows for 3 separate payments to nursing homes over the coming months. Quarterly reporting from providers required. The Department must report on the reimbursement impact. Information is needed to ensure closures do not impact members.

Board Discussion – Board discussion included how great it is to be addressing work force issues.

Public Testimony – NA

Dr. Fraley moved for the final adoption of Document 02. Mr. Scott seconded the motion.

The Board voted the final adoption of Document 02, 6:0.

D. Initial Approval Agenda

Document 03, Document 03, MSB 22-01-20-A, Revision to the Federally Qualified Health Center Rule Concerning Reimbursement, Section 8.700.6

Erin Johnson, Rates Division, presented the rule and explained the rate methodology. Set rates to actual costs, rule restarts base rate to account for lower visits.

Board Discussion – NA

Public Testimony – NA

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

The Board voted the initial approval of Document 03, 6:0.

Document 04, 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.

Tyler Samora, Rates Division, presented the rule and explained that the revisions impact newly enrolled in state and out of state hospitals only. EAPG base rates are impacted. Explained the base rate methodology.

Board Discussion – Board discussion included an appreciation of the effort to fine tune the designations. Existing designations will be looked at in time.

Public Testimony – NA

Dr. Martin moved for the initial approval of Document 04. Mr. Scott seconded the motion.

The Board voted the initial approval of Document 04, 6:0.

Consent Agenda Discussion

Mr. Honea moved to add Documents 03 & 04 to the consent agenda, Dr. Fraley seconded the motion.

The Board voted to add Documents 03 & 04 to the consent agenda, 6:0.

E. Closing Motion

Mr. Scott moved to close the rules portion of the agenda. The motion was seconded by Dr. Mulkey.

Open Comments

Department Updates

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

The meeting was adjourned at 9:54 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, July 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.