



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, December 9, 2022, 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 22-09-22-A, Revision to the Medical Assistance Act Rule concerning Out of State Former Foster Care members for Sections 8.100.4.H.2. (Melissa-Torres-Murrilo, Eligibility Policy Section)

Medical Assistance. The proposed rule change will amend Section 8.100.4.H.2, to include requirements to expand Former Foster Care Medicaid to members who were in foster care at the age of 18 on or after January 1, 2023, were on Medicaid, and who have become residents of Colorado from another state. These requirements are to expand coverage according to Section 1002 of the Substance Use-Disorder Prevention That Promotes Opioid Recovery and Treatment for Patients and Communities Act of 2018 (SUPPORT Act), signed into law on October 24, 2018, which amends Medicaid coverage requirements for the Former Foster Care eligibility category that provides youth who aged out of foster care with Medicaid eligibility up to the age 26. The out-of-state former foster care coverage will be available to all Medicaid members enrolled in the Former Foster Care Medicaid defined under 42 C.F.R. § 435.150. The Department will be updating the Colorado Benefits Management System (CBMS) to reflect these changes.

The authority for this rule is contained in 42 C.F.R. § 435.150; Section 25.5-5-101.(1)(e), C.R.S. (2021) and Sections 25.5-1-301 through 25.5-1-303 (2022).

MSB 22-10-27-A, Revision to the Special Financing Division Rules Language Correction, Section 8.904.F.2. and Section 8.923.B.2 (Taryn Graf, Special Financing Division)

Medical Assistance. The proposed rule change will correct Section 8.904.F.2, to be in alignment with Section 8.904 and the requirements. Section 8.923.B.2. will be amended to align with the statute.

The authority for this rule is contained in Sections 25.5-3-501 through 25.5-3-506, C.R.S. (2021); Sections 25.5-3-101 through 25.5-3-112 and Sections 25.5-1-301 through 25.5-1-303 (2022).

MSB 22-10-27-B, Revision to the Medical Assistance programs Rule for Language Correction, Section 8.100.3.G.1.g.v. (Melissa Torres-Murrilo, Eligibility Policy Section)

Medical Assistance. The proposed rule change will correct Section 8.100.3.G.1.g.v, to be in alignment with statutory requirements regarding incorporation by reference.

The authority for this rule is contained in Sections 25.5-1-301 through 25.5-1-303 (2022).