



## 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

September 8, 2017

#### 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, Pat Givens, Simon Hambidge, Bregitta Hughes, Jessica Kuhns, Charolette Lippolis, Amanda Moorer, and Donna Roberts.

#### B. Members Excused

An Nguyen and David Potts

#### 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 220 W. Sackett Salida, CO 81201 on Friday, October 13 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. Hambidge moved for the approval of the minutes. The motion was seconded by Ms. Moorer. There were no comments and the minutes were approved as submitted, 8:0.

## **Rules**

### **A. Emergency Agenda**

Document 06, MSB 17-08-31-A

Revision to the Medical Assistance Rules Concerning the Consideration of Trusts in Determining Medical Assistance Eligibility, Section 8.100.7.E.6.b

David Smith, Benefits Coordination Section presented the rule and explained HB 17-1280 needs to be implemented. Disability trusts to be established by individual. Mirrors Federal rule.

#### Board Discussion

Board discussion included potential downsides of the rule revisions, none were found.

#### Public Testimony

NA

Ms. Moorer moved for the emergency approval of Document 06. Ms. Roberts seconded the motion.

The Board voted for the final adoption of Document 06, 8:0.

### **B. Consent Agenda**

DOCUMENT 01, MSB 17-06-22-B

Revision to the Medical Assistance Rules Concerning the Children with Life Limiting Illnesses (CLLI), and Children's Home and Community Based Services (CHCBS) Waivers, Sections 8.504 and 8.506

DOCUMENT 02, MSB 17-07-06-A

Revision to the Medical Assistance Program, Pharmaceuticals Rules Concerning Pharmaceutical PAR Letters, Section 8.800

DOCUMENT 03, MSB 17-06-08-A

Revision to the Child Health Plan Plus Concerning Enrollment Date, Section 430.4

Dr. Lippolis moved for the final approval of Document 01, 02 & 03. The motion was seconded by Ms. Roberts.

The Board voted for the final adoption of Document 01, 02, & 03; 8:0.

### **C. Final Agenda**

Document 04, MSB 17-06-29-A

Revision to the Medical Assistance Rule Concerning the Colorado Healthcare Affordability and Sustainability Enterprise, Section 8.3000, and makes corresponding revisions to references under Sections 8.300.8 and 8.905

Nancy Dolson, Special Financing Division, presented the proposed rule and explained the minor changes from the emergency adoption. They include data reporting, and hospital certification.

Board Discussion

NA

Public Testimony

NA

Dr. Hambidge moved for the final approval of Document 04. The motion was seconded by Ms. Kuhns.

The Board voted for the final adoption of Document 04, 9:0.

DOCUMENT 05, MSB 17-06-22-C

Revision to the Medical Assistance Long Term Care Rule Concerning the Guidelines, Section 8.401.1

Dennis Roy, HCBS Benefits Section, and Candace Bailey, HCBS Benefits Section, presented the proposed rule and explained the guidelines are a resource for case managers. Feedback from pediatricians was

incorporated in the revision. Concerns raised in a letter received were addressed.

#### Board Discussion

Board discussion included the appeal of an assessment and the removal of language in the appendix document regarding lack of motivation.

#### Public Testimony

Bethany Pray, Colorado Center on Law and Policy, discussed due process, codifying discretion in rule and variation between different waivers.

Ms. Moorer moved for the final approval of Document 05 with the Board deletion. The motion was seconded by Ms. Roberts.

The Board voted for the final adoption of Document 05, 9:0.

### **D. Closing Motion**

Dr. Fraley 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, 8:0.

### **Open Comments**

NA

### **Department Updates**

- Department Updates/Questions – Gretchen Hammer, Medicaid Director, Deputy Executive Director

### **Rule Previews**

- Revisions to Outpatient Hospital Reimbursement Rate – Andrew Abalos, Payment Reform/Fee For Service Rates Section
- Revisions to Division for Intellectual and Developmental Disabilities rules concerning the Mistreatment, Abuse, Neglect, or Exploitation of at-risk adults and the Qualified Medication Administration Person – Josh Negrini, Program Services

### **Election of Officers**

Dr. Fraley motioned to defer the election and amend the bylaws. The motion was seconded by Ms. Kuhns. The Board voted to amend the bylaws, 9:0.

**The meeting was adjourned at 11:01 a.m.**

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, October 13, 2017 at 220 W. Sackett Salida, CO 81201.

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.