



# COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

## **JULY 2020 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE JULY 10, 2020 EMERGENCY MEDICAL SERVICES BOARD MEETING**

### **MSB 20-06-29-A, Revisions to Healthcare Affordability and Sustainability Fee Collection and Disbursement, Section 8.3000**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. HAS Fee revenue serves as the state share to fund health coverage for more than 500,000 Coloradans currently enrolled in Medicaid and CHP+. The COVID-19 pandemic has increased the state share necessary to fund health care coverage to these Medicaid and CHP+ expansion populations. In addition, House Bill (H.B.) 20-1386 authorizes the use of HAS fee revenue to offset General Fund expenditures for Colorado's Medicaid program due to the budget shortfall created by the COVID-19 pandemic. Rules must be established on an emergency basis to ensure continuing coverage of the Medicaid and CHP+ expansion populations, to begin offsetting General Fund expenditures, and to continue monthly supplemental payments to hospitals.

### **MSB 20-06-19-A, Revision to Medical Assistance Rule Concerning Nursing Facility Per Diem Rates, Section 8.443**

To comply with state or federal law or federal regulation

Emergency rule-making is imperatively necessary. H.B. 20-1362 limits the annual increase in the General Fund share of the per diem rates for nursing homes effective July 1, 2020. Rules must be established on an emergency basis to ensure compliance with state statute and to begin generating savings for the state to partially offset the budget shortfall created by the COVID-19 pandemic.

### **MSB 20-07-01-A, Revision to the Medical Assistance Rule concerning Telemedicine, Sections 8.520.4.B, 8.700.1, 8.730.3.B, 8.740.1, 8.750.3.B**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. Permitting the utilization of telemedicine through interactive audio, interactive video, or interactive data communication, where appropriate, to limit face-to-face visits between clients and health professionals and to help contain the spread of COVID-19 is imperatively necessary.

