



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

JANUARY 2022 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE JANUARY 14 2022 EMERGENCY MEDICAL SERVICES BOARD MEETING

MSB 21-09-09-A, Revision to the Medical Assistance Act Rule concerning HB21-1275 Pharmacy Implementation, Section 8.800.5

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The pharmacy office is implementing HB21-1275 which requires the Department to A) reimburse pharmacists for all services that are allowed in Part 6 of Article 280 of Title 12 and B) to allow pharmacists to dispense, administer and be reimbursed for long acting injectables for both mental illness and substance use disorders through the pharmacy or medical benefit.

In order to implement part B of HB21-1275, the Department must modify Section 8.800.5 to allow pharmacists and pharmacies to bill for long acting injectables for both mental illness and substance use disorders for reimbursement through the pharmacy or medical benefit even if the product is administered in a physician's office or clinic and is imperatively necessary for the preservation of public health safety, and welfare.

MSB 21-10-01-A, Revision to the Medical Assistance Rule concerning Pharmacy Reimbursement, Section 8.200.2.B and C

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. This rule is imperatively necessary to comply with state law at CRS § 25.5-5-511(2)(a), which makes pharmacists eligible to receive Health First Colorado reimbursement for medically necessary services authorized in CRS § 12-6-280 that are not duplicative of other pharmacist services or programs reimbursed under Health First Colorado and is imperatively necessary for the preservation of public health, safety, and welfare.

MSB 21-01-07-A, Revision to the FQHC Rule Concerning Reimbursement for Antiviral Medication for COVID-19, Section 8.700.6.B

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. This rule will remove barriers to access related to COVID-19 antiviral medications that exist due to current FQHC reimbursement



structures and is imperatively necessary for the preservation of public health, safety, and welfare.

MSB 22-01-12-C

Revision to the DMEPOS Rule Concerning Pharmacists Prescribing COVID-19 at-home over-the-counter tests, Section 8.590

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. This rule is necessary to comply with a federal mandate to cover at-home over-the-counter COVID-19 tests and is imperatively necessary for the preservation of public health, safety, and welfare.

