



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

303 East 17th Avenue 7th Floor Conference Room, Denver, CO 80203.
May 10, 2019

Call to Order

Ms. Moorer called the meeting to order at 9:03 a.m.

Roll Call

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

A. Members Present

Cecile Fraley, Patricia Givens, Jessica Kuhns, Bregitta Hughes, Charolette Lippolis, Amanda Moorer, An Nguyen, and David Potts.

B. Members Excused

Simon Hambidge, Christy Blakely and Donna Roberts

C. Staff Present

Tom Massey, Deputy Executive Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

Announcements

Ms. Moorer announced the next Medical Services Board Meeting will be held at 1900 East Pikes Peak Avenue, Colorado Springs, CO 80909 on Friday, June 14, 2019 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. Hughes moved for the approval of the April minutes. The motion was seconded by Dr. Givens. The minutes were approved, 8:0.



Legislative Update – David DeNovellis

Rules

A. Consent Adoption Agenda

Document 01, MSB 19-01-31-A, Revision to the Colorado Indigent Care Program Rule Concerning CICP SSNs and Clinic Payment Timeline Update, Sections 8.904 and 8.905

Document 02, MSB 19-02-14-A, Revision to The Medical Assistance Rule concerning Nursing Facility Reimbursement, Section 8.400

Document 03, MSB 19-01-04-A, Revision to the Medical Assistance Home and Community Based Services for Elderly Blind and Disabled Rule Concerning Non-Medical Transportation, Section 8.494

Document 04, MSB 18-10-23-A, Revision to the Medical Assistance Benefits Rule Concerning Transgender Services, Section 8.735

Mr. Potts moved for the final adoption of Document 01, 03, 03 and 04. Dr. Lippolis seconded the motion.

The Board voted the final adoption of Documents 01, 02, 03 and 04, 8:0.

B. Final Approval Agenda

Document 05, MSB 19-01-23-A

Revision to the Medical Assistance Special Financing Rule Concerning Colorado Dental Health Care Program for Low-Income Seniors, Section 8.960

Chandra Vital, Special Financing Division, presented the rule and explained the revisions between the initial reading and the final version presented today.

Board Discussion

Board discussion included an appreciation of the revisions and that they are appropriate. Great work was done on the rule.

Public Testimony

NA

Dr. Givens moved for the final adoption of Document 05. Dr. Lippolis seconded the motion.

The Board voted the final adoption of Document 05, 8:0.

Document 06, MSB 19-01-22-A

Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Supportive Living Programs, Section 8.515.85

Diane Byrne, Benefits and Services Management Division, presented the rule and explained that incorporation language included in the initial reading of the rule needed to be corrected.

Board Discussion

NA

Public Testimony

NA

Dr. Nguyen moved for the final approval of Document 06. Ms. Kuhns seconded the motion.

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

Document 07, MSB 19-01-08-A

Revision to the Medical Assistance Rule concerning Family Support Services Program (FSSP) Regulations, Section 8.613

Lindsay Westlund, Community Options Section, presented the rule and explained changes made from the initial reading to the final version presented. Additional communications with the ARC tightened up language and a review of stakeholder feedback received was done. Family recreation passes are included in the rule, excluding museums, zoos etc.

Board Discussion

Board discussion included possible future revisions of the rule with the annual limit if the amount goes up. The possibility of expansion of the state only funded program was discussed, the Department is looking into the data to determine possible steps forward. The language strike on .2 does not have CCB inserted was discussed and corrected.

Public Testimony

Heidi Haines – The ARC of Colorado – good engagement done, a strong stakeholder process taken.

Dr. Lippolis moved for the final approval of Document 07 with language discussed. Ms. Kuhns seconded the motion.

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

Document 08, MSB 18-11-07-A

Revision to the Medical Assistance Benefits Rule Concerning State Supported Living Services Program, Section 8.501

Adam Tucker, Benefits and Services Division, presented the rule and explained funding is state only. Continued engagement with the ARC of Colorado occurred between the initial reading and the final presentation. This revision is a beginning step in larger process change coming in the future.

Board Discussion

Board discussion included the documentation required needs and the \$2k limits discussed for pest abatement. A few minor corrections to language were discussed and agreed upon.

Public Testimony

Linda Skaflin – The ARC of Adams County – Appreciate the opportunity to work with the Department.

Heidi Haines – The ARC of Colorado – Thanked the Department for work on the rule.

Leslie Rothman – see webinar comment – Discussed qualifications of providers and how certification occurs.

Dr. Fraley moved for the final approval of Document 08 with edits. Mr. Potts seconded the motion.

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

C. Initial Approval Agenda

Document 09, MSB 19-03-29-A

Revision to the Medical Assistance Rule concerning HCBS BI Incorporation by Reference cleanup, Section 8.515.1

Russ Zigler, Compliance and Stakeholder Relations Unit, presented the rule and explained that language cleanup of the rule was required.

Board Discussion

NA

Public Testimony

NA

Dr. Lippolis moved for the initial approval of Document 09. Ms. Hughes seconded the motion.

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

Document 10, MSB 19-02-12-A

Revision to the Medical Assistance Eligibility Rules Concerning General Eligibility Requirements and Verification Requirements, Sections 8.100.3.I, 8.100.4.B, and 8.100.5.B

Jennider VanCleave, Eligibility Policy Section, presented the rule and explained rule revisions include SSN exemptions per federal policy alignment. Proposed revisions also align the rule with current paper applications and online applications. The changes eliminate potential barriers for individuals to apply. Colorado Center on Law and Policy and the Attorney General office were helpful in the drafting of language.

Board Discussion

NA

Public Testimony

Allison Neswood – Colorado Center on Law and Policy – thanked the Department for work on the rule. The citizenship rules also need to be revised in the future.

Ms. Kuhns moved for the initial approval of Document 10. Dr. Lippolis seconded the motion.

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

Document 11, MSB 19-03-01-B

Revision to the Medical Assistance Rule concerning In-Home Support Services, Section 8.552

Erin Thatcher, Benefits and Services Management Division, presented the rule and explained the revisions are necessary due to the growth of the program and extension of services. The definitions are updated for level setting.

Board Discussion

NA

Public Testimony

NA

Dr. Givens moved for the initial approval of Document 11. Dr. Lippolis seconded the motion.

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

Document 12, MSB 18-09-18-A

Revision to the Medical Assistance Long-Term Services and Supports Rule Concerning Consumer Directed Attendant Support Services, Section 8.510

Rhyann Lubitz, Long Term Services and Supports, presented the rule and provided a background of CDASS. A lot of restructuring of rule, began in 2017. Svc defs updated, roles and respons section updated, monthly max allowance introduced,

Board Discussion

Home health thoughtful approach, Engament strong

Public Testiomony

NA

Dr. Nguyen moved for the initial approval of Document 12. Ms. Kuhns seconded the motion.

The Board voted the initial approval of Document 12, 8:0.

D. Consent

Mr. Potts moved to add Document 09, 10, 11 and 12 to the Consent Agenda. Dr. Nguyen seconded the motion.

The Board voted approval, 9:0.

E. Closing Motion

Dr. Givens moved to close the rules portion of the agenda. The motion was seconded by Dr. Lippolis. The Board voted to close the rules portion of the agenda, 8:0.

Open Comments

NA

Department Updates

- Department Updates/Questions – Tom Massey, Deputy Executive Director

The meeting was adjourned at 11:04 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, June 14, 2019 at 1900 East Pikes Peak Avenue, Colorado Springs, CO 80909.

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.