



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

September 12, 2025

Call to Order

Ms. Carroll called the meeting to order at 9:00 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, JK Costello, Amanda Jichlinski, William Kinnard, Barry Martin, James McLaughlin, Christina Mulkey and David Pump.

B. Members Excused

Morgan Honea and Cassana Littler

C. Staff Present

Rachel Entrican, Legal Director, Jennifer Weaver, Attorney General; and Chris Sykes, Board Administrator

Announcements

Ms. Carroll announced the next Medical Services Board Meeting will be held at 218 E. Midland Ave, Woodland Park, CO, 80863 on Friday, October 10, 2025 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.

Department Announcements

Dr. Jichlinski joined at 9:06

Approval of Minutes

Mr. McLaughlin moved for the approval of the August minutes. The motion was seconded by Mr. Pump. The minutes were approved, 8:0.

Rules

A. Emergency Adoption

Document 12, MSB 25-09-03-A, Revision to the Medical Assistance Act Rule concerning Hospital Rate Setting Authority, Sections 8.300.5 & 8.300.6

Kevin Martin, Rates Division, presented the rule and explained the rule aligns with the Executive Order. According to Directive A in Executive Order D 2025 014 signed by Governor Polis on August 28, 2025, there are not, or will not be, sufficient revenues available for expenditure during the current fiscal year to carry on the functions of the state government and to support its agencies and institutions, and that suspending, in whole or in part, programs and services set forth in the Executive Order are necessary.

Board Discussion – Board discussion included rule revisions allow for changing rates by legislative mandate without coming to the Medical Services Board. The impact to rural communities with rate reductions was discussed.

Public Testimony – NA

Dr. Martin moved for the emergency adoption of Document 12. Mr. McLaughlin seconded the motion.

The Board voted on the emergency adoption of Document 12, 8:0.

Document 13, MSB 25-08-12-C, Revision to the Medical Assistance Act Rule concerning Healthcare Affordability and Sustainability Provider Fees and Supplemental Payments, Section 8.3000

Jeff Wittreich, Special Financing Division, presented the rule and reviewed the purpose of the Healthcare Affordability and Sustainability program. Fees and rates for Federal Fiscal Year 24-25 are updated. Federal legislation requires the maximum fee rate, then the fee rate for the period of time. The emergency justification was discussed.

Board Discussion – Board discussion included how the CHASE board worked very hard on this. The CHASE statute was reviewed and the stakeholder letter concerning administrative costs and reimbursements to hospitals was discussed. As the federal match rate goes down, the state share goes up. Case load trends are going up.

Public Testimony – NA

Mr. McLaughlin moved for the emergency adoption of Document 13. Dr. Mulkey seconded the motion.

The Board voted on the emergency adoption of Document 13, 8:0.

B. Final Adoption by Consent

Document 01, MSB 25-05-14-A, Revision to the Medical Assistance Act Rule concerning Health-Related Social Needs, Section 8.545

Dr. Martin moved for the final adoption of Document 01. Mr. Pump seconded the motion.

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

C. Final Adoption

Document 02, MSB 25-01-28-C, Revision to the Medical Assistance Act Rule concerning Community Health Workers/Community Health Representative Services, Sections 8.125, 8.126 & 8.799

Morgan Anderson, Health Program Office, presented the rule and reviewed legislation requiring the increase of pay to community health workers. Reviewed definitions and explained how the rule is aligned with the department of Health, who oversee training and the registry. A review of the stakeholder engagement was done.

Board Discussion – Board discussion included access to care and stakeholder input and the exclusion of Community Paramedics. Anticipated costs of \$1 million of general fund for 160 community health workers.

Public Discussion – Peter Manetta, Colorado Association of Local Public Health Officials, provide face to face communication. Appreciate collaboration on legislation.

Andrea Stojisavljevic, Children's Hospital Colorado, reviewed state legislation. Most are grant or philanthropic funding, this opens sustainability in funding.

Mr. McLaughlin moved for the final adoption of Document 02. Dr. Costello seconded the motion.

The Board voted the final adoption of Document 02, 7:1.

5 minute break

Document 03, MSB 25-02-20-A, Rule Concerning Safety Net Provider Terminology and Pediatric Residential Updates

Rachel Larson, Program Development and Implementation Section, presented the rule and explained the rule was updated with feedback received from the Board and Attorney General input.

Board Discussion – Board discussion included a review of the safety net provider definition. Essential provider is also defined.

Public Discussion – NA

Mr. Pump moved for the final adoption of Document 03. Mr. McLaugughlin seconded the motion.

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

Document 04, MSB 25-04-17-A, Revision to Alternative Care Facility Staffing Requirements, Section 8.7403 & 8.7506.F

Meg Janeba, Office of Community Living, presented the rule and explained the Department of Public Health and Environment (CDPHE) has regulations for Assisted Living Residences which dictate standards for staffing that are appropriate for member care. The staffing requirements outlined in 8.7506.F are outdated and often do not match the needs of the members served at the setting. Alternative Care Facilities staffing meets the needs of their members, which is consistent with the regulations set forth by CDPHE. Reviews may be completed virtually, thereby expediting the certification process for CDPHE and Provider Agencies, allowing for faster access to appropriate services for members, and more efficiently using CDPHE resources.

Board Discussion – NA

Public Discussion – NA

Dr. Mulkey moved for the final adoption of Document 04. Dr. Jichlinski seconded the motion.

The Board voted the final adoption of Document 04, 7:1.

D. Initial Approval

Document 05, MSB 25-07-08-A, Revision to the Hospital Discounted Care Rule Concerning Presumptive Eligibility per SB 24-116

Taryn Graf, Special Financing Division, presented the rule and reviewed hospital discounted care requirements. A review of the legislative requirements was done, and a discussion of the alignment with Presumptive Eligibility changes to the systems.

Board Discussion – Board discussion included a conversation regarding Medical Assistance and Presumptive eligibility sites and the communication and training plan to assist the sites with this change.

Public Testimony – Maggie Gormley, Colorado Hospital Association, \$141 million contributed by Colorado hospitals. Support the rule.

Dr. Costello moved for the initial approval of Document 05. Dr. Kinnard seconded the motion.

The Board voted the initial approval of Document 05, 7:1.

Document 06, MSB 25-05-30-A, Revision to the Medical Assistance Act Rule Concerning Updates to the Continuous Eligibility Medical Assistance Programs for Children under the age of 19 for Sections 8.100.3.Q.2.d

Melissa Escamilla, Eligibility Policy, presented the rule and reviewed the purpose of the rule. Children have 12 months of Continuous Eligibility and is aligned with Federal guidance.

Board Discussion – Board discussion included how an individual would need to reapply if terminated at reenrollment.

Public Testimony – NA

Dr. Martin moved for the initial approval of Document 06. Dr. Kinnard seconded the motion.

The Board voted the initial approval of Document 06, 7:0.

James McLaughlin stepped out

James McLaughlin returned

Document 07, MSB 25-07-01-C, Revision to the Medical Assistance Act Rule Concerning Presumptive Eligibility by Qualified Hospitals, Sections 8.100.1, 8.100.3.R & 8.100.4.F

Daisy Martinez, Eligibility Policy, presented the rule and explained the presumptive eligibility group. Presumptive Eligibility (PE) cannot be appealed under federal guidelines. Reviewed updates in the rule. Improve access to care.

Board Discussion – Board discussion included how the program dates to 2012 and this is an expansion. A question regarding the percentage of PE that becomes qualified for Medical Assistance historically was asked and the department will return with an update.

Public Testimony – Elizabeth Freudenthal, Children's Hospital Colorado, Legislation came out of Community Advocacy work following the Public Health Emergency. Support the rule.

Dr. Martin moved for the initial approval of Document 07. Dr. Jichlinski seconded the motion.

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

Document 08, CHP 25-07-01-D, Revision to the Medical Assistance Act Rule Concerning Presumptive Eligibility by Qualified Hospitals, Sections 50 & 170

Daisy Martinez, Eligibility Policy, presented the rule. The presentations for both rules were combined.

Board Discussion –

Public Testimony – NA

Dr. Jichlinski moved for the initial approval of Document 08. Dr. Mulkey seconded the motion.

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

Document 09, MSB 25-06-04-A, Revision to the Medical Assistance Act Rule concerning SB25-084 Medicaid Access to Parenteral Nutrition Implementation, Sections 8.800.A and 8.800.13

Korri Conilogue, Pharmacy Office, presented the rule and reviewed parenteral nutrition. Current dispensing fees do not cover the cost of dispensing fees. Legislation passed to address the issue.

Board Discussion – Board discussion included that this rule only addresses parenteral nutrition products and not regional facilities. Larger work for incarcerated population upon release.

Public Testimony – Dr. Lindsey Gumer, Children's Hospital Colorado, appreciate the rule and provided anecdotal evidence of benefit.

Dr. Kinnard moved for the initial approval of Document 09. Dr. Martin seconded the motion.

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

Document 10, MSB 25-04-22-A, Revision to the Programs of All-Inclusive Care for the Elderly (PACE), Section 8.497

Richard Clark, Office of Community Living, presented the rule and explained that PACE is a state run program. The rule has three main revisions – clarifying language and citation update, federal updated language, and adding an application requirement to address aging population.

Board Discussion – Board discussion included the success of the program and currently there are six PACE organizations with 14 centers and more coming.

Public Testimony – NA

Dr. Mulkey moved for the initial approval of Document 10. Dr. Martin seconded the motion.

The Board voted the initial approval of Document 10, 8:0.

Document 11, MSB 25-04-02-B, Repeal of In-Home Support Services and Transition Services, Sections 8.552 & 8.553

Janelle Poullier, Office of Community Living, presented the rule and reviewed HCBS In-Home Supports Services and Transition Services. Rules are now moved to the 8.7000 section and are redundant.

Board Discussion – Board discussion included how this administrative work.

Public Testimony – NA

Dr. Costello moved for the initial approval of Document 11. Dr. Jichlinski seconded the motion.

The Board voted the initial approval of Document 11, 8:0.

E. Consent Discussion

Ms. Carroll motioned to add Documents 09, 10, & 11 to the Consent Agenda. Dr. Kinnard seconded the motion.

The Board voted to add Documents 09, 10 & 11 to the Consent Agenda; 8:0.

F. Closing Motion

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

Open Comments

James McLaughlin, sustainability of EMS across the state.
Nick Nudell, Northeast Retach
Reuben Farnsworth
Sean Keenan, Ute Pass Medical Director
Jeremy DeWall
Gabriel Moreno
Daniel Baker, EMS Liaison UC Health
Brandon Daruna, Eagle County Health District
Kim Schalenberger, Peaks to Plains Retach

The meeting was adjourned at 1:14 p.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, October 10, 2025 at 218 E. Midland Ave, Woodland Park, CO, 80863.

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.