



# COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

## **JUNE 2022 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE JUNE 10, 2022 EMERGENCY MEDICAL SERVICES BOARD MEETING**

### **Document 05, MSB 22-05-19-A, Revision to Medical Assistance Act Rule concerning Base Wage regarding certain Home and Community Based Services, Section 8.511**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. There is a critical shortage of providers for CHRP Foster Care Homes and Group Homes, due in large part to the much lower reimbursement rate for these services as compared to the reimbursement for similar services in the HCBS-Persons with Developmental Disabilities (DD) waiver. This results in children and youth being unable to access out of home residential services that best meet their needs which limits options to staying in the family home putting themselves and/or others at risk, hospitalization, and/or out of state placement. With the timely flexibility under the Appendix K waiver and budgetary authority through House Bill 22-1329, the Department is able to increase the reimbursement rates quickly in order to address this critical shortage of providers and is imperatively necessary for the preservation of public health, safety, and welfare.

### **Document 06, MSB 22-05-31-B, Revision to the Medical Assistance Act Rule concerning Non-Emergent Emergency Department Services Cost Sharing, Section 8.754.2**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The 2022 Colorado General Assembly Long Bill, House Bill 22-1329, increases the co-payment for non-emergent use of emergency department services from \$6 to \$8, effective July 1, 2022. This revision aligns Department rule with the increased co-payment amount and is imperatively necessary for the preservation of public health safety, and welfare.



**Document 07, MSB 22-05-31-A, Revision to the Medical Assistance Act Rule concerning Non-Invasive Prenatal Testing, Section 8.732.4.E**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The 2022 Colorado General Assembly Long Bill, House Bill 22-1329, covers non-invasive prenatal testing (NIPT) based on national standard guidelines, as developed by the American College of Obstetricians and Gynecologist (ACOG). This revision aligns Department rule concerning NIPT coverage with national standard guidelines and is imperatively necessary for the preservation of public health, safety, and welfare.

**Document 08, MSB 22-03-22-A, Revision to the Special Financing Division Colorado Dental Health Care Program for Low-Income Seniors and Old Age Pension Concerning SB21-199, Section 8.900**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. Senate Bill 21-199 passed June 25, 2021 effective July 1, 2022, removes the requirement to prove lawful presence in the US for state or local public benefits. This rule change is removing the lawful presence requirement from the Colorado Dental Health Care Program for Low-Income Seniors and the Old Age Pension Health Care Program and is imperatively necessary for the preservation of public health safety, and welfare.

