



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, September 14, 2018, beginning at 9:00 a.m., 700 Main St, Wray, CO 80758. 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 pursuant to § 24-4-103(3)(a) and (11)(a), C.R.S.

MSB 18-02-09-A, Revision to the Medical Assistance Rule concerning Pharmacist Provider Type Addition, Section 8.200.2

Medical Assistance. The Rule will allow pharmacists to be paid for vaccine administration services. These services are medical services and require reimbursement through the MMIS.

The authority for this rule is contained in Title XIX Social Security Act, Section 1905(a)(6) and 25.5-1-301 through 25.5-1-303, C.R.S. (2017).

MSB 18-06-20-A, Revision to the Medical Assistance Rule concerning Immunization Benefits, Section 8.815

Medical Assistance. The intention of this rule is to ensure providers meet both State and Federal guidelines for critical incident reporting, care planning, and the HCBS Final Settings Rule. The new regulations will make clear the new requirements for the providers. This will help to ensure the Department is in compliance with federal regulations, as well as better align policies with our sister agencies. That collaboration will lead to improved oversight of adult day centers as well as more comprehensive inspections by the Department of Public Health and Environment (DPHE). Additionally, the revised criteria for specialized adult day services, food safety regulations, and updated language and clarification throughout will provide more comprehensive regulations and safer settings for the HCBS waiver participants and clarity for providers.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303, C.R.S. (2017) and 25.5-6-301-311, C.R.S. (2017).

MSB 18-03-07-A, Revision to the Medical Assistance Rule concerning Pharmacist Over the Counter Prescriptive Authority, Section 8.800

Medical Assistance. The purpose of this rule change is to modify the definitions section to incorporate a new term, "Prescriber". This term will encapsulate a healthcare professional who, as licensed by Colorado state law, may prescribe and authorize the use of medicine or treatment to a member. This term will capture pharmacists, as they are authorized to prescribe over-the-counter (OTC) medications to members, pursuant to Colorado Revised Statutes 25.5-5-322. Additionally, this update incorporates the rules that pharmacists must abide by when prescribing OTC's to members for the purpose of receiving reimbursement under the Medical Assistance Program.

The authority for this rule is contained in the Social Security Act 1927(k)(4); 25.5-1-301 through 25.5-1-303, C.R.S. (2017) and 25.5-5-322, C.R.S. (2017).

MSB 18-06-12-A, Revisions to Medical Assistance Rule concerning Income Verification for Those Receiving Continuous Coverage, Sections 8.100.3.G and 8.100.4.G

Medical Assistance. The purpose of this rule change is to add clarification for members receiving continuous coverage within a child or a pregnant category, whose income is not reasonably compatible based on the self-reported income and the electronic income verified. When the income is not reasonably compatible and its the first income discrepancy, if the discrepancy is not resolved within the reasonable opportunity period(ROP) of 90 days, their benefits will be terminated.

The authority for this rule is contained in Code of Federal Regulation §435.952.(c)(2) and 25.5-1-301 through 25.5-1-303, C.R.S. (2017).