



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

DECEMBER 2023 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE DECEMBER 8, 2023 EMERGENCY MEDICAL SERVICES BOARD MEETING

MSB 23-10-23-A, Revision to the Medical Assistance Act Rule Concerning Specialty Drug Carveout from DRG Payments, Section 8.300.5

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The current reimbursement methodology produces payment barriers as it does not adequately reimburse for specialty drugs. This rule change is imperatively necessary as it establishes a means for the Department of Health Care Policy and Financing to reimburse using a method that better aligns payment and cost for these drugs, allowing access to critically needed care and is imperatively necessary for the preservation of public health safety, and welfare.

MSB 23-10-27-A, Revision to the Medical Assistance Act Rule concerning Habilitative Services, Section 8.017.F.1-2

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The current rule will not align with changes made to the state plan and the alternative benefits plan. Both the 5-unit daily limit and the 48-unit fiscal year limit have been removed from both the state plan and the alternative benefit plan pending CMS approval and is imperatively necessary for the preservation of public health safety, and welfare.

MSB 23-10-04-A, Revisions to the Medicaid Assistance Rule Concerning the Hospital Expenditure Report Data Collection, 8.4000

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. House Bill 23-1226: Hospital Transparency and Reporting Requirements became law on August 6, 2023. With the legislation, HCPF is required to collect quarterly financial information from hospitals. To comply with this new law HCPF, is proposing rules regarding submission of this required information in an effective and



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

