



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, July 14, 2023, beginning at 9:00 a.m., in the eleventh floor conference room at 303 E 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 22-12-13-A, Revision to the Medical Assistance Act Rule Concerning Gender-Affirming Care, Section 8.735

Medical Assistance. The proposed changes to the rule are necessary to align policy with the most recent standards of care. The changes will allow members to more easily access gender-affirming care by removing outdated requirements. The changes remove the requirement for members to engage in behavioral health counseling prior to or concurrent with gender-affirming care, reduce hormone requirements prior to surgery, and simplify the documentation required for prior authorization. The changes also remove the lists of covered procedures to allow for flexibility as best practices change. More inclusive language has been added throughout the rule.

The authority for this rule is contained in 42 CFR 440.50 & 440.120 (2023); Section 25.5-5-102(1)(d), C.R.S. and Sections 25.5-1-301 through 25.5-1-303 (2023).

MSB 23-03-20-A, Revision to the Medical Assistance Act Rule concerning updates to the Transitional Medical Assistance for section 8.100.4.I.3.b

Medical Assistance. The proposed rule change will amend 10 CCR 2505-10 Section 8.100.4.I.3.b to remove requirements for the employer to employee health insurance availability requirements for members who are enrolled in Transitional Medical Assistance. The updates to amend the requirements for Transitional Medical Assistance members to enroll in health insurance available to the employee at no cost from the employer will eliminate barriers and keep members enrolled in Transitional Medical Assistance. Although this policy was in Department rules, this policy is a state option per 1925 (a)(4)(B) that the Department has not selected or implemented within our State Plan Amendment or applied any processes or procedures that would allow us to enforce this policy through our Third Party Liability (TPL) and or CBMS. Because the Department does not have systematic functionality for this rule, there will be no need to update the Colorado Benefits Management System (CBMS) to reflect these changes.

The authority for this rule is contained in 42 C.F.R. § 435.112; 25.5-5-101 (1)(b) C.R.S. and Sections 25.5-1-301 through 25.5-1-303 (2023).