



## COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

### MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

8510 N. Bryant St, Westminster CO

February 9, 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 8 members participating.

#### A. Members Present

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

#### B. Members Excused

Simon Hambidge, Charolette Lippolis and Donna Roberts

#### 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 at 303 East 17<sup>th</sup> Avenue, Denver, CO 80203, in the Eleventh Floor Conference Room on Friday, March 9, 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 40. 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**

Mr. Potts 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, 8:0.

## **Rules**

### **A. Emergency Adoption**

Document 01, MSB 17-10-05-A

Revision to the Medical Assistance Special Financing Division 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 emergency rule was needed to maintain benefits to grantees and that the removal of the fourth bullet point was taken to the Dental Advisory Board. The Dental Advisory Board agreed with the removal.

Board Discussion

NA

Public Testimony

Pat Cook, Colorado Gerontological Society, thanked the Board and Department for the revisions to the rule and provided a grantee story of support.

Ms. Hughes moved for the emergency approval of Document 01. Ms. Moorer seconded the motion.

The Board voted for the emergency adoption of Document 01, 8:0.

## **B. Final Agenda**

Document 02, MSB 17-10-05-A

Revision to the Medical Assistance Special Financing Division 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 removal of the fourth bullet point was taken to the Dental Advisory Board and they agreed with the removal.

Board Discussion

NA

Public Testimony

NA

Dr. Nguyen moved for the final approval of Document 02. Ms. Kuhns seconded the motion.

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

Document 03, MSB 17-11-17-A

Revision to the Medical Assistance Rule Concerning Client Co-Payment, Section 8.754

Russell Zigler, Compliance and Stakeholder Relations Unit, presented the rule and explained the rule is needed to be in compliance with statute. Comments were received between the initial and final reading. Confusing language was removed in the pharmacy copay section, the changes apply to new and refill medications, as well as generic or brand name drugs.

Board Discussion

NA

Public Testimony

NA

Ms. Moorer moved for the final approval of Document 03. Dr. Nguyen seconded the motion.

The Board voted for the final adoption of Document 03, 8:0.

## **C. Initial Approval Agenda**

### Document 04, MSB 17-10-17-A

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

Erin Thatcher, HCBS Benefits Section, and Rhyann Lubitz, HCBS Benefits Section, presented the rule and explained participant directed services and that three waivers are applicable to the rule revision. The rule revision streamlined the rule, added content about roles and responsibilities, and organized the rule. Authorized Representative criteria was added to mirror with the CDASS rule language. Stakeholder comments received by the Department included adding statute language in rule, staff decided not to do. Provider training language was also requested and staff are working on appropriate language for training and requirements. The language needs to be accurate and precise.

#### Board Discussion

Board discussion included provisions in the rule to allow a single parent new to the area to use the local agency as an authorized representative and services available in an Assisted Living Facility. Also the purpose of the attestation form and skilled services criteria.

#### Public Testimony

Patt Cook, Colorado Gerontological Society, requested more senior support and engagement, thanked staff for good engagement on the rule revision and that background checks are needed.

David Bolin, AOI Homecare, thanked staff for the good stakeholder engagement process and provided language for core services of training. Staff needs time to add language, good language.

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

The Board voted the initial approval of Document 04, 8:0.

### Document 05, MSB 17-11-03-A

Revision to the Medical Assistance Rule Concerning Nursing Facility Post Eligibility Treatment of Income – Incurred Medical Expenses, Section 8.482.33

Richard Clark, Long Terms Services and Supports Division, presented the rule and explained rule revisions are primarily maintenance and updates and how individuals use their income in Nursing Facilities. Updates to include additional

Dental benefits and vision benefits, also a more efficient process. The rule is more person centered and clearer.

#### Board Discussion

Board discussion included the process of paying for needed health care expenses at a Nursing Facility and how the department reviews non standard requests on a case by case basis.

#### Public Testimony

NA

Mr. Potts moved for the initial approval of Document 05. Ms. Hughes seconded the motion.

The Board voted the initial approval of Document 05, 08:0.

### **D. Consent Agenda**

Ms. Moorer moved to place Document 04 and 05 on the Final Adoption by Consent agenda. Mr. Potts seconded the motion and the Board approved, 8:0.

### **E. Closing Motion**

Mr. Potts moved to close the rules portion of the agenda. The motion was seconded by Ms. Moorer. The Board voted to close the rules portion of the agenda, 8:0.

### **Open Comments**

NA

### **Department Updates**

- Department Update – Gretchen Hammer, Medicaid Director, Deputy Executive Director

### **Election of Officers**

Ms. Blakely was elected to President and Ms. Moorer was elected to Vice President..

### **The meeting was adjourned at 10:10 a.m.**

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, March 9, 2018 at 303 East 17<sup>th</sup> Avenue, CO 80203, in the Eleventh Floor Conference Room on Friday, March 9, 2018 at 9:00 a.m.

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](mailto:chris.sykes@state.co.us) or the 504/ADA Coordinator [hcpf504ada@state.co.us](mailto:hcpf504ada@state.co.us) at least one week prior to the meeting.