



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
May 14, 2021

Call to Order

Ms. Moorer called the meeting to order at 9:11 a.m.

Roll Call

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

A. Members Present

Amanda Moorer, Cecile Fraley, Patricia Givens, Bregitta Hughes, Christina Mulkey, An Nguyen, David Pump, and Vincent Scott

B. Members Excused

Jessica Kuhns, Simon Hambidge and Morgan Honea

C. Staff Present

Tracy Johnson, Medicaid Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

Announcements

Ms. Moorer announced the next Medical Services Board Meeting will be held at 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203 on Friday, June 11, 2021 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.

Legislative Update

Our mission is to improve health care access and outcomes for the people we serve while demonstrating sound stewardship of financial resources.
www.colorado.gov/hcpf



Approval of Minutes

Mr. Pump moved for the approval of the March minutes. The motion was seconded by Mr. Scott. The minutes were approved, 6:0:1.

Dr. Givens Joined – 9:18

Rules

A. Emergency Rules

Document 10, MSB 21-05-02-A, Revision to the FQHC Rule Concerning COVID-19 Vaccine and Treatment Reimbursement, Section 8.700.6.B

Erin Johnson, Rates Division, presented the emergency rule and explained emergency needed to avoid lapse in rule. The rule changes revises reimbursement for COVID-19 vaccine administration for Federally Qualified Health Centers.

Board Discussion – Board discussion included service reimbursement language in the rule and payment methodology was explained.

Public Testimony – NA

Dr. Fraley moved for the emergency adoption of Document 10. Dr. Nguyen seconded the motion.

The Board voted the emergency adoption of Document 10, 8:0.

Document 11, MSB 21-04-06-A, Revision to the Medical Assistance Act Rule concerning Inpatient Hospital High Acuity Rate Negotiation, Section 8.300.5

Russ Zigler, Operations Section, and Raine Henry, Benefits Management, presented the emergency rule and explained the authority regarding inpatient hospital reimbursement rates.

Board Discussion – NA

Public Testimony – NA

Mr. Scott moved for the emergency adoption of Document 11. Ms. Hughes seconded the motion.

The Board voted the emergency adoption of Document 11, 8:0.

B. Final Adoption by Consent Agenda

Document 01, MSB 19-08-21-A, Revisions to the Medical Assistance Rule Concerning changes to the Income Data Source and Lottery/Gambling

winnings hardship exemption for sections 8.100.3.N, 8.100.4.B, 8.100.4.C, 8.100.5.B, and 8.100.5.F

Document 02, MSB 20-08-04-C, Revision to the Medical Assistance Rule concerning Prospective Payments to Primary Care Medical Providers, Section 8.200

Document 03, MSB 20-08-10-B, Revision to the Medical Assistance Act Rule concerning Non-Invasive Prenatal Testing Prior Authorization, Section 8.732

Mr. Pump moved for the final adoption of Document 01, 02 & 03. Dr. Givens seconded the motion.

The Board voted the final adoption of Document 01, 02 & 03, 8:0.

C. Final Adoption Agenda

Document 04, MSB 21-01-21-B, Revision to the rule authorizing the annual adjustment schedule for Inpatient Hospital Base Rates, Section 8.300.5.A.3.e

Andrew Abalos, Rates Division, presented the rule and explained changes from last month. The Long Bill hasn't passed, so generic language was put in the rule. The language aligns with the Long Bill and has been used in other sections of rule.

Board Discussion – Board discussion included appreciation of the generic language.

Public Testimony – NA

Dr. Fraley moved for the final adoption of Document 04. Dr. Nguyen seconded the motion.

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

Document 05, MSB 21-03-25-A, Revision to the FQHC Rule Concerning COVID-19 Vaccine and Treatment Reimbursement, Section 8.700.6.B

Erin Johnson, Rates Division, presented the rule and explained revises reimbursement for vaccine and treatment at Federally Qualified Health Centers.

Board Discussion – NA

Public Testimony – NA

Dr. Nguyen moved for the final adoption of Document 05. Dr. Givens seconded the motion.

The Board voted the final adoption of Document 05, 8:0.

Document 06, MSB 21-03-25-B, Revision to Medical Assistance Special Financing rule concerning the Colorado Dental Health Care Program for Low-Income Seniors, Section 8.960

Chandra Vital, Special Financing Division, presented the rule and explained the procedure code added to the rule.

Board Discussion – Board discussion included a gratitude for the work staff did on the rule.

Public Testimony – NA

Dr. Mulkey moved for the final adoption of Document 06. Dr. Nguyen seconded the motion.

The Board voted the final adoption of Document 06, 8:0.

D. Initial Approval Agenda

Document 07, MSB 20-08-10-A

Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Telehealth in Home and Community-Based Services, to add Section 8.615

Lindsay Westlund, Office of Community Living, presented the rule and explained revisions to income verification. A new section is being created in 10 HCBS waivers. No prior telehealth in the 10 waivers but because of the PHE telehealth was sought and approved. A background of the authorizing statute was given. Rule language highlights were provided. A review of what telehealth services can be used for was reviewed. Stakeholder feedback received was reviewed. Members chooses telehealth services. Appreciate feedback received from stakeholders.

Board Discussion – Board discussion included an appreciation of the level of engagement and logging of comments.

Public Testimony – NA

Mr. Pump moved for the initial approval of Document 07. Dr. Fraley seconded the motion.

The Board voted the initial approval of Document 07, 8:0.

Document 08, MSB 21-01-21-A, Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Transitional Living, Section 8.516.30

Candace Bailey, Community Options Benefits Section, presented the rule and explained transitional living services. Revisions allow an individual with a recent brain injury have room and board paid now, traditionally this would not be covered.

Board Discussion – NA

Public Testimony – NA

Ms. Hughes moved for the initial approval of Document 08. Mr. Scott seconded the motion.

The Board voted the initial approval of Document 08, 8:0.

Document 09, MSB 21-01-28-A, Revision to the Medical Assistance Rule concerning FFY 20-21 Healthcare Affordability & Sustainability (HAS) Fees & Payments Amendment, Creation of Hospital Transformation Program (HTP) & Rural Support Program (RSP), Section 8.3000

Jeff Wittreich, Special Financing Division, presented the rule and explained there are three parts to the rule revision. A background of the Healthcare Affordability & Sustainability Fee was provided. Revisions include federal fiscal year updates to the fee per diem. The Hospital Transformation Program is a 5 year program and incentivizes outcomes. Rates are revised for the PHE. A background of the Rural Support Program was provided. This is a small payment attached to the HTP to fund rural hospitals to improve outcomes.

Board Discussion – NA

Public Testimony – NA

Dr. Nguyen moved for the initial approval of Document 09. Dr. Fraley seconded the motion.

The Board voted the initial approval of Document 09, 8:0.

E. Consent Agenda Discussion

Mr. Pump moved to add documents 08 & 09 to the Consent Agenda, Mr. Scott seconded the motion.

The Board voted to add document 08 & 09 to the Consent Agenda, 8:0.

F. Closing Motion

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

Open Comments

NA

Department Updates

- Department Updates/Questions – Tracy Johnson, Medicaid Director

The meeting was adjourned at 10:43 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, June 11, 2021 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.