



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, August 10, 2018, 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 18-04-05-A, Revision to the Medical Assistance Rule concerning Children with Autism - Rescind, Section 8.519

Medical Assistance. In September 2015 the Centers for Medicare and Medicaid rejected the Department's request to expand the Home and Community Based Services-Children with Autism (HCBS-CWA) waiver and required the Department to include Pediatric Behavioral Therapies as a benefit under Early and Periodic, Screening, Diagnostic and Treatment (EPSDT). With the addition of Pediatric Behavioral Therapies to EPSDT the CWA waiver will be closed. The only benefit this waiver offered was behavioral therapy.

The authority for this rule is contained in 25.5-1-301 through 25.5-1-303, C.R.S. (2017) and 25.5-6-804(8)(a), C.R.S. (2017).

MSB 18-05-25-A, Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Adult Day Services, Section 8.491

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 18-05-25-B, Revision to the Medical Assistance Home and Community Based Services for Elderly Blind and Disabled Rule Concerning Alternative Care Facilities
Section 8.495**

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 regulations with our sister agencies. That collaboration will lead to improved oversight of Alternative Care Facilities as well as more comprehensive inspections by the Department of Public Health and Environment (DPHE).

Additionally, the revised criteria for 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).