



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
October 13, 2023

Call to Order

Dr. Fraley called the meeting to order at 9:18 a.m.

Roll Call

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

A. Members Present

Laura Carroll, Simon Hambidge, Cecile Fraley, Morgan Honea, William Kinnard, Idalia Massa-Carroll, Barry Martin, James McLaughlin, An Nguyen, Christina Mulkey and Vincent Scott.

B. Members Excused

NA

C. Staff Present

Adela Flores-Brennan, Medicaid Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

Announcements

Dr. Fraley announced the next Medical Services Board Meeting will be held at 303 E 17th Avenue, 11th Floor Conference Room on Thursday, November 9, 2023 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

Ms. Carroll moved for the approval of the September minutes. The motion was seconded by Mr. McLaughlin. The minutes were approved, 11:0.

Rules

A. Final Adoption by Consent Agenda

Document 01, MSB 23-04-25-A, Revision to the Medical Assistance Rule Concerning Dental Therapists in Federally Qualified Health Centers, Section 8.700.1.B

Document 02, MSB 23-05-23-A, Revision to the Post-Eligibility Treatment of Income Rules, Sections 8.486.60, 8.509.17, 8.515.85.O

Dr. Kinnard moved for the final adoption of Documents 01 & 02. Dr. Mulkey seconded the motion.

The Board voted the final adoption of Document 01 & 02; 11:0.

B. Final Adoption Agenda

Document 03, MSB 23-02-09-A, Revision to the Medical Assistance Act Rule concerning Electronic Consultation (eConsults), Section 8.095

Russ Zigler, Operations Section; Raine Henry and Naomi Mendoza, Health Policy Office, presented the rule and provided an overview of the purpose of the rule. Staff reviewed the stakeholder outreach performed from the initial adoption. Changes to the rule were reviewed. Staff went over policy concerns brought up by stakeholders and the Board.

Mr. Honea recused himself from discussion and voting.

Board Discussion – Board discussion included the approval of psychiatrists in the eConsult platform and psychologists are not, this is to align the rule with the definition of the Primary Care Medical Provider. There was a discussion about the Denver Health letter sent to the Board and if the Department should pause the rule to address the concerns. Stakeholder engagement should occur before the rule is approved, a question of what the hurry is was discussed. Concerns for rural population were expressed. A discussion about the timelines for the federal and state authority was held. A question if any other State has implemented a standalone platform was asked and currently there isn't any data.

Public Testimony – Elizabeth Freudenthal, Pediatric Care Network, Appreciate the work of the Department and the additions to the rule language. Shared concerns from the letter.

Dr. Mulkey moved to table Document 05 until December. Dr. Hambidge seconded the motion.

The Board voted to table Document 05, 6:4:1.

C. Closing Motion

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

Rule Previews

- CMRD Rule Restructure Overview - Tiffani Domokos, Cassandra Keller, Stephen Lutsky
- Wellness Education Benefit – Madeline Quartaro

Open Comments

Katie Wallet, Colorado Center on Law and Policy, applaud the work on unwind. Concerns in the disability community over the Case Management Redesign revisions. There is much anxiety in the community about agencies and PARs.

Department Updates

- Department Updates/Questions – Adela Flores-Brennan, Medicaid Director

The meeting was adjourned at 11:46 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Thursday, November 9, 2023 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.