



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 11, 2017

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, Cecile Fraley, Bregitta Hughes, Jessica Kuhns, Amanda Moorer, An Nguyen, and Donna Roberts.

B. Members Excused

Simon Hambidge, Patricia Givens, Charolette Lippolis and David Potts

C. Staff Present

Gretchen Hammer, Medicaid Director, Deputy Executive Director; Jennifer Weaver, First Assistant Attorney General; Chris Sykes, Board Coordinator; and Dan Hutchinson, Staff Support

Announcements

Ms. Blakely announced the next Medical Services Board Meeting will be held in the 11th floor conference room at 303 East 17th Avenue in Denver on Friday, September 8 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 as they interfere with the recording equipment.



Approval of Minutes

Ms. Moorer moved for the approval of the minutes. The motion was seconded by Ms. Hughes. There were no comments and the minutes were approved as submitted, 7:0.

Rules

A. Consent Agenda

Document 01, MSB 17-05-22-B

Revision to the Medical Assistance Rule Concerning Achieving Better Life Experience (ABLE) Accounts added to Definitions and Resource Requirements as an exempt resource, Section 8.100 & 8.500.M.2

Document 02, MSB 17-05-22-A

Revision to the Medical Assistance Eligibility Rule Concerning the General and Citizenship Eligibility, Section 8.100.3.G

Document 03, MSB 17-05-30-A

Revision to the Child Health Plan Plus Rules Concerning Eligibility, Section 110 (Jennifer VanCleave, Eligibility Policy Section)

Ms. Moorer moved for the final approval of Document 01, 02 & 03. Ms. Roberts seconded the motion.

The Board voted for the final adoption of Document 01, 02, & 03; 7:0.

B. Final Agenda

DOCUMENT 04, MSB 17-03-03-A

Revision to the Medical Assistance Services for Individuals with Intellectual and Developmental Disabilities Rule Concerning CCB Transparency, Section 8.603.17

Amanda Allen, Quality and Risk Management Unit, and Yasmin Gardner, Administrative Services Section, presented the proposed rule and explained the change made from the initial reading. The requirement to notice the CCB first was removed, and a website allowing for confidential complaints was added.

Board Discussion

NA

Public Testimony

Maureen Welch – a discussion regarding the website fields was held. The fields will be optional, so a name could be left out, but then no follow-up could occur.

Gerri Frohne – stated support for the change.

Ms. Hughes moved for the final approval of Document 04. Ms. Kuhns seconded the motion.

The Board voted for the final adoption of Document 04, 7:0.

DOCUMENT 05, MSB 17-01-26-A

Revision to the Medical Assistance Rule Concerning Expedited Hearing; Continuation of Benefits; County Dispute Resolution; and Rule Review Cleanup, Section 8.057

Paul Ritzma, Legal Division, presented the proposed rule and discussed the comments received from stakeholders. A recommendation for the board to remove “seriously” at adoption, also change 30 days to 60 days, and add criteria to the Expedited Hearing section.

Board Discussion

The board discussed inserting statute language into rule, also the stakeholder process implemented since the May meeting.

Public Testimony

Elizabeth Arenales – Colorado Center on Law & Policy – stated appreciation of the changes made so far. A discussion about interpretation of the statute, and who interprets, was held. An oral request for hearing can be included in the process, but is not allowed in rule.

Ms. Moorer moved for the initial approval of Document 05. Ms. Roberts seconded the motion.

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

DOCUMENT 06, MSB 17-01-30-A

Revision to the Medical Assistance Rule Concerning Vision Services, Section 8.203

Amanda Forsythe, Operations Section, Elizabeth Freudenthal, Benefits Management Section, presented the proposed rule and explained the

revision to the initial reading. The PAR section was removed. A review of key points included in rule was done.

Board Discussion

The board discussed a legislative request to fund eyeglasses for adults. Some providers have cost agreements for eyeglasses, as well as other executive agencies.

Public Testimony

NA

Dr. Nguyen moved for the initial approval of Document 06. Ms. Roberts seconded the motion.

The Board voted for the final adoption of Document 06, 7:0.

C. Initial Agenda

DOCUMENT 07, MSB 17-06-22-B

Revision to the Medical Assistance Rules Concerning the Children with Life Limiting Illnesses (CLLI), and Children's Home and Community Based Services (CHCBS) Waivers, Sections 8.504 and 8.506

Dennis Roy, HCBS Benefits Section, and Candace Bailey, HCBS Benefits Section, presented the proposed rule and explained revisions include the efficiency review clean up and matching the Single Entry Point rules definitions previously past by the Board.

Board Discussion

The board discussed criteria to get help and how it can be prescriptive.

Public Testimony

NA

Dr. Nguyen moved for the initial approval of Document 07. Ms. Roberts seconded the motion.

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

DOCUMENT 08, MSB 17-06-22-C

Revision to the Medical Assistance Long Term Care Rule Concerning the Guidelines, Section 8.401.1

Dennis Roy, HCBS Benefits Section, Candace Bailey, HCBS Benefits Section, presented the proposed rule and explained the minor technical change, and the guideline document will be an appendix to 8.401.

Historically there were two assessments, 0 – 59 months, 60 months to 18 yo and had a 4 point scale, 0-3, that was clumsy. The proposed guideline document combined the two assessments down to one. Training material will be developed for case managers to use the proposed guidelines.

Board Discussion

The Board discussed the implication of scoring under the proposed guidelines.

Public Testimony

Bethany Pray, Colorado Center on Law & Policy, stated the language to use the guidelines should be stronger. The Board requested staff look into stronger language in rule.

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

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

DOCUMENT 09, MSB 17-07-06-A

Revision to the Medical Assistance Program, Pharmaceuticals Rules Concerning Pharmaceutical PAR Letters, Section 8.800

January Montano, Pharmacy Unit, presented the proposed rule and explained the revision is focused on prescribers and limiting the pieces of mail they receive. A prescriber can still request a letter.

Board Discussion

NA

Public Testimony

NA

Ms. Roberts moved for the initial approval of Document 09. Ms. Kuhns seconded the motion.

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

DOCUMENT 10, MSB 17-06-08-A

Revision to the Child Health Plan Plus Concerning Enrollment Date, Section 430.4

Russell Zigler, Health Benefits & Operations Division, Teresa Craig, CHP+ Unit, presented the proposed rule and explained enrollment date revision

is to align the rule with current business practice. Medical benefits are not affected with this change.

Board Discussion

NA

Public Testimony

Bethany Pray, Colorado Center on Law & Policy, stated that Dental coverage will be affected. Staff have reached out to the dental contractor and no issues are reported. Colorado CHP+ statute is set up like private insurance, not Medicaid. Delta Dental is linked to the Managed Care Organization, changes to be discussed with stakeholders.

Ms. Hughes moved for the initial approval of Document 10. Ms. Roberts seconded the motion.

The Board voted for the initial approval of Document 10, 7:0.

D. Consent Agenda Motion

Ms. Moorer moved to place Document 07, 09 and 10 on the Final Adoption by Consent agenda. Ms. Roberts seconded the motion and the Board approved, 7:0.

E. Closing Motion

Ms. Roberts moved to close the rules portion of the agenda. Ms. Moorer seconded the motion. The Board voted to close the rules portion of the agenda, 7:0.

Open Comments

Maureen Welch – read a prepared statement from Galia Spychalska.
Maureen Welch – parent advocate

Department Updates

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

The meeting was adjourned at 11:48 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, September 8, 2017 in the 11th floor conference room at 303 East 17th Avenue, Denver, CO.

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.