



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, June 10, 2022, 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 pursuant to § 24-4-103(3)(a) and (11)(a), C.R.S.

MSB 21-01-13-A, Revision to the Medical Assistance Case Management Rules Concerning CCM System, Sections 8.100; 8.393 8.400; 8.500; 8.600

Medical Assistance. Changes have been made throughout 8.300, 8.400, 8.500. The current rule identifies by name the ULTC 100.2 as the instrument used to determine eligibility for LTSS and incorporates the instrument in its entirety into the regulations. The changes remove this language and replaces it with updated terminology and more generic language to allow for an upcoming change in the assessment instrument and a phased implementation of it with the new Care and Case Management (CCM) system.

The authority for this rule is contained in C.R.S 25.5-6-104; 25.5-10 C.R.S. (2021) and Sections 25.5-1-301 through 25.5-1-303 (2021).

MSB 22-04-28-A, Revision to the Medical Assistance Rules concerning Revision to the Medical Assistance Rules concerning Skilled Nursing Facility Enhanced Supplemental Payments, Section 8.443

Medical Assistance. House Bill (H.B) 22-1247 authorizes the State to reimburse skilled nursing homes a one-time Medicaid enhanced payment, workforce enhanced payment, and hospital discharge payment. The Medicaid enhanced payment will pay nursing homes for serving a disproportionate share of Medicaid and high-needs populations. The workforce enhanced payment will pay nursing homes to support hiring new employees and increasing workforce retention. The hospital discharge payment will pay nursing homes to incentivize admitting new Medicaid members from hospitals. The proposed rule change establishes the reimbursement calculation methodology for the three payments. The proposed rule change also establishes the requirement for nursing homes to provide data and financial statements to evaluate the effectiveness of the different payments.

The authority for this rule is 42 CFR 433.68 and 42 U.S.C. § 1396b(w); 25.5-4-402.4(4)(b), (g), C.R.S. (2021) and Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2021).

MSB 22-04-27-A, Revision to the Medical Assistance Rule concerning Maternity Services Episode Based Payments, Section 8.733

Medical Assistance. The Department implemented a maternity bundled payment program in 2020 with a detailed program rule in place under the Medical Assistance Rule concerning Maternity Services Episode Based Payments, Section 8.733. The goal of the program is to improve pregnant and birthing members' health outcomes by improving obstetrical care service quality while reducing cost. The program gives providers performance linked opportunities to earn extra incentive payments besides the fee-for-service reimbursement for maternity services. A few key program implementation updates have been implemented during the first program year (Nov. 2020 – Oct. 2021), including adding mental health considerations into the current threshold setting process, and removing downside risk implementation. This rule update aims to include those program updates and fix a few language alignments issues.

The authority for this rule is contained in Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2021).