



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.

April 12, 2019

Call to Order

Ms. Blakely 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 seven members participating.

A. Members Present

Christy Blakely, Patricia Givens, Simon Hambidge, Jessica Kuhns, Bregitta Hughes, David Potts and Donna Roberts.

B. Members Excused

Cecile Fraley, Charolette Lippolis, Amanda Moorer and An Nguyen

C. Staff Present

Kim Bimestefer, Executive Director; Jennifer Weaver, Attorney General; and Chris Sykes, Board Coordinator

Announcements

Ms. Blakely announced the next Medical Services Board Meeting will be held at 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203 on Friday, May 10, 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. Kuhns moved for the approval of the March minutes. The motion was seconded by Dr. Hambidge. The minutes were approved, 7:0.

Legislative Update – David DeNovellis



Rules

A. Consent Adoption Agenda

- Document 01, MSB 19-01-17-A
Revision to the Medical Assistance Rule concerning Federally Qualified Health Centers Reimbursement, Section 8.700
- Document 02, MSB 19-01-28-A
Revision to the Medical Assistance Rule concerning Long Term Acute Care and Rehabilitation Per Diem Reimbursement, Sections 8.300.5.D.3
- Document 03, MSB 19-01-02-A
Revision to the Medical Assistance Rule concerning Reimbursement Rate Increase for Direct Support Professional Workforce Stabilization, Section 8.505
- Document 04, MSB 18-09-05-A
Revision to the Medical Assistance Rule Concerning Healthcare Affordability and Sustainability Fee Collection and Disbursement, Section 8.3000

Dr. Hambidge moved for the final adoption of Document 01, 02, 03 and 04. Ms. Hughes seconded the motion.

The Board voted the final adoption of Documents 01, 02, 03 and 04, 7:0.

B. Final Approval Agenda

- Document 05, MSB 18-11-16-A
Revision to the Medical assistance Rule concerning the Exception to the Waiting List Protocol, Section 8.500.7
Karli Cheatham, Case Management Unit, presented the rule and explained the rule language aligns with the House Bill language. Language was added to include prison or jail. Specific timelines were not placed in the rule. Added order of selection language for clarification.

Board Discussion

NA

Public Testimony

Christiano Sosa- The ARC of Colorado – expressed support of the rule

Maureen Welch – Parent – concern with abuse by Adult Protective Services in emergency status.

Ms. Hughes moved for the final adoption of Document 05. Dr. Hambidge seconded the motion.

The Board voted the final adoption of Document 05, 7:0.

C. Initial Approval Agenda

- Document 12, MSB 18-10-23-A
Revision to the Medical Assistance Benefits Rule Concerning Transgender Services, Section 8.735
Matt Colussi, Benefits Management Section, and Whitney McOwen, Health Programs Office, presented the rule and explained stakeholder feedback received

regarding permanent hair removal language in the rule and clarifying prior authorization request language necessitated revision to the rule clarifying language.

Board Discussion

NA

Public Testimony

NA

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

The Board voted the initial approval of Document 12, 6:0:1.

- Document 06, MSB 19-01-31-A
Revision to the Colorado Indigent Care Program Rule Concerning CICIP SSNs and Clinic Payment Timeline Update, Sections 8.904 and 8.905
Chandra Vital, Special Financing Division, presented the rule and provided a background of the Colorado Indigent Care Program. Changes to the rule bring the rule into alignment with Medicaid rules regarding Social Security Number furnishing requirements.

Board Discussion

NA

Public Testimony

Allison Neswood – Colorado Center on Law and Policy – expressed support of the rule clarifying when a Social Security Number is not required to be furnished.

Dr. Hambidge moved for the initial approval of Document 06. Ms. Kuhns seconded the motion.

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

- Document 07, 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 provided a background of Low Income Senior Dental Health Care Program. Revisions to the rule include code changes and adding procedure codes.

Board Discussion

Board discussion a clarification of the 'not on the same day' language, and how practitioners cannot use individual codes and must use grouped codes for services where applicable.

Public Testimony

NA

Ms. Kuhns moved for the initial approval of Document 07. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 07, 7:0.

- Document 08, MSB 19-02-14-A

Revision to The Medical Assistance Rule concerning Nursing Facility Reimbursement, Section 8.400

Jeff Wittreich, Special Financing Division, presented the rule and explained revisions include cleanup language and the new payment methodology. The current nursing facility reimbursement was reviewed for context.

Board Discussion

Board discussion included clarification on supplemental payments and reimbursements for services.

Public Testimony

NA

Dr. Hambidge moved for the initial approval of Document 08. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 08, 7:0.

- Document 09, 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 provided a background of the Family Support Services Program. A review of the stakeholder engagements was done. A discussion on the feedback received was held. A Community Centered Board can determine prioritization of funding. The revision incorporates over the counter medications and recreational passes are for the individual and not the family. Recreation centers allow for a caregiver to accompany the individual for free.

Board Discussion

Board discussion included the current system of payments – money to family. The new system allows for families to request payment in advance with receipts, ask for the CCB to pay upfront or collect receipts and request reimbursement directly. Discussion also included the amount of individuals on the waiting list – 2500 – 1500 individuals based on funds available. The time on waiting list fluctuates regarding prioritization.

Public Testimony

Stephani Garcia – Linda Scott read statement for Stephani – supportive of the rule.

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

The Board voted the initial approval of Document 09, 7:0.

BREAK -10 Minutes

- Document 10, 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 the background of the service. The revision proposes adding a

licensure type at the request of CDPHE to retain all providers. Without the changes providers will not be certified and member access will be in jeopardy.

Board Discussion

Board discussion included what new license is needed and when additional licensures will be available.

Public Testimony

Mike Stahl – Hilltop – Supportive of the rule, changes make for sustainability in service.

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

The Board voted the initial approval of Document 10, 6:0.

Department Updates

- Department Updates/Questions – Kim Bimestefer, Executive Director

Initial Approval Agenda resumes

- Document 11, 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

Cassandra Keller, Benefits and Services Management Division, presented the rule and explained revisions include a background check of providers and inclusion of RTD passes for members.

Board Discussion

NA

Public Testimony

NA

Dr. Hambidge moved for the initial approval of Document 11. Ms. Kuhns seconded the motion.

The Board voted the initial approval of Document 11, 7:0.

- Document 13, 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 provided a background of the program. Proposed language provides services that are available to an individual in program. A review of the stakeholder engagement opportunities used was discussed.

Board Discussion

Board discussion included having a definition of Program Approved Service Agency in the rule.

Public Testimony

Linda Scott – The ARC of Colorado – Consistency across the state is necessary. Committed to working on rules.

Dr. Hambidge moved for the initial approval of Document 13. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 13, 6:0.

D. Consent

Dr. Simon moved to add Documents 06, 08, 10, 11 & 12 to the Consent Agenda. Ms. Kuhns seconded the motion.

The Board voted approval, 8:0.

E. Closing Motion

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

Open Comments

NA

Department Updates

- HCBS – CES Waiver Department Update – Lindsay Westlund, Community Options Section

The meeting was adjourned at 12:01 p.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, May 10, 2019 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.