



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.

March 8, 2019

Call to Order

Ms. Blakely called the meeting to order at 9:04 a.m.

Roll Call

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

Cecile Fraley, Amanda Moorer 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, April 12, 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. Hambidge moved for the approval of the February minutes. The motion was seconded by Ms. Kuhns. The minutes were approved, 7:0.



Legislative Update – David DeNovellis

Rules

A. Consent Adoption Agenda

Document 01, MSB 18-12-20-A

Revision to the Medical Assistance Rule concerning Durable Medical Equipment Start of Service, Section 8.590

Ms. Blakely moved for the final adoption of Document 01. Ms. Roberts seconded the motion.

The Board voted the final adoption of Documents 01, 7:0.

B. Final Approval Agenda

Document 02, MSB 18-08-21-A

Revision to the Medical Assistance Rule concerning Life Skills Training, Home Delivered Meals, Peer Mentorship, and Transition Setup, Section 8.553

Tim Cortez, Community Options Section, presented the rule and explained the revision codifies services from the demonstration waiver. Much work with stakeholders between the emergency adoption in December.

Board Discussion

Board discussion included the positive progress of the rule and transition rate of members.

Public Testimony

NA

MS. Roberts moved for the final adoption of Document 02. Ms. Kuhns seconded the motion.

The Board voted the final adoption of Document 02, 7:0.

Document 03, MSB 18-08-16-A

Revision to the Medical Assistance rule concerning Targeted Case Management - Transition Services, Sections 8.519 and 8.760

Tim Cortez, Community Options Section, presented the rule and explained additional stakeholder engagement was undertaken since the December meeting. An unresolved issue was over the personal care licensure issue. A class AB license was created, a hybrid model. HCBS certification used for the hybrid model.

Board Discussion

NA

Public Testimony

NA

Ms. Roberts moved for the final adoption of Document 03. Ms. Kuhns seconded the motion.

The Board voted the final adoption of Document 03, 7:0.

C. Initial Approval Agenda

Document 04, MSB 19-01-17-A

Revision to the Medical Assistance Rule concerning Federally Qualified Health Centers Reimbursement, Section 8.700

Erin Johnson, Rates Section, presented the rule and explained the carve out reimbursement for Vivitrol. Pharmacies in a FOHC can provide an injection of Vivitrol. The revision allows for greater reimbursement inline with non FOHC pharmacies.

Board Discussion

Board discussion included the significant impact the rule revisions will have on patients, good work was done.

Public Testimony

NA

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

The Board voted the initial approval of Document 04, 7:0.

Document 05, MSB 19-01-28-A

Revision to the Medical Assistance Rule concerning Long Term Acute Care and Rehabilitation Per Diem Reimbursement, Sections 8.300.5.D.3

Kevin Martin, Rates Section, presented the rule and explained this rule revisions applies to Long Term Acute Care and Rehabilitation Hospitals. Freestanding was

included in a past revision. Additional language changes were brought forward based on the Medicare definition.

Board Discussion

Board discussion included a question on which care groups were included in the revision. Psychiatric, rehabilitation, spine and brain injury care groups are included.

Public Testimony

NA

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

The Board voted the initial approval of Document 05, 7:0.

Document 06, MSB 18-11-16-A

Revision to the Medical assistance Rule concerning the Exception to the Waiting List Protocol, Section 8.500.7

Karli Cheatham, Case Management Unit, presented the rule and explained the definition of homelessness changed. It is a more detailed definition now. New criteria is added, including loss of care giver. ARC of CO provided feedback, possible language changes coming. The 30 days limit relates to an individual accepting a spot in the program – not to find housing. Enrollment timelines are not included in the rule.

Board Discussion

Impact on waiting list? Increased participation. Way to bring down waitlist? Eliminate? Funding is central. 2800 – how many members 5600ish, 4000 on safety net waiver. Good work on inclusivity, person centered language.

Public Testimony

Cristiano Sosa, ARC of CO, support the rule, stakeholder engagement process strong.

Ellen Jensby, Alliance, support the rule.

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

The Board voted the initial approval of Document 06, 8:0.

Document 07, MSB 19-01-17-A

Revision to the Medical Assistance Rule concerning Reimbursement Rate Increase for Direct Support Professional Workforce Stabilization, Section 8.505

Bryan Fifie, Benefits and Services Management Division, and Anthony Howard, Compliance, presented the rule and explained how pass through works. The rule mirrors HB 1407, passed in the Colorado legislature. Compliance language included regarding the misuse of funds and flexibility stressed for agencies.

Board Discussion

Board discussion included the 6.5% reimbursement for services and how it can be applied. Appreciate flexibility in the rule, less prescription.

Public Testimony

Ellen Jensby, Alliance, stated that turnover rate is high, this will help. Appreciate stakeholder engagement in rulemaking. Strongly support the rule.

Cristiano Sosa, ARC of Colorado, this rule will help retain workforce. Support the rule.

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

The Board voted the initial approval of Document 07, 8:0.

Document 08, MSB 18-09-05-A

Revision to the Medical Assistance Rule Concerning Healthcare Affordability and Sustainability Fee Collection and Disbursement, Section 8.3000

Jeff Wittreich, Special Financing Division, presented the rule and explained that fees are updated annually and provided background on what the fees are used for.

Board Discussion

NA

Public Testimony

NA

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

The Board voted the initial approval of Document 08, 8:0.

D. Consent

Ms. Kuhns moved to add documents 04, 05, 07 and 08 to the Consent Agenda. Dr. Hambidge seconded the motion.

The Board voted approval, 8:0.

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, 8:0.

Open Comments

NA

Break for 10 minutes

Department Updates

- Department Updates/Questions – Tom Massey, Deputy Executive Director

Rule Previews

- Non-Medical Transportation Service – Cassandra Keller, Community Options Benefits Section
- Consumer Directed Attendant Support Services – Rhyann Lubitz, Benefits and Services Management
- Supportive Living Program - Diane Byrne, Benefits and Services Management
- Family Support Service Program – Lindsay Westlund, Benefits and Services Management
- State Supported Living Services – Adam Tucker, Benefits and Services Management
- Children’s Habilitation Residential Program - Michelle Craig, Policy Innovation and Engagement Unit

The meeting was adjourned at 10:47 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, April 12, 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.