



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 80203.
December 14, 2018

Call to Order

Ms. Blakely called the meeting to order at 9:01 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, Cecile Fraley, Simon Hambidge, Jessica Kuhns, Charlie Lippolis, Bregitta Hughes, Amanda Moorer, David Potts and Donna Roberts.

B. Members Excused

Patricia Givens and An Nguyen

C. Staff Present

Tom Massey, 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 303 East 17th Avenue 11th Floor Conference Room, Denver, CO 80203 on Friday, January 11, 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



Dr. Lippolis moved for the approval of the October with correction minutes. The motion was seconded by Ms. Kuhns. The minutes were approved, 8:0.

Rules

A. Consent Adoption Agenda

Document 01, MSB 18-09-07-A

Revision to the Medical Assistance Rule concerning FDA Approval of Stiripentol, Section 8.800.4.C.5

Document 02, MSB 18-09-12-A

Revision to the Medical Assistance Rule concerning the Dental Health Care Program for Low-Income Seniors, Section 8.960

Mr. Potts moved for the final adoption of Document 01 & 02. Ms. Roberts seconded the motion.

The Board voted the final adoption of Document 01 & 02, 8:0.

B. Initial Approval Agenda

Document 03, MSB 18-07-23-A

Revision to the Medical Assistance Rule concerning Payments to Non-DRG Hospitals for Inpatient Services to include Freestanding Long Term Acute Care Hospitals and Freestanding Rehabilitation Hospital, Sections 8.300.1 8.300.5.A, 8.300.5.C, 8.300.5.D

Elizabeth Quaife, Payment Reform Section, presented the rule and explained the proposed revisions impact 11 hospitals. Definitions of the category of hospitals impacted and the reimbursement methodology was discussed.

Board Discussion

Board discussion included the number of hospitals in a newly proposed category, there is one in Colorado and two in the country. A discussion of hospital stays and the short term decrease to help balance the costs.

Public Testimony

NA

Dr. Hambidge moved for the initial approval of Document 03. Ms. Kuhns seconded the motion.

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

Document 04, MSB 18-08-24-A

Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning the Children's Extensive Supports (CES) waiver to remove: Behavioral Services at Section 8.503.40.3, Personal Care at Section 8.503.40.8, and Vision Service at Section 8.503.40.13

Lindsay Westlund, Benefits and Services Management Division, presented the rule and explained proposed revisions include the final clean-up of rules that have gone into the state plan. CMS guidance mandated the switch. Targeting criteria will be addressed and the Department is looking to make the process person centered.

Board Discussion

Board discussion included the steps the Department must take to addressing Targeting criteria. There is a budgetary impact that must be included in the budget. Stakeholder engagement is necessary to craft criteria. The Department committed to update the Board of the stakeholder process in four months.

Public Testimony

Bethany Pray, Colorado Center on Law and Policy, appreciate working with staff. Provider access issues for Vision Services. Offer to assist the stakeholder process regarding targeting criteria.

Julie Rieskin, Colorado Cross Disability Coalition, nighttime criteria is cruel, urgent to remove from rule.

Dr. Lippolis moved for the approval of Document 04. Ms. Roberts seconded the motion.

The Board voted to approve of Document 04, 8:1.

Document 05, MSB 18-06-25-A

Revision to the Medical Assistance Rule concerning School Health Services Program Claims Submission and Interim Payment, Section 8.290.6.D

Shannon Huska, Financing Unit, presented the rule and explained proposed revisions in the rule are to School Health Services program claims submissions. A

background of School Health Services program was shared. Current payment methodology was discussed. Stand alone 120 days now, to keep in regulation.

Board Discussion

NA

Public Testimony

NA

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

The Board voted to approve of Document 05, 9:0.

Document 06, MSB 18-06-20-A

Revision to the Medical Assistance Rule concerning Drug Benefits, Section 8.800.4

Kristina Gould, Pharmacy Section, presented the rule and explained revisions include changes to drugs allowed wording. The wording is vague and clarity is needed.

Board Discussion

Board discussion included if histamines are covered in rule. A response from the clinical team will be provided at the next meeting.

Public Testimony

NA

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

The Board voted to approve of Document 06, 9:0.

Document 07, MSB 18-06-01-A

Revision to the Medical Assistance Rule concerning Speech Language Pathology, Section 8.200.3

Alex Weichelbaum, Benefits Management Section, and Russell Zigler, Operations Section, presented the rule and explained proposed revisions include replacing

permissive to mandatory and clarity in rule language regarding reimbursement practices. Document requirements are now more clearly explained in rule.

Board Discussion

Board discussion included time needed regarding the document requirements. It was determined the the requirement is already in place, the change is that instead of an option previously, it is now required. There was ambiguity in the past, clear now.

Public Testimony

NA

Mr. Potts moved for the approval of Document 07. Ms. Roberts seconded the motion.

The Board voted to approve of Document 07, 9:0.

C. Consent

Ms. Blakely moved to add Documents 03, 04, 05, 06 and 07 to the Consent Agenda. Mr. Potts seconded the motion.

The Board voted approval, 9:0.

D. Emergency Adoption Agenda

Bonnie Silva, Office of Community Living, provided an overview of the reason both emergency rules are before the Board. The Department heard the concerns raised at the October meeting and has met with stakeholders to develop solutions representing the best path forward for all.

Document 08, MSB 18-08-16-A

Revision to the Medical Assistance Rule concerning Targeted Case Management – Transition Services, Sections 8.519 and 8.760 (Sarah Grazier, Community Options Section)

Sarah Grazier, Community Options Section, presented the rule and explained the benefit is now a State Plan benefit. A review of HB 1326 statutory language was provided. Concerns heard in October were addressed and resolved. The conflict of interest was addressed by carving out the requirement to provide case management. Another concern was the number of units, 240 units, available for transition services is not adequate. To resolve this an exception process proposed. Another concern was that minimum requirements were not necessary and burdensome; the Department proposes a modified set of requirements.

Board Discussion

NA

Public Testimony

NA

Mr. Potts moved for the emergency adoption of Document 08. Dr. Hambidge seconded the motion.

The Board voted the emergency adoption of Document 08; 9:0.

Document 09, MSB 18-08-21-A

Revision to the Medical Assistance Rule concerning Transition Services, Section 8.553 (Alicia Ethredge, Policy, Innovation and Engagement Division)

Alicia Ethredge, Policy, Innovation and Engagement Division, presented the rule and explained recent guidance supports expanded benefit of services. There are four services in rule. Life skills training, home delivered meals, peer mentorship and transition set-up. Concerns heard in October included the qualifications on lived experience needs to be added and was. Another was that class A&B licensure is too stringent, so that language was removed. Peer mentorship was too strict, and the Department agrees. The language was cleaned up. The Department also heard that rates too low and submitted a budget request to increase the rates. The Department is holding engagement meetings and will email invites for the upcoming meetings.

Board Discussion

Board discussion included the support of fiscal responsibility this rule demonstrates.

Public Testimony

Candie Burnham, Atlantis Community, previously testified in opposition. There have been multiple meetings since October and many changes have been made. Agree with changes and support the rules presented today. Commit to working with staff going forward.

Ms. Hughes moved for the emergency adoption of Document 09. Dr. Lippolis seconded the motion.

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

E. Closing Motion

Ms. Roberts 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, 9:0.

Open Comments

NA

Department Updates

- Department Updates/Questions – Kim Bimestefer, Executive Director

The meeting was adjourned at 11:15 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, January 11, 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.