Title of Rule:	Children's Basic Health Plan Rule Change to Allow for Ex Parte Redetermination, Section 140.1 A and B (10 CCR 2505-10-3)
Rule Number:	MSB 10-05-20-A
Division / Contact / Phone:	Child Health Plan Plus / Annie Lee / 303.866.3663

STATEMENT OF BASIS AND PURPOSE

1. Summary of the basis and purpose for the rule or rule change. (State what the rule says or does and explain why the rule or rule change is necessary).

   Please see explanation below.

2. An emergency rule-making is imperatively necessary

   ☐ to comply with state or federal law or federal regulation and/or

   ☒ for the preservation of public health, safety and welfare.

   Explain:

   Telephone and/or electronic renewals are needed to ease the administrative burden of the paper redetermination process for eligibilty sites and clients. Eligibility is redetermined when twelve (12) months have passed since the last eligibility determination. Eligibility sites will have the authority to create a redetermination process in accordance with their eligibility site needs. Also, this rule change will align CHP+ with Medicaid's policy and process.

3. Federal authority for the Rule, if any:

   42 CFR 457.320

4. State Authority for the Rule:

   25.5-1-301 through 25.5-1-303, CRS (2009)

L.G.
6/3/10

Initial Review		Final Adoption	
Proposed Effective Date	**06/11/2010**	Emergency Adoption	**06/11/2010**

DOCUMENT #06

Title of Rule:	Children's Basic Health Plan Rule Change to Allow for Ex Parte Redetermination, Section 140.1 A and B (10 CCR 2505-10-3)
Rule Number:	MSB 10-05-20-A
Division / Contact / Phone:	Child Health Plan Plus / Annie Lee / 303.866.3663

REGULATORY ANALYSIS

1. Describe the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.

   CHP+ clients that reside in a county that will participate in telephone or electronic renewals will benefit from this proposed rule, because they will have the opportunity to have their eligibility redetermined without completing additional paperwork (a redetermination packet).

2. To the extent practicable, describe the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.

The proposed rule will ease the administrative burden of paper redeterminations for eligibility sites and clients. Eligibility sites will have the authority to create a redetermination process in accordance with their eligibility site needs.

3. Discuss the probable costs to the Department and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.

   There are no probable costs associated with the proposed rule.

4. Compare the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.

   N/A

5. Determine whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

   N/A

6. Describe any alternative methods for achieving the purpose for the proposed rule that were seriously considered by the Department and the reasons why they were rejected in favor of the proposed rule.

   N/A

140. REDETERMINATION

140.1 Eligibility shall be redetermined when twelve (12) months have passed since the last eligibility determination.

A. A redetermination form is not required to be sent to the client if all current eligibility requirements can be verified by reviewing information from another assistance program, verification system, and/or CBMS. When applicable, the eligibility site shall redetermine eligibility based solely on information already available. If verification or information is available for any of the three months prior to redetermination month, no request shall be made of the client and a notice of the findings of the review will go to the client. If not all verification or information is available, the eligibility site shall only request the additional minimum verification from the client. This procedure is referenced as Ex Parte Review.

B. The only verification that can be required at redetermination is the minimum verification needed to complete a redetermination of eligibility. If no documentation is required, a written declaration from the client is sufficient verification for redetermination. If the redetermination is performed by phone and no documentation is required, a verbal statement from the client is sufficient verification for redetermination and should be noted in the case record and in CBMS case comments. An eligibility site may redetermine eligibility through telephone, mail, or electronic means. The use of telephone or electronic redeterminations should be noted in the case record and in CBMS case comments.