

Nursing Facility Advisory Council

June 16, 2021

Agenda

- Legislative Session Wrap-up
 - HB 21-1227 (DON)
 - SB 21-128 (CMP)
 - 3rd COVID supplemental payment
 - Interest in in-person meetings?
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- Open Comment

Medicaid Nursing Facilities

Demonstration of Need

[HB 21-1227](#)

- . Implementation of Demonstration of Need
 - . 5 bed cost reporting exclusion
- . RUG system no longer identified as acuity measurement
- . Adjustment to appraisal language (to accommodate rate rebase)

Medicaid Nursing Facilities

Demonstration of Need

[HB 21-1227](#)

- -Demonstration of Need stakeholder groups
 - Disability advocacy organizations
 - Urban nursing facility providers
 - Rural nursing facility providers
 - Aging and older adult advocacy organizations
 - Nursing facility trade organizations

Medicaid Nursing Facilities

Demonstration of Need

[HB 21-1227](#)

- . -Demonstration of Need issues
 - Valid demographic formulas
 - County vs Community
 - Stable occupancy
 - Special populations
 - Prioritization of smaller facilities or ‘new models of care’
 - Methods to objectively announce/compare proposals

Medicaid Nursing Facilities

Demonstration of Need

[HB 21-1227](#)

- . Demonstration of Need timeline
 - Regulation due June 30, 2022
 - Stakeholder meeting to be scheduled in fall
 - 5 bed carveout
 - Needs regulatory set, State Plan Amendment
 - Likely on same timeline

Medicaid Nursing Facilities

Demonstration of Need

[HB 21-1227](#)

- . RUG system change
 - Allows HCPF to transition to PDPM at its own pace
 - HCPF is still in data collection phase
 - No changes anticipated in SFY 21-22

Modification to the Nursing Home Penalty Cash Fund

[SB 21-128](#)

- . Transfers CMP fund to CDPHE
 - Alignment with CMS quality safety and oversight group
 - Administrative funding for CMP projects
 - Improve emergency response

3rd COVID supplemental

- . HCPF is preparing a 3rd COVID supplemental payment using SNF budget under expenditure
 - Same structure as the previous two
 - Will cover April 1 - June 30th
 - Details pending: Anticipating ~10% rate increase totaling \$16 million
 - Payment will be issued by the end of the month

Interest in returning to in-person NFAC/PFAB

HCPF is developing plans to begin allowing in-person meetings again.

- Gauging interest from SNF group
- Web/phone options would continue

Open Comment