



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

OCTOBER 2020 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE OCTOBER 9, 2020 EMERGENCY MEDICAL SERVICES BOARD MEETING

MSB 20-10-01-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 20-10-01-B, 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.

