



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

August 10, 2018

Call to Order

Ms. Blakely called the meeting to order at 9:02 a.m.

Roll Call

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

A. Members Present

Christy Blakely, Simon Hambidge, Patricia Givens, Charlie Lippolis, Bregitta Hughes, Jessica Kuhns, Amanda Moorer, An Nguyen, Donna Roberts.

B. Members Excused

Cecile Fraley, David Potts

C. Staff Present

Gretchen Hammer, Deputy 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 700 Main St, Wray, CO 80758 on Friday, September 14, 2018 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. The capacity of the meeting room is 105. 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 minutes. The motion was seconded by Dr. Lippolis. There were no comments and the minutes were approved as submitted, 8:0.

Rules - Dr. Givens joined at 9:06

A. Consent Agenda

Document 01, MSB 18-04-05-A

Revision to the Medical Assistance Rule concerning Children with Autism - Rescind, Section 8.519

Dr. Lippolis moved for the final adoption of Document 01. Ms. Kuhns seconded the motion.

The Board voted the final adoption of Documents 01 9:0.

B. Final Adoption Agenda

Document 02, MSB 18-05-25-B

Revision to the Medical Assistance Home and Community Based Services for Elderly Blind and Disabled Rule Concerning Alternative Care Facilities Section 8.495

Cassandra Keller, Community Options Benefits Section, presented the rule and explained Sig revs since last month. Must be integrated in community, staffing ratio – direct care v aux staff.

Board Discussion

Board discussion included which parts of the Home and Community Based Services waivers the auxillary staff definition would be applied, it will initially be included in the Adult Day Services and Alternative Care Facilities rules.

Public Testimony

Teri Zammel, Leading Age Colorado, in support of the rule.

Ms. Blakely moved for the final adoption of Document 02. Ms. Hughes seconded the motion.

The Board voted the final adoption of Document 02, 9:0.

C. Initial Approval Agenda

Document 03, MSB 18-05-25-A

Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Adult Day Services, Section 8.491

Cassandra Keller, Community Options Benefits Section, presented the rule and explained the work with stakeholders to reach an agreement on the auxillary staff definition, like in the previous rule. Also, for nursing services the provider is required to oversee.

Board Discussion

NA

Rec svcs in residence? Further defined ACF time and ADS time

Public Testimony

Janice Brennar, Leading Age Colorado, in support of the rule

Dr. Hambidge moved to table for the initial approval of Document 03. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 03, 9:0.

Document 04, MSB 18-02-09-A

Revision to the Medical Assistance Rule concerning Adding Pharmacist as a Provider Type, Section 8.200.2

Richard Delaney, Benefits Management Section, presented the rule and explained the revisions add pharmacists as a provider type. This change is made to align Medicaid to private insurance.

Board Discussion

Board discussion an opinion on shall and must as language in rule and if pharmacists intergrated in practice are applicable or retail also.

Public Testimony

NA

Dr. Givens moved to table for the initial approval of Document 04. Dr. Lippolis seconded the motion.

The Board voted the initial approval of Document 04, 9:0.

Document 05, MSB 18-06-20-B

Revision to the Medical Assistance Rule concerning Immunization Benefits, Section 8.815

Whitney McOwen, Operations Section, and Elizabeth Freudenthal, Benefits Management Section, presented the rule and explained the revisions included reverting the benefit coverage standard back into rule and the addition of three immunizations added to the benefit.

Board Discussion

Board discussion included why the flu vaccination was not included, past cost studies by the department were discussed.

Public Testimony

NA

Dr. Lippolis moved for the initial approval of Document 05. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 05, 9:0.

Document 06, MSB 18-03-07-A

Revision to the Medical Assistance Rule concerning Pharmacist Over the Counter Prescriptive Authority, Section 8.800

Kristina Gould, Pharmacy Section, presented the rule and explained revisions are necessary to provide immunizations now covered and that pharmacist elect to be able to give immunizations.

Board Discussion

NA

Public Testimony

NA

Dr. Lippolis moved for the initial approval of Document 06. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 06, 9:0.

Document 07, MSB 18-06-12-A

Revisions to Medical Assistance Rule concerning Income Verification for Those Receiving Continuous Coverage, Sections 8.100.3.G and 8.100.4.G

Ana Bordallo, Eligibility Policy Section, presented the rule and explained clarifying language has been added regarding the reasonable opportunity period when there is a discrepancy about income.

Board Discussion

Board discussion included a review of how income discrepancy functions and whom receives the corrected information.

Public Testimony

NA

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

The Board voted the initial approval of Document 07, 9:0.

Document 08, MSB 18-05-15-B

Revisions to Child Health Plan Plus Rule concerning Income Verification for Those Receiving Continuous Coverage, Section 430

Ana Bordallo, Eligibility Policy Section, presented the rule and explained clarifying language has been added regarding the reasonable opportunity period when there is a discrepancy about income. Board Discussion

Board Discussion

Board discussion included what happens when a member does not resolve the discrepancy in the reasonable opportunity period. Members are terminated, they receive 10 day notice and may reapply. The electronic interface may occur some time after the initial applicatoin or redetermination. If the member is found to be not eligible based on the electronic information, 10 day noticing is applied.

Public Testimony

NA

Dr. Givens moved for the initial approval of Document 08. Ms. Roberts seconded the motion.

The Board voted the initial approval of Document 08, 9:0.

D. Consent

Ms. Moorer moved to add Documents 03, 04, 05, 06, 07 and 08 to the Consent Agenda. Dr. Lipplois seconded the motion. The Board voted approval, 9:0.

A five minute break occurred

E. Emergency Agenda

Document 09, MSB 18-06-15-A

Revision to the Medical Assistance Rule concerning Adding Provider Types to FQHC Visit, Section 8.700

Richard Delaney, Benefits Management Section, presented the rule and explained revisions include adding candidates for licensure for services. This revision aligns FQHC with a doctor office.

Board Discussion

Appreciate rule

Public Testimony

Katie Jacobson, Colorado Community Health Network, support rule and thank HCPF for the work.

Dr. Hambidge moved for the emergency adoption of Document 09. Dr. Givens seconded the motion.

The Board voted the emergency adoption of Document 09, 9:0.

Document 10, MSB 18-07-23-B

Revision to the Medical Assistance Rule concerning Update to Drug Payment Methodology for Outpatient Hospitals, Section 8.300

Kevin Martin, Payment Reform Section, and Shane Mofford, Rates Division Director, presented the rule. Executive Director Bimestefer reviewed in pharmacy, 50% of cost is projected to be to specialty drugs by 2020. Innovation is needed, including updating payment methodology. The rule identifies four drugs. The proposed new method will have the drugs prior authorization request approved and then a negotiated price case by case.

Board Discussion

Board discussion included how long approval takes, 24 hour pharmacy response. Additionally, what other states are implementing to combat the rising

costs and if the hospitals and HCPF intends to meet directly with manufacturers, yes.

Public Testimony

Jeff Harrington, Children's Hospital, supports the rule. There is an increase in these drugs available to treat a small handful of pediatric conditions. Most of these conditions are life-threatening. Provided information on costs of medication and Children's Hospital commitment to work with HCPF.

Jeff Thompson, UC Health, supports the rule, will work with HCPF.

A discussion of how private insurance pays for the drugs was fielded by Mr. Harrington – cost of drug reimbursed. The Medicare approach, cost +6%. Additionally, who in Pharmacy approves the PAR? Michelle Miller, Cathy Traugott and Pharmacist review.

Additional discussion included the topic of private insurance paying for the drugs and Medicaid fails to, the provider will have to make the determination which creates a problem for the access to care. Presently they may be sent out of state to another organization that reimburses them 100%. They are traveling, there is more cost. It was determined the Department negotiates out-of-state services in a similar way, it is in our rule, in many ways what we are authorizing in this rule, is not dissimilar from the ways in which we negotiate single case agreements with hospitals or other providers outside of the state.

Ms. Moorer moved for the final adoption of Document 10. Dr. Lippolis seconded the motion.

The Board voted the final adoption of Document 10, 8:0:1.

F. Closing Motion

Ms. Moorer 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, 9:0.

Open Comments

NA

Department Updates

- Department Updates/Questions – Gretchen Hammer, Medicaid Director, Deputy Executive Director

Rule Previews

- Revision to the Eligibility Rule concerning Redetermination of Eligibility and Transferring Requirements – Ana Bordallo
- Revision to the Medical Assistance Rule concerning Community Clinics and Community Clinic with Emergency Center – Russell Zigler

The meeting was adjourned at 10:59 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, September 14, 2018 at 700 Main St, Wray, CO 80758.

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.