



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

May 12, 2017

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 seven members participating.

A. Members Present

Christy Blakely, Jessica Kuhns, Charolette Lippolis, Paul Melinkovich, Amanda Moorer, An Nguyen, and Donna Roberts.

B. Members Excused

Patricia Givens, Bregitta Hughes, David Potts and Mike Stahl

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, June 9 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

Dr. Lippolis requested a correction to the minute and moved for the approval of the minutes. The motion was seconded by Ms. Roberts. The minutes were approved with the correction, 7:0.

Rules

A. Consent

First Vote

Dr. Melkinovich moved for the final permanent adoption by consent of Documents 01, 02, 04, and 05. The motion was seconded by Dr. Lippolis.

The Board voted for the final permanent adoption by consent of Documents 01, 02, 04, and 05, 7:0.

Second Vote

Ms. Roberts moved for the final permanent adoption by consent of Documents 03. The motion was seconded by Dr. Melinkovich.

The Board voted for the final permanent adoption by consent of Documents 03, 6:0:1.

Final Permanet Adoption Agenda

DOCUMENT 06, MSB 16-11-22-A

Revision to the Colorado Indigent Care Program Rule Concerning Modernizing the CICP, Section 8.900

Taryn Graf, Special Finance Division, and Cindi Arcuri, Special Finance Division, presented the proposed rule and explained changes from last month to the curent version. Unearned and earned was removed from income to only income to allow for flexibility. No special populations was changed to include special populations for homeless individuals, to allow for copays not to be charged.

Board Discussion

NA

Public Testimony

NA

Dr. Nguyen moved for the final adoption of Document 06. The motion was seconded by Ms. Roberts.

The Board voted for the initial approval of Document 06, 7:0.

DOCUMENT 07, MSB 17-01-18-A

Revision to the Medical Assistance Rule Concerning Managed Care Grievance and Appeals, Section 8.209

Colleen McKinney, Behavioral Health and Managed Care Section, and Melissa Eddleman, presented the proposed rule and explained the rule updated language to bring into compliance with federal regulations.

Board Discussion

A discussion regarding comments received on the rule revisions was held. Alignment and compliance with all accompany regulations and statutes was confirmed. Parallel appeals processes with different authorities were discussed. The adverse benefit determination notice will illustrate the two timelines or members.

Public Testimony

Bethany Pray, Colorado Center on Law and Policy, stated the rule should reference the children's mental health treatment act greater.

Ms. Moorer moved for the initial approval of Document 07. The motion was seconded by Ms. Kuhns.

The Board voted for the initial approval of Document 07, 5:1:1.

B. Initial Agenda

DOCUMENT 08, MSB 17-01-26-A

Revision to the Medical Assistance Rule Concerning Recipient Appeals Rule, Section 8.057

Paul Ritzma, Legal Division, and Tom Massey, Policy, Communications, and Administration Office Director, presented the proposed rule and explained revisions are part efficiency review, the county dispute

resolution process and continuation of benefits. The additions to rule were required as state statute mandated their inclusion in the regulation.

Public comments received to the Board were discussed.

Board Discussion

A discussion adding language on page 9 line 25 adds a content expert for recipients was held. The possibility of digital transcripts as an option to provide and which entity bears the cost was also discussed.

Public Testimony

Bethany Pray, Colorado Center on Law and Policy, disputed the engagement process used. Content expert language was proposed, to stress the importance. Clarification was requested on the engagement process.

Dr. Melinkovich moved for the initial approval of Document 08. The motion was seconded by Ms. Roberts.

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

DOCUMENT 09, MSB 17-01-30-A

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

Amanda Forsythe, Operations Section, and Elizabeth Freudenthal, Benefits Management Section, presented the proposed rule and explained the revision is adding the current benefit to rule to clarify. Currently the benefit is in statute and stakeholders requested the benefit be written into rule.

Board Discussion

A discussion regarding how the Legislature sets the benefit was held.

Public Testimony

NA

Ms. Moorer moved for the initial approval of Document 09. The motion was seconded by Ms. Roberts.

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

C. Consent Agenda Motion

Ms. Moorer moved to place Document 09 on the Final Permanent Adoption by Consent agenda. The motion was seconded by Dr. Lippolis and approved, 7:0.

D. Closing Motion

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

Open Comments

NA

Department Updates

- Legislative Update
- Budget Update
- Department Updates/Questions – Gretchen Hammer, Medicaid Director, Deputy Executive Director
- CCB Transparency Rule Preview
- Home Health Services Rule Preview
- Transgender Services Rule Preview

The meeting was adjourned at 12:08 p.m.

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