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**State Services Section**

December 14, 2022

The Honorable Jena Griswold  
Colorado Secretary of State  
1700 Broadway  
Denver, CO 80290

RE: Correction Request - TN 2022-00789

Dear Secretary of State Griswold:

On October 14, 2022, the Department of Health Care Policy and Financing submitted MSB 22-08-29-A, Revision to the Medical Assistance Act Rule Concerning Private Duty Nursing Benefits, Section 8.540.2, to the Medical Services Board for permanent adoption, TN 2022-00516. The text at 8.540.2 needs to be corrected. The adopted text should read "Adult clients may be approved up to 23 hours per day when determined medically necessary," instead of "Adult clients may be approved for up to 16 hours of PDN per day. The Department may authorize additional hours up to 23 hours per day when determined medically necessary."

On December 14, 2022, the Department of Health Care Policy and Financing submitted a correction request to the Secretary of State, TN 2022-00789 in order to correct the error designated above. The incorrect text at 8.540.2 should be replaced with the correct text as provided.

This correction is technical and non-substantive in nature and is submitted to you for publishing in the Colorado Register pursuant to C.R.S. § 24-4-103 of the State Administrative Procedure Act.

Please contact me at 720-508-6145 if you require further information. Thank you for your assistance.

Sincerely,

FOR THE ATTORNEY GENERAL

*s/ Jennifer L. Weaver*

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cc: Chris Sykes