



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

NOTICE OF PROPOSED RULES

The Medical Services Board of the Colorado Department of Health Care Policy and Financing will hold a public meeting on Friday, October 9, 2020, beginning at 9:00 a.m., in the eleventh floor conference room at 303 East 17th Avenue, 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.

A copy of the full text of these proposed rule changes is available for review from the Medical Services Board Office, 1570 Grant Street, Denver, Colorado 80203, (303) 866-4416, fax (303) 866-4411. Written comments may be submitted to the Medical Services Board Office on or before close of business the Wednesday prior to the meeting. Additionally, the full text of all proposed changes will be available approximately one week prior to the meeting on the Department's website at www.colorado.gov/hcpf/medical-services-board.

This notice is submitted pursuant to § 24-4-103(3)(a) and (11)(a), C.R.S.

MSB 20-06-17-A, Revision to the Medical Assistance Act Rule concerning the Children's Habilitation Residential Program (CHRP) waiver service description and service provider updates, Section 8.500

Medical Assistance. The rules implementing the CHRP program, 10 C.C.R. 2505-10, Section 8.508 is being updated to reflect approved waiver changes. The updates are to the names of two services "In-Home Support Services" to "Child/Youth Mentorship" and "Supported Community Connections" to "Community Connector Services." The Community Connector service limitations will be updated from 'hours per week' to 'hours per year or units per year.' Lastly, host homes are being added as a provider for youth 18-20.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303, C.R.S. (2020); 25.5-5-306, C.R.S and 25.5-6-903, C.R.S. (2018).

MSB 20-07-06-A, Revision to the Medical Assistance Rule concerning Long Term Oxygen Annual Review, Section 8.580.5.C

Medical Assistance. This rule includes a permanent citation to the long term oxygen annual review requirement of 42 C.F.R. 440.70(b)(3)(iii), which was temporarily suspended for the COVID-19 public health emergency in emergency rule MSB 20-04-27-A along with the annual Certificate of Medical Necessity requirement. Clients certified for long term oxygen for twenty-four consecutive months no longer require a Certificate of Medical Necessity for oxygen, but still require a documented annual review pursuant to 42 C.F.R. 440.70(b)(3)(iii). Documented annual reviews include a renewed prescription for oxygen or other medical record documentation. The rule purpose is to permanently include a citation to 42 C.F.R. 440.70(b)(3)(iii) in the long term oxygen rule.

The authority for this rule is contained in 42 C.F.R. 440.70(b)(3)(iii); Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2020) and Section 25.5-4-416, C.R.S. (2019).

MSB 20-08-19-B, Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.4.A

Medical Assistance. This rule revision removes the definition of "closest provider" as one within a 25-mile radius of the member's home. This rule is a response to the recent expansion of the NEMT broker model for the entire state. Many members in rural areas do not have a provider within 25 miles of their home. Removing this requirement will eliminate additional paperwork and work for medical providers and members, which will make it easier for members to get rides to their appointments.

The authority for this rule is contained in 42 CFR 440.170 (2020), 25.5-1-301 through 25.5-1-303, C.R.S. (2020) and 25.5-5-324, C.R.S. (2019).