



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, February 10, 2017, 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 to you for publication, pursuant to § 24-4-103(3)(a) and (11)(a), C.R.S.

MSB 16-09-21-A, Revision to the Federally Qualified Health Center Rule Concerning Reimbursement, Section 8.700.6

Medical Assistance. This change will revise the Reimbursement section of the Federally Qualified Health Center rules, which currently do not define a methodology for calculating a Prospective Payment System rate to account for a change in the scope-of-service.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303 C.R.S. (2015), and 25.5-3-404, C.R.S. (2015).

MSB 16-08-16-A, Revision to the Medical Assistance Rule Concerning Medical Eligibility for Individuals Residing in Community Correction Facilities and Inmates of Correctional Institutions, Sections 8.100.3.B.1, 8.100.3.G.1.b and 8.100.5.C.5

Medical Assistance. On April 28, 2016, CMS issued guidance letter SHO#16-007, which clarified that federal financial participation may now be drawn for Medicaid-covered services for individuals who reside in community corrections facilities (halfway houses) that have freedom of movement. This is a reversal from prior guidance and now these individuals are no longer considered to be incarcerated and can be fully enrolled in Medicaid if all eligibility criteria are met. The Department of Public Safety has determined that all community corrections facilities meet the freedom of movement requirement except Gateway Through the Rockies in Colorado Springs. The eligibility policy rules are being updated to reflect this guidance.

Additionally, the rule that allows for individuals who are inmates of correctional facilities, if eligible, to be enrolled in Medicaid while having their benefits limited to a 24+ hour inpatient stay in a medical institution, will be clarified.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303 C.R.S. (2015), and 25.5-4-102, 25.5-4-205.5, C.R.S. (2016)

MSB 16-10-24-A, Revision to the Medical Assistance Program Pharmacy Benefit Rules Concerning Pharmaceuticals, Section 8.800

Medical Assistance. A Regulatory Efficiency Review was performed at 10 CCR 2505-10, Section 8.800, pursuant to Executive Order D2012-002 in 2015. Several revisions requiring technical clean-up of the rules at 8.800 were identified. The revisions to Section 8.800 represent a technical clean-up only and do not include any substantive changes. Therefore, the rules at 10 C.C.R. 2505-10, Sections 8.800, are being revised.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303 C.R.S. (2015), and Executive Order D2012-002; 24-4-103.3, C.R.S. (2016).