



## 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.  
January 11, 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 ten members participating.

##### A. Members Present

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

##### B. Members Excused

Simon Hambidge

##### 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, February 8, 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. Givens moved for the approval of the December minutes. The motion was seconded by Ms. Roberts. The minutes were approved, 9:0.



## Rules

### A. Consent Adoption Agenda

Document 01, 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

Document 02, 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

Document 03, 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

Document 04, MSB 18-06-20-A

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

Document 05, MSB 18-06-01-A

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

Mr. Potts moved for the final adoption of Documents 01, 02, 03, 04 & 05. Ms. Roberts seconded the motion.

The Board voted the final adoption of Documents 01, 02, 03, 04 & 05, 9:0.

### B. Initial Approval Agenda

Document 06, MSB 18-11-09-A

Revision to the Medical Assistance Rule concerning Prior Authorization for New Drugs, Sections 8.800.7 & 8.800.16

Kristina Gould, Pharmacy Section, and Jeff Taylor presented the rule and explained the proposed revisions clarify the Prior Authorization Request process

for new drugs. Proposed language changes include changing the time frame from 10 to 30 days.

#### Board Discussion

Board discussion included clarifying the six month delay between when the drug is available and the Drug Utilization Review meeting.

#### Public Testimony

NA

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

The Board voted the initial approval of Document 06, 10:0.

#### Document 07, MSB 18-10-16-A

Revision to the Medical Assistance Eligibility Rules concerning General and Citizenship Requirements, Sections 8.100.3.G and 8.100.4.B

Jennifer VanCleave, Eligibility Policy Section, presented the rule and explained proposed revisions include updating process language. Outdated process language currently in rule. The proposed language change removes the process language from rule. The Colorado Center on Law and Policy provided feedback and had comments outside of the current rulemaking. That feedback will be addressed at a future date.

#### Board Discussion

Board discussion included the layering of federal and state authority, specifically how states can place more restriction on federal authority in certain scenarios.

#### Public Testimony

Bethany Pray, Colorado Center on Law and Policy, currently working with staff on misunderstanding of eligibility policies. Future revisions should include social security number requirement issues. The Department commits to review the eligibility rules and provide trainings. The eligibility rules are currently up for the Department's Regulatory Efficiency Review. Please go to <https://www.colorado.gov/hcpf/regulatory-efficiency-review> for additional information.

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

The Board voted to approve of Document 07, 10:0.

### **C. Consent**

Ms. Moorer moved to add Documents 06 and 07 to the Consent Agenda. Ms. Roberts seconded the motion.

The Board voted approval, 10:0.

### **D. Closing Motion**

Ms. Roberts moved to close the rules portion of the agenda. The motion was seconded by Mr. Potts. The Board voted to close the rules portion of the agenda, 10:0.

### **Open Comments**

NA

### **Department Updates**

- Department Updates/Questions – Tom Massey, Deputy Executive Director
- Third Party Liability and Recovery Section Update – David Smith
- Rule Range 8.010 – 8.090.2: Proposed organizational and formatting changes – Alejandro Vera

### **The meeting was adjourned at 10:23 a.m.**

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, February 8, 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](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.