



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

OCTOBER 2021 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE OCTOBER 8, 2021 EMERGENCY MEDICAL SERVICES BOARD MEETING

MSB 21-08-10-D, Revision to the Medical Assistance Rule concerning Qualifications of Case Managers, Sections 8.393.1.J.; 8.519.5. and 8.603.9

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The rules at 8.393.1.J.; 8.519.5.; 8.603.9 outline the education and experience qualifications for case managers in the SEP, HCBS and CCB systems. Currently there is a workforce shortage impacting the system and the department is requesting changes to the qualifications to allow for more avenues to qualify as a case manager, hoping to increase the pool of candidates.

Case managers complete activities which are crucial to members' access to services and supports, including eligibility assessment and support planning as well as monitoring to assure quality services and health, safety and welfare of members. A shortage in this workforce presents potential delays in enrollment and receipt of services for our most vulnerable members, increased caseloads, impacting quality of service delivery and risks to health and safety of members. This rule is imperatively necessary for the preservation of public health, safety, and welfare.

MSB 21-09-15-A, Revision to the Medical Assistance Act Rule concerning Long-Term Home Health and Private Duty Nursing Prior Authorization Requirements, Sections 8.520.8, 8.540.2 and 8.540.7

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. Update the long-term home health and private duty nursing rules to resume prior authorization on a tiered schedule over the course of ten months. These revisions are required to bring Department regulations in line with the Colorado State Plan. The Department otherwise risks deferral or disallowance from CMS for being out of compliance. A deferral or disallowance would impact the Department's ability to provide adequate services to members. Rule-making is imperatively necessary for the preservation of public health, safety, and welfare.

