



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

303 E. 17th Avenue, 11th Floor Conference Room, Denver, CO 80203

October 11, 2024

Call to Order

Ms. Carroll called the meeting to order at 9:14 a.m.

Roll Call

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

A. Members Present

Laura Carroll, Simon Hambidge, Morgan Honea, William Kinnard, Barry Martin, James McLaughlin, Christina Mulkey and David Pump

B. Members Excused

Cecile Fraley and Vincent Scott

C. Staff Present

Cristen Bates, Deputy Medicaid Director; Felice Haas, 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, November 8, 2024 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

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

Rules

A. Final Adoption

Document 01, MSB 24-07-11-B, Revision to the Medical Assistance Rule Concerning Lactation Support Services, Sections 8.200.2.D & 8.732.

Jessica Famen and Jessica Werner presented the rule revisions and provided an overview of the rule. A review of the new types and credentialing requirements was provided. Staff reviewed the stakeholder process used to develop the rule from legislation.

Board Discussion – Board discussion included how staff are subject matter experts and don't necessarily need oversight. Staff will continue to work with stakeholders and make revisions as necessary to the rule. The definition of general oversight was provided. New provider types are classified as high risk and background checks are required.

Public Testimony - Ellie Mulpeter, Academy of Lactation Policy and Practice, Met with staff and support the adoption of the rule. Support future revisions to remove oversight, but agree not a barrier in the current rule language.

Mr. Honea moved for the final adoption of Documents 01. Mr. Pump seconded the motion.

The Board voted on the final adoption of Documents 01, 8:0.

Document 02, MSB 24-05-30-A, Revision to Case Management Redesign (CMRD) Case Management Agency and Waiver rules, Sections 8.400, 8.500 & 8.7000.

Tiffani Domokos (Office of Community Living) presented the rule revisions and provided a quick overview; reviewed stakeholder engagement occurring from last month to this month and addressed the definition structure request needs more time to confirm and cross reference. Reviewed new proposed text from last month to this month. Technical changes occurring.

Board Discussion – Board discussion included how extremely uncomfortable last minute changes are, however minor. Changes vetted through stakeholders, the issue is version control. The Board would appreciate a follow up in a year on how things are going.

Public Testimony - Amy Petre Hill, Colorado Cross Disability Coalition, thanks staff working on the rule. Specific timelines in rule regarding appeals in rule, would be nice.

Bryce Rafferty, Colorado Cross Disability Coalition, appreciate staff being responsive. Provided an overview of the state of healthcare. The department appreciates feedback and will work on the issues in future revisions.

Katie Wallet, Colorado Center on Law and Policy, thank staff for engagement. Rule is long but no major changes to the rule. Still concerns about not technical changes, request Department continue with working with stakeholders over the next few months.

Mr. Honea moved to table Documents 02 to next month. Mr. Pump seconded the motion.

The Board voted to table Documents 02 to next month, 8:0.

Document 03, MSB 24-04-18-A, Revision to Case Management Redesign (CMRD) Member Rights, Provider Agency, and Benefits and Services Regulations, Sections 8.400, 8.500 & 8.7000.

Cassandra Keller presented the rule revisions and reviewed changes from last month to this month, specifically regarding the service plan.

Board Discussion – Board discussion included a request to see where highlighting is in rule.

Public Testimony - Amy Petre Hill, Colorado Cross Disability Coalition, praise to staff for engagement and being very responsive. Feedback incorporated into rule is awesome.

Mr. McLaughlin moved for the final adoption of Documents 03. Dr. Martin seconded the motion.

The Board voted on the final adoption of Documents 03, 8:0.

B. Initial Approval

Document 04, MSB 24-08-21-A, Revision to the Medical Assistance Rule Concerning Hippotherapy, Section 8.7523

Maria Klickna, Office of Community Living, presented the rule and explained recent legislation passed and must be implemented. Reviewed stakeholder feedback.

Board Discussion – Board discussion included a question regarding the naming of benefits, which can become complicated. Two separate benefits, must have separate name.

Public Testimony – Adam Daurio, Colorado State University - Temple Grandin Equine Center, hippotherapy needs to be out of this benefit. Must be physical therapy, occupational therapy or speech language pathology. Very much in favor of this rule.

Dr. Kinnard moved for the initial approval of Document 04. Mr. Pump seconded the motion.

The Board voted the initial approval of Document 04, 8:0.

Document 05, MSB 24-06-25-A, Revision of the Medical Assistance Rule Concerning Changes to expand the exception criteria for Citizenship for New Population for Section Definitions, 8.100.3.G.1.g.viii, and 8.100.3.H.1.b.vii

Megan Crabtree, Office of Community Living, presented the rule and explained full healthcare services 18 and younger whom are not eligible because of citizenship or immigration status, are now covered per Cover All Coloradans legislation. Changes to application will be made. Appreciate feedback received.

Board Discussion – Board discussion included how this is required under statute, and state funded only. Developed through the legislative process and must go through the legislative process again. A question about other states that have such expansion, Oregon and California. 18 and under must meet all other requirements, such as income. If costs go up they must be absorbed. Need additional treatment providers, especially in rural areas. Allow other provider types to operate at the maximum level with oversight.

Public Testimony – Kevin J.D. Wilson, Children's Hospital Colorado, supportive of rule and partnering with the Department.

Toni Sarge, Colorado Children's Campaign, appreciate the work of the Department.

Mr. Honea moved for the initial approval of Document 05. Dr. Hambidge seconded the motion.

The Board voted the initial approval of Document 04, 8:0.

Document 06, CHP 24-07-18-A, Revision of CHP Rule concerning the changes to expand the exception criteria for citizenship under Colorado House Bill 22-1289 Cover All Coloradans, Sections 110.1.B and 110.1.C

Megan Crabtree, Eligibility Policy Section, presented the rule and explained this is the accompanying rule to the CHP+ program for Cover All Coloradans. Reviewed revisions to the rules per legislation. Appreciate feedback received.

Board Discussion – NA

Public Testimony – Katie Wallet, Colorado Center on Law and Policy, support the rule. Concern that the rule language is confusing and can be confusing to eligibility sites that are over worked and understaffed. Importance of implementation of the programs. Training concern addressed by two separate

trainings for eligibility workers and the changes to the CBMS system. Additional memos are being written.

Dr. Hambidge moved for the initial approval of Document 06. Mr. Honea seconded the motion.

The Board voted the initial approval of Document 06, 8:0.

C. Consent Discussion

Mr. Honea motioned to add Documents 04, 05 & 06 to the Consent Agenda.

The Board voted to add Documents 04, 05 & 06 to the Consent Agenda; 8:0.

D. Closing Motion

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

Open Comments

NA

Department Update

- Cristen Bates, Deputy Medicaid Director

The meeting was adjourned at 11:48 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, November 8, 2024 at 303 E 17th Ave, 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.