



COLORADO
Department of Health Care
Policy & Financing

303 E 17th Avenue
Denver, CO 80203

November 1, 2023

Members of the Colorado General Assembly
c/o Legislative Council
State Capitol Building
200 East Colfax
Denver, CO 80203

Dear Members of the General Assembly:

I am pleased to submit the Department of Health Care Policy and Financing (HCPF)'s 2023 Regulatory Agenda Report and 2024 Regulatory Agenda, in compliance with 2-7-203 C.R.S., as amended by House Bill 12-1008. The Department's 2024 Regulatory Agenda has also been submitted to the Colorado Secretary of State for publication in the Colorado Register, and will be posted to our website.

The Department's 2023 Regulatory Agenda Report provides a brief summary of all permanent, temporary and emergency rules reviewed, revised and adopted since the Department's 2023 Departmental Regulatory Agenda was filed on November 1, 2022, as well as the status, comments, and information relative to stakeholder input. Pursuant to 24-4-103.3(4) C.R.S, the 2023 Regulatory Agenda Report also reflects the results of the Department's mandatory rule review activity over the past year. Effective July 1, 2016, all permanent rules adopted by the Department, as reflected in the 2022 Regulatory Agenda Report, involved early stakeholder engagement, as described by the Department's procedures for public participation in rulemaking (available online at <https://www.colorado.gov/hcpf/stakeholder-engagement-protocols>).

Information pertaining to a specific rule can be obtained by contacting Jo Donlin (jo.donlin@state.co.us) or Chris Sykes (chris.sykes@state.co.us).

Pursuant to §2-7-203(2)(a)(II) C.R.S., we will be prepared to discuss our 2023 Regulatory Agenda Report and 2024 Regulatory Agenda with the Department's Joint Committee of Reference during our upcoming SMART Act hearing.





Sincerely,

Kim Bimestefer
Executive Director

Enclosure: HCPF 2023 Regulatory Agenda Report and 2024 Regulatory Agenda

CC: Legislative Council Library
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Cristen Bates, Medicaid and CHP+ Behavioral Health Initiatives and Coverage Office
Director, HCPF
Ralph Choate, Medicaid Operations Office Director, HCPF
Charlotte Crist, Cost Control & Quality Improvement Office Director, HCPF
Adela Flores-Brennan, Medicaid Director, HCPF
Thomas Leahey, Pharmacy Office Director, HCPF
Rachel Reiter, Policy, Communications, and Administration Office Director,
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Bettina Schneider, Finance Office Director, HCPF
Bonnie Silva, Office of Community Living Director, HCPF
Parrish Steinbrecher, Health Information Office Director, HCPF
Jo Donlin, Legislative Liaison, HCPF



2023

Regulatory Agenda **Report**



COLORADO
Department of Health Care
Policy & Financing

Overview

Pursuant to Colo. Rev. Stat. §2-7-203(4), the Department of Health Care Policy and Financing submits the following 2023 Regulatory Agenda Report. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda, this Regulatory Agenda Report details the results of the past year’s rules review activity, including the results of mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4) as part of the Department’s “Regulatory Efficiencies Reviews.”

This report includes the following items:

- “Rulemaking included in 2023 Regulatory Agenda,” providing an update of rules included in the Department’s 2023 Regulatory Agenda (filed on November 1st, 2022)
- “Results of Mandatory Rules Review,” providing a summary of the activities and outcomes associated with the Department’s mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4)
- “Unplanned Rulemaking”, summarizing rule activity that was not neither part of mandatory regulatory efficiency review nor part of the Regulatory Agenda.

Rulemaking included in 2023 Regulatory Agenda

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision , or repeal?	Statutory or Other Basis	Purpose	Stakeholder s	Status	Comments
MSB 22-07-19-A	Office of Community Living	Revision	25.5-6-1501 C.R.S. (2022); 25.5-6-404 C.R.S. (2022); 25.5-6-704 C.R.S. (2022);	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule concerning Life Skills Training, Home Delivered Meals, Peer	Medicaid members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision , or repeal?	Statutory or Other Basis	Purpose	Stakeholder s	Status	Comments
MSB 23-01-13-A	Office of Community Living	Revision	25.5-6-104, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Care and Case Management System, Sections 8.390, 8.393, 8.400, 8.500 & 8.615	Medicaid members and providers	Adopted June 2023	

Results of Mandatory Rules Review

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.400 Long Term Care	Office of Community Living	25.5-6-1-1709, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.401 Level of Care Screening Guidelines	Office of Community Living	25.5-6-206, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.402 Admission Procedures for Long-Term Care	Office of Community Living	25.5-6-104, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.403 Long Term Care Services for Individuals with Intellectual or Developmental Disabilities	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.404	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending

Admission Criteria: Programs for the Developmentally Disabled							
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.405 Admission Procedures: Programs for the Developmentally Disabled	Office of Community Living	25.5-6-409(4), C.R.S.	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.406 Nursing Facility Care - Levels of Care	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.407 Special Provision Concerning Clients Eligible for Social Security Age-72 Benefits (Prouty)	Office of Community Living	25.5-6-1404, C.R.S.	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.408 Levels of Care Defined - Skilled Nursing Care	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.409 Levels of Care Defined -	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending

Intermediate Nursing Care							
10 C.C.R. 2505-10 Section 8.415 Role of Counties and Nursing Facilities	Office of Community Living	Section 1902(a)(26) of the Social Security Act	September	Y	N	N	Pending
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.420 Requirements and Provisions for Participation by Colorado Nursing Facilities	Office of Community Living	25.5-6-204, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.421 Responsibility of County Department Concerning Participation	Office of Community Living	25.5-6-204, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.422 Visits to Recipients by Social Services Personnel, Privacy for Conferences with Recipients	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.423 Visits to Recipients by the	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending

Colorado Long-Term Care Ombudsman and Designated Representatives							
10 C.C.R. 2505-10 Section 8.424 Periodic Visits - Nursing Home Records to be Made Available	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.430 Medicaid Certification of New Nursing Facilities or Additional Beds	Office of Community Living	25.5-6-201, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.435 Enforcement Remedies	Office of Community Living	25.5-6-205, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.440 Nursing Facility Benefits	Office of Community Living	25.5-6-203, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.441 Nursing Facility Cost Reporting	Office of Community Living	25.5-6-208, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.442 Submission of Cost Reporting Information	Office of Community Living	25.5-6-208, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.443 Nursing Facility Reimbursement	Special Financing Division	25.5-6-202-203, C.R.S.	September	Y	N	N	Pending

10 C.C.R. 2505-10 Section 8.449.1 Requirements for Utilization Review	Office of Community Living	25.5-6-1206, C.R.S.					
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.470 Hospital Back Up Level of Care	Office of Community Living	Section 1919(e)(5) of the Social Security Act	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.482 Resident Income and Possessions	Office of Community Living	§1902(r)(1)(A) of the Social Security Ac	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.484 Home- and Community-Based Services Settings Final Rule	Office of Community Living	42 C.F.R. § 441.301(C)(4)	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.485 Home and Community Based Services for the Elderly, Blind and Disabled (HCBS-EBD) General Provisions	Office of Community Living	25.5-6-301-313, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.486 HCBS-EBD Case Management Functions	Office of Community Living	25.5-6-305, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.487 HCBS	Office of Community Living	25.5-6-1704, C.R.S.	September	Y	N	N	Pending

Waiver Provider Agencies							
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.488 Electronic Monitoring	Office of Community Living	Sections 25.5-6-303-307, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.489 Personal Care	Office of Community Living	21st Century Cures Act," P.L. No. 114-255	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.490 Homemaker Services	Office of Community Living	21st Century Cures Act," P.L. No. 114-255	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.491 Adult Day Services	Office of Community Living	25.5-6-313, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.492 Respite Care	Office of Community Living	25.5-6-1203, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.493 Home Modification	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.494 Non-Medical Transportation	Office of Community Living	25.5-6-313(1), C.R.S.	September	Y	N	N	Pending

<p>10 C.C.R. 2505-10 Section 8.495 Alternative Care Facilities</p>	<p>Office of Community Living</p>	<p>25.5-6-313(1) C.R.S.</p>	<p>September</p>	<p>Y</p>	<p>N</p>	<p>N</p>	<p>Pending</p>
<p>10 C.C.R. 2505-10 Section 8.497 Program of All-Inclusive Care for the Elderly (Pace)</p>	<p>Office of Community Living</p>	<p>25.5-6-1403, C.R.S.</p>	<p>September</p>	<p>Y</p>	<p>N</p>	<p>N</p>	<p>Pending</p>

Unplanned Rulemaking

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-08-29-A	Office of Community Living	Revision	42 C.F.R. § 440.80 and Section § 25.5-5-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Private Duty Nursing Benefits, Section 8.540.2	October 2022	Medicaid members	Adopted October 2022	
MSB 22-08-29-B	Special Financing Division	Revision	42 C.F.R. 162-1002(a)(4); 25.5-2-101, C.R.S. (2022) & 25.5-3-404(4), C.R.S. (2022)	Revision to the Special Financing Division Colorado Dental Health Care Program for Low-Income Seniors Schedule A, Section 8.960	October 2022	Low Income Seniors	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-08-29-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Long-Term Home Health Prior Authorization Correction, Section 8.520.8.C	October 2022	Medicaid members and providers	Adopted October 2022	
MSB 22-04-06-A	Benefits Section	Revision	42 CFR 440.10 (2021) and Section 25.5-5-102(1)(a), C.R.S. (2021)	Revision to the Medical Assistance Act Rule concerning In-State Inpatient Hospital High Acuity Rate Negotiation, Section 8.300.5.G	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	
MSB 22-10-06-A	Office of Community Living	New	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-10-06-B	Fiscal Agent Operations	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13	October 2022	Providers	Adopted October 2022	
MSB 22-10-06-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation, Sections 8.018.1.F. and 8.018.4.D.1	October 2022	Medicaid members and providers	Adopted October 2022	
MSB 22-10-06-D	Benefits Section	Revision	42 CFR 440.170 (2020) and 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	October 2022	Medicaid members and providers	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-10-06-E	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	October 2022	Medicaid members, providers and facilities	Adopted October 2022	
MSB 22-10-06-F	Eligibility Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	October 2022	Medicaid members and providers	Adopted October 2022	

			(MOE) provision.					
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 22-10-06-G	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	October 2022	CHP members and providers	Adopted October 2022	
MSB 22-10-06-H	Eligibility Policy Section	Revision	42 CFR §447, Subpart C (2020)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-06-31-A	Eligibility Policy Section	Revision	25.5-6-1403(4) C.R.S. (2022)	Revision to the Medical Assistance Eligibility Rule Concerning Allowing Medicaid Buy-In Program for Working Adults with Disabilities Members Access the HCBSDD Waiver, Section 8.100.7.1.c.i	November 2022	Medicaid members	Adopted November 2022	
MSB 22-09-22-A	Eligibility Policy Section	Revision	42 C.F.R. § 435.150 & C.R.S. 25.5-5-101.(1)(e)	Revision to the Medical Assistance Act Rule concerning Out of State Former Foster Care members for Sections 8.100.4.H.2	December 2022	Medicaid members	Adopted December 2022	
MSB 22-11-08-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	December 2022	Medicaid members	Adopted December 2022	

MSB 22-10-26-A	Benefits Section	Revision	42 CFR Parts 412, 413, 425, 455, and 495	Revision to the Medical Assistance Rule Concerning Medicare-Only Provider Types, Section 8.125 & 8.126	December 2022	Providers	Adopted December 2022	
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-11-17-A	Benefits Section	Revision	HB 22-1326	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Non-Medical Transportation, Sections 8.494 and 8.611	December 2022	Medicaid members and providers	Adopted December 2022	
MSB 22-08-31-A	Office of Community Living	Revision	42 C.F.R. § 441.301(C)(4)	Revision to the Medical Assistance Rule concerning Settings Final Rule Critical Updates, Sections 8.484, 8.500.5.B, 8.500.94.B, 8.609.4 & 8.610	January 2023	Medicaid members who are enrolled in the HCBS waivers	Adopted January 2023	
MSB 22-12-08-A	Eligibility Policy Section	Revision	42 CRF § 435.916, § 435.948, and § 435.949	Revision to the Medical Assistance Rule concerning Verified Information at Renewal, Section 8.100.3.P	January 2023	Medicaid members	Adopted January 2023	
CHP 22-12-08-B	Eligibility Policy Section	Revision	42 C.F.R §457.343 and §457.380	Revision to the Child Health Plan Plus Program Rule concerning	January 2023	CHP+ members	Adopted January 2023	

				Verified Information at Renewal, Section 140				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-07-19-A	Office of Community Living	Revision	25.5-6-1501 C.R.S. (2022); 25.5-6-404 C.R.S. (2022); 25.5-6-704 C.R.S. (2022); 25.5-6-606 C.R.S. (2022)	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule concerning Life Skills Training, Home Delivered Meals, Peer Mentorship, & Transition Setup Services, Section 8.553	February 2023	Medicaid members	Adopted February 2023	
MSB 22-10-04-A	Office of Community Living	Revision	Section 25.5-6-404 (2022)	Revision to the Medical Assistance Act Rule concerning the Supports Intensity Scale Assessment, Section 8.612	February 2023	Direct Care Workers	Adopted February 2023	
MSB 22-12-28-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	February 2023	Health First Colorado members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-28-B	Benefits Section	Revision	42 CFR Parts 412, 413, 425, 455, and 495	Revision to the Medical Assistance Rule Concerning Medicare-Only Provider Types, Section 8.125 & 8.126	February 2023	Health First Colorado providers	Adopted February 2023	
MSB 22-12-28-C	Rates Division	Revision	HB 22-1326	Revision to the Medical Assistance Act Rule Concerning Inpatient Payment Rates for Opioid Antagonist, Section 8.300.5.D	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 23-02-04-A	Office of Community Living	Revision	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K.	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 23-02-04-B	Fiscal Agent Operations	Revision	Sections 25.5-1-301 through	Revision to the Medical Assistance Rule concerning	February 2023	Medicaid providers	Adopted February 2023	

			25.5-1-303, C.R.S. (2022)	Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-04-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation, Sections 8.018.1.F. and 8.018.4.D.1	February 2023	Medicaid members and providers	Adopted February 2023	
MSB 23-02-04-D	Benefits Section	Revision	42 CFR 440.170 (2020) & 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	February 2023	Medicaid members and providers	Adopted February 2023	
MSB 23-02-04-E	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	February 2023	Medicaid members, providers and facilities	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-04-F	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	February 2023	Medicaid members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 23-02-04-G	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	February 2023	CHP+ members	Adopted February 2023	
MSB 23-02-04-H	Health Policy Office	Revision	42 CFR §447, Subpart C (2020) & C.R.S. 25.5-5-102(1)(a) (2019)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	February 2023	Medicaid members, providers and facilities	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-01-30-A	Office of Community Living	Revision	42 C.F.R. § 447.272	Revision to the Medical Assistance Act rule concerning the Hospital Back-Up Program Bed Cap, Section 8.470.7	February 2023	Medicaid members and facilities	Adopted February 2023	
MSB 23-02-01-A	Health Policy Office	Revision	42 CFR 447.52(b)(1)	Revision to the Medical Assistance Act rule concerning Inpatient Hospital Co-payment, Section 8.754.1.H	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 22-11-03-A	Health Policy Office	Repeal	42 CFR Part 455, Subpart A & Title 25.5, Article 4, Part 3, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Medicaid Eligibility Quality Control, Section 8.080	March 2023	Colorado hospitals	Adopted March 2023	
MSB 22-09-19-A	Office of Community Living	Revision	Section 1915(c) of the Social Security Act, 42 U.S.C § 1396n (2022)	Revision to the Medical Assistance Rule concerning CHRP Respite and Capacity Limit Rule Change, Section 8.508.100	March 2023	Pharmacy providers	Adopted March 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-01-31-A	Eligibility Policy Section	Revision	42 CRF § 435.916, § 435.948, and § 435.949	Revision to the Medical Assistance Rule concerning Verified Information at Renewal, Section 8.100.3.P	March 2023	Medicaid members	Adopted March 2023	
CHP 23-01-31-B	Eligibility Policy Section	Revision	42 C.F.R §457.343 and §457.380	Revision to the Child Health Plan Plus Program Rule concerning Verified Information at Renewal, Section 140	March 2023	CHP+ members	Adopted March 2023	
MSB 23-02-27-C	Rates Division	Revision	HB 22-1326	Revision to the Medical Assistance Act Rule Concerning Inpatient Payment Rates for Opioid Antagonist, Section 8.300.5.D	March 2023	Medicaid members, providers and facilities	Adopted March 2023	
MSB 23-03-01-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 &	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and	March 2023	Providers and facilities	Adopted March 2023	

			Section 25.5-1-207 (5), C.R.S. (2022)	Affordability Stimulus Grant Program, Section 8.8000				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-02-A	Health Policy Office	Revision	42 CFR § 440.70(3)(b)(ii) & CRS §§ 25.5-4-416; 25.5-5-202(1)(f), (y); 25.5-8-107(1)(a)(V)	Revision to the Medical Assistance Act Rule concerning Durable Medical Equipment Prescribing Providers, Section 8.590	April 2023	Medicaid members and providers	Adopted April 2023	
MSB 23-01-26-A	Special Financing Division	Revision	Section 25.5-3-404(4), C.R.S. (2022)	Revision to the Colorado Dental Health Care Program for Low-Income Seniors, Section 8.960 Schedule A	April 2023	Low-income seniors and providers	Adopted April 2023	
MSB 22-12-13-B	Health Policy Office	New	Title XIX of the Social Security Act Section 1905(a)(30); 42 CFR 440.170 & Section 25.5-5-328, C.R.S. (2022)	Creation of the Medical Assistance Rule concerning the Secure Transport Benefit, Section 8.019	April 2023	Medicaid members and providers	Adopted April 2023	
MSB 23-02-27-A	Office of Community Living	Revision	42 CFR 447.272	Revision to the Medical Assistance Act rule concerning	April 2023	Medicaid members and facilities	Adopted April 2023	

				the Hospital Back-Up Program Bed Cap, Section 8.470.7				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-27-B	Health Policy Office	Revision	42 CFR 447.52(b)(1)	Revision to the Medical Assistance Act rule concerning Inpatient Hospital Co-payment, Section 8.754.1.H	April 2023	Medicaid members, providers and facilities	Adopted April 2023	
MSB 22-12-16-A	Rates Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Federally Qualified Health Centers, Women's Health Services Reimbursement, Section 8.700.6.D	May 2023	Federally Qualified Health Centers	Adopted May 2023	
MSB 22-12-20-A	Rates Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Physician Services, Dental, Vision Services, Medicaid Managed Care Program Prospective Medical Payments to Primary Care Medical Providers, Section 8.700.7.A	May 2023	Medicaid members, providers and facilities	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-30-A	Office of Community Living	Revision	Section 25.5-6-413, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Supported Employment Services Expansion, Section 8.500	May 2023	Medicaid members	Adopted May 2023	
MSB 22-11-22-A	Special Financing Division	Revision	Sections 25.5-4-402.4(4)(b), (g), C.R.S. (2022)	Revision to the Medical Assistance Rule concerning FFY 2022-23 Healthcare Affordability & Sustainability (HAS) Fees & Supplemental Payments Amendment, Section 8.3000	May 2023	Providers and facilities	Adopted May 2023	
MSB 23-01-24-A	Office of Community Living	New	42 CFR 433.68 and 42 U.S.C. § 1396b(w) & 25.5-4-402.4(4)(b), (g), C.R.S. (2022)	Revisions to the Medical Assistance Rule concerning the Creation of the Nursing Home Wage Enhancement Supplement Payment, Section 8.443.21	May 2023	Direct care workers	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-14-A	Rates Division	Revision	42 CFR 440.10 (2021) & Section 25.5-102(1)(a), C.R.S. (2021)	Revision to the Medical Assistance Rule concerning Payment for Inpatient Hospital Services, Section 8.300	May 2023	Providers and facilities	Adopted May 2023	
MSB 22-12-13-C	Health Policy Office	Revision	Section 27-60-104, C.R.S. (2022)	Creation of the Medical Assistance Rule concerning Mobile Crisis Response, Section 8.020	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-03-A	Fiscal Agent Operations	Repeal	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022);	Revision to the Medical Assistance Rule concerning Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13 and 8.126.1	May 2023	Providers	Adopted May 2023	
MSB 23-05-03-B	Health Policy Office	Repeal	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation,	May 2023	Medicaid members and providers	Adopted May 2023	

				Sections 8.018.1.F. and 8.018.4.D.1				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-03-C	Health Policy Office	Repeal	42 CFR 440.170 (2020) & 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-03-D	Health policy Office	Repeal	42 CFR §447, Subpart C (2020) & C.R.S. 25.5-5-102(1)(a) (2019)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-01-A	Health Policy Office	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Dental Therapists, Section 8.201.1	May 2023	Providers	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-10-A	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision. The Federal “Consolidated Appropriations Act, 2023	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	May 2023	Medicaid members	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-10-A	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1,8100.3, 8.100.4, 8.100.5 and 8.100.6	May 2023	Medicaid members	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 23-05-10-B	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	May 2023	CHP+ members	Adopted May 2023	
MSB 23-01-13-A	Office of Community Living	Revision	25.5-6-104, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Care and Case Management	June 2023	Medicaid members and providers	Adopted June 2023	

				System, Sections 8.390, 8.393, 8.400, 8.500 & 8.615				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-03-14-B	Office of Community Living	Revision	25.5-6-314, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Adult Day Services Dementia Training, Section 8.491	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-04-24-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-06-01-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-04-26-A	Health Policy Office	Revision	Colorado Senate Bill 23-214	Revision to the Medical Assistance Act Rule concerning Cost	July 2023	Providers	Adopted July 2023	

				Sharing, Section 8.754.1				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-11-A	Office of Community Living	Revision	Senate Bill 23-214	Revision to the Medical Assistance Rule regarding the Base Wage for Direct Care Workers	June 2023	Direct care workers	Adopted June 2023	
MSB 23-06-01-B	Office of Community Living	Revision	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	June 2023	Medicaid members, providers and facilities	Adopted June 2023	
MSB 23-06-01-C	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	June 2023	Providers and facilities	Adopted June 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-18-A	Special Financing Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Dental Health Care Program for Low-Income Seniors Procedure Increase, Section 8.960	June 2023	Low-Income Seniors	Adopted June 2023	
MSB 23-02-03-A	Office of Community Living	Revision	42 CFR 433.68 and 42 U.S.C. § 1396b(w) & 25.5-4-402.4(4)(b), (g), C.R.S. (2023)	Revisions to the Medical Assistance Act Rule Concerning Nursing Home Reimbursement, Sections 8.440 & 8.443	June 2023	Facilities	Adopted June 2023	
MSB 22-12-13-A	Health policy Office	Revision	42 C.F.R. §§ 440.50, 440.120, 440.210 (2023) & Section 25.5-5-102(1)(d), C.R.S. (2023)	Revision to the Medical Assistance Act Rule Concerning Gender-Affirming Care, Section 8.735	July 2023	Medicaid members	Adopted July 2023	
MSB 23-03-20-A	Eligibility Policy Section	Revision	42 C.F.R. § 435.112 &	Revision to the Medical Assistance	July 2023	Medicaid members	Adopted July 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
			C.R.S - 25.5-5-101 (1)(b)	Act Rule concerning updates to the Transitional Medical Assistance for section 8.100.4.1.3.b				
MSB 23-03-09-A	Pharmacy Office	Revision	1927 42 USC 1396r-8(d)(2)	Revision to the Medical Assistance Act Rule concerning the Coverage of OTC Opioid Antagonists, Section 8.800.4.D	July 2023	Medicaid members and pharmacies	Adopted July 2023	
MSB 23-07-05-A	Special Financing Division	Revision	42 CFR § 447; 42 CFR § 433.68 & Section 25.5-4-402.4(5)(g), C.R.S. (2023)	Revisions to the Medicaid Assistance Rule Concerning the Health Care Affordability and Sustainability Fee, Section 8.3000	July 2023	Providers	Adopted July 2023	
MSB 23-06-09-A	Eligibility Policy Section	Revision	C.R.S 25.5-3-105, 25.5-5-101(5), and 26-2-111.8(5.5)	Revision to the Medical Assistance Rule Concerning Updates to the Agreement Not to Sponsor for Section 8.100.3.D.6	July 2023	Providers and facilities	Adopted July 2023	

MSB 23-06-20-A	Health Policy Office	Revision	Section 25.5-5-336, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Bariatric Surgery, Section 8.300.3.C	July 2023	Providers and facilities	Adopted July 2023	
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-12-B	Office of Community Living	Revision	27-71-101 C.R.S. (2023)	Revision to the Medical Assistance Rules Mental Health Transitional Living Homes, Section 8.509.50	August 2023	Medicaid members and providers	Adopted August 2023	
MSB 23-06-29-A	Special Financing Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Dental Health Care Program for Low-Income Seniors Procedure Increase, Section 8.960	August 2023	Low-Income Seniors	Adopted August 2023	

MSB 23-06-29-B	Office of Community Living	Revision	25.5-6-18 C.R.S. (2021)	Revision to the Medical Assistance Rule regarding the Base Wage for Direct Care Workers, Sections 8.511 & 8.535	August 2023	Direct care workers	Adopted August 2023	
MSB 23-06-29-C	Health Policy Office	Revision	Colorado Senate Bill 23-214	Revision to the Medical Assistance Act Rule concerning Cost Sharing, Section 8.754.1	August 2023	Providers and facilities	Adopted August 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-06-29-D	Special Financing Division	Revision	42 CFR 433.68 and 42 U.S.C. § 1396b(w) and 25.5-4-402.4(4)(b), (g), C.R.S.	Revisions to the Medical Assistance Act Rule Concerning Nursing Home Reimbursement, Sections 8.440 & 8.443	August 2023	Providers and facilities	Adopted August 2023	
MSB 23-06-29-E	Health Policy Office	Revision	Sections 25.5-1-301 through	Revision to the Medical Assistance Rule concerning	August 2023	Providers	Adopted August 2023	

			25.5-1-303, C.R.S. (2023)	Dental Therapists, Section 8.201.1				
MSB 23-08-01-A	Health Policy Office	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Rule concerning Dental Therapists, Section 8.201.1	August 2023	Providers	Adopted August 2023	
CHP 23-05-09-A	Health Policy Office	Revision	42 C.F.R 457; 42 CFR 438; C.R.S. 25.5-8-107(1)(a)(IV) 25.5-8-103 4(b)(ii)	Revision to the CHP Plus Rule Concerning Changes to add Gender Affirming Care and other Technical Updates, 10 CCR 2505-03	September 2023	CHP+ members	Adopted September 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-25-B	Pharmacy Office	Revision	25.5-4-103, 25.5-4-428, and 25.5-5-516 (effective August 7,	Revision to the Medical Assistance Act Rule concerning HB23-1130	September 2023	Medicaid members and pharmacies	Adopted August 2023	

			2023), C.R.S. (2023)	Implementation, Section 8.800.1 and 8.800.7				
MSB 23-05-17-A	Health Policy Office	Revision	Social Security Act, Section §§ 1905(a)(1-2) [42 U.S.C. 1396d(a)(1-2)] (2022); 42 C.F.R. §§ 440.10-.20 (2023)	Revision to the Medical Assistance Act Rule concerning Hospital Services Rule, Section 8.300	August 2023	Providers and facilities	Adopted August 2023	
MSB 23-05-31-A	Health Policy Office	Revision	42 C.F.R. 440.70(b)(3)(ii i) (2023)	Revision to the Medical Assistance Act Rule concerning Durable Medical Equipment Oxygen Certificate of Medical Necessity, Section 8.580	September 2023	Providers	Adopted September 2023	
MSB 23-07-26-A	Health Policy Office	Revision	Section 25.5-5-336, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Bariatric Surgery, Section 8.300.3.C	September 2023	Medicaid members	Adopted September 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-07-26-B	Eligibility Policy Section	Revision	C.R.S 25.5-3-105, 25.5-5-101(5), and 26-2-111.8(5.5)	Revision to the Medical Assistance Rule Concerning Updates to the Agreement Not to Sponsor for Section 8.100.3.D.6	September 2023	Medicaid members	Adopted August 2023	
MSB 23-07-26-C	Special Financing Division	Revision	42 CFR § 447; 42 CFR § 433.68 & Section 25.5-4-402.4(5)(g), C.R.S. (2023)	Revisions to the Medicaid Assistance Rule Concerning the Health Care Affordability and Sustainability Fee, Section 8.3000	September 2023	Providers and facilities	Adopted September 2023	

2023

Regulatory Agenda **Report**



COLORADO
Department of Health Care
Policy & Financing

Overview

Pursuant to Colo. Rev. Stat. §2-7-203(4), the Department of Health Care Policy and Financing submits the following 2023 Regulatory Agenda Report. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda, this Regulatory Agenda Report details the results of the past year’s rules review activity, including the results of mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4) as part of the Department’s “Regulatory Efficiencies Reviews.”

This report includes the following items:

- “Rulemaking included in 2023 Regulatory Agenda,” providing an update of rules included in the Department’s 2023 Regulatory Agenda (filed on November 1st, 2022)
- “Results of Mandatory Rules Review,” providing a summary of the activities and outcomes associated with the Department’s mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4)
- “Unplanned Rulemaking”, summarizing rule activity that was not neither part of mandatory regulatory efficiency review nor part of the Regulatory Agenda.

Rulemaking included in 2023 Regulatory Agenda

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision , or repeal?	Statutory or Other Basis	Purpose	Stakeholders	Status	Comments
MSB 22-07-19-A	Office of Community Living	Revision	25.5-6-1501 C.R.S. (2022); 25.5-6-404 C.R.S. (2022); 25.5-6-704 C.R.S. (2022);	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule concerning Life Skills Training, Home Delivered Meals, Peer	Medicaid members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision , or repeal?	Statutory or Other Basis	Purpose	Stakeholder s	Status	Comments
MSB 23-01-13-A	Office of Community Living	Revision	25.5-6-104, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Care and Case Management System, Sections 8.390, 8.393, 8.400, 8.500 & 8.615	Medicaid members and providers	Adopted June 2023	

Results of Mandatory Rules Review

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.400 Long Term Care	Office of Community Living	25.5-6-1-1709, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.401 Level of Care Screening Guidelines	Office of Community Living	25.5-6-206, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.402 Admission Procedures for Long-Term Care	Office of Community Living	25.5-6-104, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.403 Long Term Care Services for Individuals with Intellectual or Developmental Disabilities	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.404	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending

Admission Criteria: Programs for the Developmentally Disabled							
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.405 Admission Procedures: Programs for the Developmentally Disabled	Office of Community Living	25.5-6-409(4), C.R.S.	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.406 Nursing Facility Care - Levels of Care	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.407 Special Provision Concerning Clients Eligible for Social Security Age-72 Benefits (Prouty)	Office of Community Living	25.5-6-1404, C.R.S.	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.408 Levels of Care Defined - Skilled Nursing Care	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.409 Levels of Care Defined -	Office of Community Living	Section 1902(a)(26) of the Social Security Act	July	Y	N	N	Pending

Intermediate Nursing Care							
10 C.C.R. 2505-10 Section 8.415 Role of Counties and Nursing Facilities	Office of Community Living	Section 1902(a)(26) of the Social Security Act	September	Y	N	N	Pending
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.420 Requirements and Provisions for Participation by Colorado Nursing Facilities	Office of Community Living	25.5-6-204, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.421 Responsibility of County Department Concerning Participation	Office of Community Living	25.5-6-204, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.422 Visits to Recipients by Social Services Personnel, Privacy for Conferences with Recipients	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.423 Visits to Recipients by the	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending

Colorado Long-Term Care Ombudsman and Designated Representatives							
10 C.C.R. 2505-10 Section 8.424 Periodic Visits - Nursing Home Records to be Made Available	Office of Community Living	25.5-6-101, C.R.S.	September	Y	N	N	Pending

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.430 Medicaid Certification of New Nursing Facilities or Additional Beds	Office of Community Living	25.5-6-201, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.435 Enforcement Remedies	Office of Community Living	25.5-6-205, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.440 Nursing Facility Benefits	Office of Community Living	25.5-6-203, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.441 Nursing Facility Cost Reporting	Office of Community Living	25.5-6-208, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.442 Submission of Cost Reporting Information	Office of Community Living	25.5-6-208, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.443 Nursing Facility Reimbursement	Special Financing Division	25.5-6-202-203, C.R.S.	September	Y	N	N	Pending

10 C.C.R. 2505-10 Section 8.449.1 Requirements for Utilization Review	Office of Community Living	25.5-6-1206, C.R.S.					
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.470 Hospital Back Up Level of Care	Office of Community Living	Section 1919(e)(5) of the Social Security Act	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.482 Resident Income and Possessions	Office of Community Living	§1902(r)(1)(A) of the Social Security Act	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.484 Home- and Community-Based Services Settings Final Rule	Office of Community Living	42 C.F.R. § 441.301(C)(4)	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.485 Home and Community Based Services for the Elderly, Blind and Disabled (HCBS-EBD) General Provisions	Office of Community Living	25.5-6-301-313, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.486 HCBS-EBD Case Management Functions	Office of Community Living	25.5-6-305, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.487 HCBS	Office of Community Living	25.5-6-1704, C.R.S.	September	Y	N	N	Pending

Waiver Provider Agencies							
Rule Number (CCR) and Title (or Description)	Division /Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
10 C.C.R. 2505-10 Section 8.488 Electronic Monitoring	Office of Community Living	Sections 25.5-6-303-307, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.489 Personal Care	Office of Community Living	21st Century Cures Act," P.L. No. 114-255	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.490 Homemaker Services	Office of Community Living	21st Century Cures Act," P.L. No. 114-255	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.491 Adult Day Services	Office of Community Living	25.5-6-313, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.492 Respite Care	Office of Community Living	25.5-6-1203, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.493 Home Modification	Office of Community Living	25.5-6-409, C.R.S.	September	Y	N	N	Pending
10 C.C.R. 2505-10 Section 8.494 Non-Medical Transportation	Office of Community Living	25.5-6-313(1), C.R.S.	September	Y	N	N	Pending

<p>10 C.C.R. 2505-10 Section 8.495 Alternative Care Facilities</p>	<p>Office of Community Living</p>	<p>25.5-6-313(1) C.R.S.</p>	<p>September</p>	<p>Y</p>	<p>N</p>	<p>N</p>	<p>Pending</p>
<p>10 C.C.R. 2505-10 Section 8.497 Program of All-Inclusive Care for the Elderly (Pace)</p>	<p>Office of Community Living</p>	<p>25.5-6-1403, C.R.S.</p>	<p>September</p>	<p>Y</p>	<p>N</p>	<p>N</p>	<p>Pending</p>

Unplanned Rulemaking

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-08-29-A	Office of Community Living	Revision	42 C.F.R. § 440.80 and Section § 25.5-5-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Private Duty Nursing Benefits, Section 8.540.2	October 2022	Medicaid members	Adopted October 2022	
MSB 22-08-29-B	Special Financing Division	Revision	42 C.F.R. 162-1002(a)(4); 25.5-2-101, C.R.S. (2022) & 25.5-3-404(4), C.R.S. (2022)	Revision to the Special Financing Division Colorado Dental Health Care Program for Low-Income Seniors Schedule A, Section 8.960	October 2022	Low Income Seniors	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-08-29-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Long-Term Home Health Prior Authorization Correction, Section 8.520.8.C	October 2022	Medicaid members and providers	Adopted October 2022	
MSB 22-04-06-A	Benefits Section	Revision	42 CFR 440.10 (2021) and Section 25.5-5-102(1)(a), C.R.S. (2021)	Revision to the Medical Assistance Act Rule concerning In-State Inpatient Hospital High Acuity Rate Negotiation, Section 8.300.5.G	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	
MSB 22-10-06-A	Office of Community Living	New	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-10-06-B	Fiscal Agent Operations	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13	October 2022	Providers	Adopted October 2022	
MSB 22-10-06-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation, Sections 8.018.1.F. and 8.018.4.D.1	October 2022	Medicaid members and providers	Adopted October 2022	
MSB 22-10-06-D	Benefits Section	Revision	42 CFR 440.170 (2020) and 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	October 2022	Medicaid members and providers	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-10-06-E	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	October 2022	Medicaid members, providers and facilities	Adopted October 2022	
MSB 22-10-06-F	Eligibility Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	October 2022	Medicaid members and providers	Adopted October 2022	

			(MOE) provision.					
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 22-10-06-G	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	October 2022	CHP members and providers	Adopted October 2022	
MSB 22-10-06-H	Eligibility Policy Section	Revision	42 CFR §447, Subpart C (2020)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	October 2022	Medicaid members, providers, and facilities	Adopted October 2022	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-06-31-A	Eligibility Policy Section	Revision	25.5-6-1403(4) C.R.S. (2022)	Revision to the Medical Assistance Eligibility Rule Concerning Allowing Medicaid Buy-In Program for Working Adults with Disabilities Members Access the HCBSDD Waiver, Section 8.100.7.1.c.i	November 2022	Medicaid members	Adopted November 2022	
MSB 22-09-22-A	Eligibility Policy Section	Revision	42 C.F.R. § 435.150 & C.R.S. 25.5-5-101.(1)(e)	Revision to the Medical Assistance Act Rule concerning Out of State Former Foster Care members for Sections 8.100.4.H.2	December 2022	Medicaid members	Adopted December 2022	
MSB 22-11-08-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	December 2022	Medicaid members	Adopted December 2022	

MSB 22-10-26-A	Benefits Section	Revision	42 CFR Parts 412, 413, 425, 455, and 495	Revision to the Medical Assistance Rule Concerning Medicare-Only Provider Types, Section 8.125 & 8.126	December 2022	Providers	Adopted December 2022	
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-11-17-A	Benefits Section	Revision	HB 22-1326	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule Concerning Non-Medical Transportation, Sections 8.494 and 8.611	December 2022	Medicaid members and providers	Adopted December 2022	
MSB 22-08-31-A	Office of Community Living	Revision	42 C.F.R. § 441.301(C)(4)	Revision to the Medical Assistance Rule concerning Settings Final Rule Critical Updates, Sections 8.484, 8.500.5.B, 8.500.94.B, 8.609.4 & 8.610	January 2023	Medicaid members who are enrolled in the HCBS waivers	Adopted January 2023	
MSB 22-12-08-A	Eligibility Policy Section	Revision	42 CRF § 435.916, § 435.948, and § 435.949	Revision to the Medical Assistance Rule concerning Verified Information at Renewal, Section 8.100.3.P	January 2023	Medicaid members	Adopted January 2023	
CHP 22-12-08-B	Eligibility Policy Section	Revision	42 C.F.R §457.343 and §457.380	Revision to the Child Health Plan Plus Program Rule concerning	January 2023	CHP+ members	Adopted January 2023	

				Verified Information at Renewal, Section 140				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-07-19-A	Office of Community Living	Revision	25.5-6-1501 C.R.S. (2022); 25.5-6-404 C.R.S. (2022); 25.5-6-704 C.R.S. (2022); 25.5-6-606 C.R.S. (2022)	Revision to the Medical Assistance Long-Term Services and Supports HCBS Benefit Rule concerning Life Skills Training, Home Delivered Meals, Peer Mentorship, & Transition Setup Services, Section 8.553	February 2023	Medicaid members	Adopted February 2023	
MSB 22-10-04-A	Office of Community Living	Revision	Section 25.5-6-404 (2022)	Revision to the Medical Assistance Act Rule concerning the Supports Intensity Scale Assessment, Section 8.612	February 2023	Direct Care Workers	Adopted February 2023	
MSB 22-12-28-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	February 2023	Health First Colorado members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-28-B	Benefits Section	Revision	42 CFR Parts 412, 413, 425, 455, and 495	Revision to the Medical Assistance Rule Concerning Medicare-Only Provider Types, Section 8.125 & 8.126	February 2023	Health First Colorado providers	Adopted February 2023	
MSB 22-12-28-C	Rates Division	Revision	HB 22-1326	Revision to the Medical Assistance Act Rule Concerning Inpatient Payment Rates for Opioid Antagonist, Section 8.300.5.D	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 23-02-04-A	Office of Community Living	Revision	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K.	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 23-02-04-B	Fiscal Agent Operations	Revision	Sections 25.5-1-301 through	Revision to the Medical Assistance Rule concerning	February 2023	Medicaid providers	Adopted February 2023	

			25.5-1-303, C.R.S. (2022)	Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-04-C	Benefits Section	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation, Sections 8.018.1.F. and 8.018.4.D.1	February 2023	Medicaid members and providers	Adopted February 2023	
MSB 23-02-04-D	Benefits Section	Revision	42 CFR 440.170 (2020) & 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	February 2023	Medicaid members and providers	Adopted February 2023	
MSB 23-02-04-E	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	February 2023	Medicaid members, providers and facilities	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-04-F	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	February 2023	Medicaid members	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 23-02-04-G	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	February 2023	CHP+ members	Adopted February 2023	
MSB 23-02-04-H	Health Policy Office	Revision	42 CFR §447, Subpart C (2020) & C.R.S. 25.5-5-102(1)(a) (2019)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	February 2023	Medicaid members, providers and facilities	Adopted February 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-01-30-A	Office of Community Living	Revision	42 C.F.R. § 447.272	Revision to the Medical Assistance Act rule concerning the Hospital Back-Up Program Bed Cap, Section 8.470.7	February 2023	Medicaid members and facilities	Adopted February 2023	
MSB 23-02-01-A	Health Policy Office	Revision	42 CFR 447.52(b)(1)	Revision to the Medical Assistance Act rule concerning Inpatient Hospital Co-payment, Section 8.754.1.H	February 2023	Medicaid members, providers and facilities	Adopted February 2023	
MSB 22-11-03-A	Health Policy Office	Repeal	42 CFR Part 455, Subpart A & Title 25.5, Article 4, Part 3, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Medicaid Eligibility Quality Control, Section 8.080	March 2023	Colorado hospitals	Adopted March 2023	
MSB 22-09-19-A	Office of Community Living	Revision	Section 1915(c) of the Social Security Act, 42 U.S.C § 1396n (2022)	Revision to the Medical Assistance Rule concerning CHRP Respite and Capacity Limit Rule Change, Section 8.508.100	March 2023	Pharmacy providers	Adopted March 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-01-31-A	Eligibility Policy Section	Revision	42 CRF § 435.916, § 435.948, and § 435.949	Revision to the Medical Assistance Rule concerning Verified Information at Renewal, Section 8.100.3.P	March 2023	Medicaid members	Adopted March 2023	
CHP 23-01-31-B	Eligibility Policy Section	Revision	42 C.F.R §457.343 and §457.380	Revision to the Child Health Plan Plus Program Rule concerning Verified Information at Renewal, Section 140	March 2023	CHP+ members	Adopted March 2023	
MSB 23-02-27-C	Rates Division	Revision	HB 22-1326	Revision to the Medical Assistance Act Rule Concerning Inpatient Payment Rates for Opioid Antagonist, Section 8.300.5.D	March 2023	Medicaid members, providers and facilities	Adopted March 2023	
MSB 23-03-01-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 &	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and	March 2023	Providers and facilities	Adopted March 2023	

			Section 25.5-1-207 (5), C.R.S. (2022)	Affordability Stimulus Grant Program, Section 8.8000				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-02-A	Health Policy Office	Revision	42 CFR § 440.70(3)(b)(ii) & CRS §§ 25.5-4-416; 25.5-5-202(1)(f), (y); 25.5-8-107(1)(a)(V)	Revision to the Medical Assistance Act Rule concerning Durable Medical Equipment Prescribing Providers, Section 8.590	April 2023	Medicaid members and providers	Adopted April 2023	
MSB 23-01-26-A	Special Financing Division	Revision	Section 25.5-3-404(4), C.R.S. (2022)	Revision to the Colorado Dental Health Care Program for Low-Income Seniors, Section 8.960 Schedule A	April 2023	Low-income seniors and providers	Adopted April 2023	
MSB 22-12-13-B	Health Policy Office	New	Title XIX of the Social Security Act Section 1905(a)(30); 42 CFR 440.170 & Section 25.5-5-328, C.R.S. (2022)	Creation of the Medical Assistance Rule concerning the Secure Transport Benefit, Section 8.019	April 2023	Medicaid members and providers	Adopted April 2023	
MSB 23-02-27-A	Office of Community Living	Revision	42 CFR 447.272	Revision to the Medical Assistance Act rule concerning	April 2023	Medicaid members and facilities	Adopted April 2023	

				the Hospital Back-Up Program Bed Cap, Section 8.470.7				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-02-27-B	Health Policy Office	Revision	42 CFR 447.52(b)(1)	Revision to the Medical Assistance Act rule concerning Inpatient Hospital Co-payment, Section 8.754.1.H	April 2023	Medicaid members, providers and facilities	Adopted April 2023	
MSB 22-12-16-A	Rates Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Federally Qualified Health Centers, Women's Health Services Reimbursement, Section 8.700.6.D	May 2023	Federally Qualified Health Centers	Adopted May 2023	
MSB 22-12-20-A	Rates Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Physician Services, Dental, Vision Services, Medicaid Managed Care Program Prospective Medical Payments to Primary Care Medical Providers, Section 8.700.7.A	May 2023	Medicaid members, providers and facilities	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-30-A	Office of Community Living	Revision	Section 25.5-6-413, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Supported Employment Services Expansion, Section 8.500	May 2023	Medicaid members	Adopted May 2023	
MSB 22-11-22-A	Special Financing Division	Revision	Sections 25.5-4-402.4(4)(b), (g), C.R.S. (2022)	Revision to the Medical Assistance Rule concerning FFY 2022-23 Healthcare Affordability & Sustainability (HAS) Fees & Supplemental Payments Amendment, Section 8.3000	May 2023	Providers and facilities	Adopted May 2023	
MSB 23-01-24-A	Office of Community Living	New	42 CFR 433.68 and 42 U.S.C. § 1396b(w) & 25.5-4-402.4(4)(b), (g), C.R.S. (2022)	Revisions to the Medical Assistance Rule concerning the Creation of the Nursing Home Wage Enhancement Supplement Payment, Section 8.443.21	May 2023	Direct care workers	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 22-12-14-A	Rates Division	Revision	42 CFR 440.10 (2021) & Section 25.5-102(1)(a), C.R.S. (2021)	Revision to the Medical Assistance Rule concerning Payment for Inpatient Hospital Services, Section 8.300	May 2023	Providers and facilities	Adopted May 2023	
MSB 22-12-13-C	Health Policy Office	Revision	Section 27-60-104, C.R.S. (2022)	Creation of the Medical Assistance Rule concerning Mobile Crisis Response, Section 8.020	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-03-A	Fiscal Agent Operations	Repeal	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022);	Revision to the Medical Assistance Rule concerning Provider Enrollment, Sections 8.125.11, 8.125.12, 8.125.13 and 8.126.1	May 2023	Providers	Adopted May 2023	
MSB 23-05-03-B	Health Policy Office	Repeal	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Act Rule concerning Emergency Medical Transportation,	May 2023	Medicaid members and providers	Adopted May 2023	

				Sections 8.018.1.F. and 8.018.4.D.1				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-03-C	Health Policy Office	Repeal	42 CFR 440.170 (2020) & 25.5-5-324, C.R.S. (2019)	Revision to the Medical Assistance Act Rule concerning Non-Emergent Medical Transportation, Sections 8.014.1.N, 8.014.3.C.2, 8.014.3.D.1, 8.014.4.A, 8.014.6.A.3	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-03-D	Health policy Office	Repeal	42 CFR §447, Subpart C (2020) & C.R.S. 25.5-5-102(1)(a) (2019)	Revision to the Medical Assistance Act Rule concerning Subacute Care, Section 8.300	May 2023	Medicaid members and providers	Adopted May 2023	
MSB 23-05-01-A	Health Policy Office	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Dental Therapists, Section 8.201.1	May 2023	Providers	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-10-A	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision. The Federal “Consolidated Appropriations Act, 2023	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1, 8.100.3, 8.100.4, 8.100.5 and 8.100.6	May 2023	Medicaid members	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-10-A	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136 and the Affordable Care Act (ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Medical Assistance program rule updates, Sections 8.100.1,8100.3, 8.100.4, 8.100.5 and 8.100.6	May 2023	Medicaid members	Adopted May 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
CHP 23-05-10-B	Eligibility Policy Section	Revision	Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law No. 116-136. The Affordable Care Act(ACA), which includes the Maintenance of Effort (MOE) provision	Revision to the Medical Assistance Rule concerning Child Health Plan Plus program rule updates, Sections 110,140, 310 and 320	May 2023	CHP+ members	Adopted May 2023	
MSB 23-01-13-A	Office of Community Living	Revision	25.5-6-104, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Care and Case Management	June 2023	Medicaid members and providers	Adopted June 2023	

				System, Sections 8.390, 8.393, 8.400, 8.500 & 8.615				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-03-14-B	Office of Community Living	Revision	25.5-6-314, C.R.S. (2022)	Revision to the Medical Assistance Rule concerning Adult Day Services Dementia Training, Section 8.491	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-04-24-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-06-01-A	Special Financing Division	Revision	American Rescue Plan Act of 2021 (ARPA), Public Law 117-2 & Section 25.5-1-207 (5), C.R.S. (2022)	Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000	June 2023	Providers and facilities	Adopted June 2023	
MSB 23-04-26-A	Health Policy Office	Revision	Colorado Senate Bill 23-214	Revision to the Medical Assistance Act Rule concerning Cost	July 2023	Providers	Adopted July 2023	

				Sharing, Section 8.754.1				
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-11-A	Office of Community Living	Revision	Senate Bill 23-214	Revision to the Medical Assistance Rule regarding the Base Wage for Direct Care Workers	June 2023	Direct care workers	Adopted June 2023	
MSB 23-06-01-B	Office of Community Living	Revision	Social Security Act Section 1135, Social Security Act 1115 (Pending), and Social Security Act 1915(c), Appendix K	Revision to the Medical Assistance Act Rule concerning Novel Corona Virus Disease (COVID-19) Rules, Section 8.6000	June 2023	Medicaid members, providers and facilities	Adopted June 2023	
MSB 23-06-01-C	Office of Community Living	Revision	Section 6008(b)(4) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136	Revision to the Medical Assistance Act Rule concerning Nursing Facility Immunization Administration, Sections 8.443 and 8.815	June 2023	Providers and facilities	Adopted June 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-05-18-A	Special Financing Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Dental Health Care Program for Low-Income Seniors Procedure Increase, Section 8.960	June 2023	Low-Income Seniors	Adopted June 2023	
MSB 23-02-03-A	Office of Community Living	Revision	42 CFR 433.68 and 42 U.S.C. § 1396b(w) & 25.5-4-402.4(4)(b), (g), C.R.S. (2023)	Revisions to the Medical Assistance Act Rule Concerning Nursing Home Reimbursement, Sections 8.440 & 8.443	June 2023	Facilities	Adopted June 2023	
MSB 22-12-13-A	Health policy Office	Revision	42 C.F.R. §§ 440.50, 440.120, 440.210 (2023) & Section 25.5-5-102(1)(d), C.R.S. (2023)	Revision to the Medical Assistance Act Rule Concerning Gender-Affirming Care, Section 8.735	July 2023	Medicaid members	Adopted July 2023	
MSB 23-03-20-A	Eligibility Policy Section	Revision	42 C.F.R. § 435.112 &	Revision to the Medical Assistance	July 2023	Medicaid members	Adopted July 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
			C.R.S - 25.5-5-101 (1)(b)	Act Rule concerning updates to the Transitional Medical Assistance for section 8.100.4.1.3.b				
MSB 23-03-09-A	Pharmacy Office	Revision	1927 42 USC 1396r-8(d)(2)	Revision to the Medical Assistance Act Rule concerning the Coverage of OTC Opioid Antagonists, Section 8.800.4.D	July 2023	Medicaid members and pharmacies	Adopted July 2023	
MSB 23-07-05-A	Special Financing Division	Revision	42 CFR § 447; 42 CFR § 433.68 & Section 25.5-4-402.4(5)(g), C.R.S. (2023)	Revisions to the Medicaid Assistance Rule Concerning the Health Care Affordability and Sustainability Fee, Section 8.3000	July 2023	Providers	Adopted July 2023	
MSB 23-06-09-A	Eligibility Policy Section	Revision	C.R.S 25.5-3-105, 25.5-5-101(5), and 26-2-111.8(5.5)	Revision to the Medical Assistance Rule Concerning Updates to the Agreement Not to Sponsor for Section 8.100.3.D.6	July 2023	Providers and facilities	Adopted July 2023	

MSB 23-06-20-A	Health Policy Office	Revision	Section 25.5-5-336, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Bariatric Surgery, Section 8.300.3.C	July 2023	Providers and facilities	Adopted July 2023	
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Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-12-B	Office of Community Living	Revision	27-71-101 C.R.S. (2023)	Revision to the Medical Assistance Rules Mental Health Transitional Living Homes, Section 8.509.50	August 2023	Medicaid members and providers	Adopted August 2023	
MSB 23-06-29-A	Special Financing Division	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Dental Health Care Program for Low-Income Seniors Procedure Increase, Section 8.960	August 2023	Low-Income Seniors	Adopted August 2023	

MSB 23-06-29-B	Office of Community Living	Revision	25.5-6-18 C.R.S. (2021)	Revision to the Medical Assistance Rule regarding the Base Wage for Direct Care Workers, Sections 8.511 & 8.535	August 2023	Direct care workers	Adopted August 2023	
MSB 23-06-29-C	Health Policy Office	Revision	Colorado Senate Bill 23-214	Revision to the Medical Assistance Act Rule concerning Cost Sharing, Section 8.754.1	August 2023	Providers and facilities	Adopted August 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-06-29-D	Special Financing Division	Revision	42 CFR 433.68 and 42 U.S.C. § 1396b(w) and 25.5-4-402.4(4)(b), (g), C.R.S.	Revisions to the Medical Assistance Act Rule Concerning Nursing Home Reimbursement, Sections 8.440 & 8.443	August 2023	Providers and facilities	Adopted August 2023	
MSB 23-06-29-E	Health Policy Office	Revision	Sections 25.5-1-301 through	Revision to the Medical Assistance Rule concerning	August 2023	Providers	Adopted August 2023	

			25.5-1-303, C.R.S. (2023)	Dental Therapists, Section 8.201.1				
MSB 23-08-01-A	Health Policy Office	Revision	Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2023)	Revision to the Medical Assistance Rule concerning Dental Therapists, Section 8.201.1	August 2023	Providers	Adopted August 2023	
CHP 23-05-09-A	Health Policy Office	Revision	42 C.F.R 457; 42 CFR 438; C.R.S. 25.5-8-107(1)(a)(IV) 25.5-8-103 4(b)(ii)	Revision to the CHP Plus Rule Concerning Changes to add Gender Affirming Care and other Technical Updates, 10 CCR 2505-03	September 2023	CHP+ members	Adopted September 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-04-25-B	Pharmacy Office	Revision	25.5-4-103, 25.5-4-428, and 25.5-5-516 (effective August 7,	Revision to the Medical Assistance Act Rule concerning HB23-1130	September 2023	Medicaid members and pharmacies	Adopted August 2023	

			2023), C.R.S. (2023)	Implementation, Section 8.800.1 and 8.800.7				
MSB 23-05-17-A	Health Policy Office	Revision	Social Security Act, Section §§ 1905(a)(1-2) [42 U.S.C. 1396d(a)(1-2)] (2022); 42 C.F.R. §§ 440.10-.20 (2023)	Revision to the Medical Assistance Act Rule concerning Hospital Services Rule, Section 8.300	August 2023	Providers and facilities	Adopted August 2023	
MSB 23-05-31-A	Health Policy Office	Revision	42 C.F.R. 440.70(b)(3)(ii i) (2023)	Revision to the Medical Assistance Act Rule concerning Durable Medical Equipment Oxygen Certificate of Medical Necessity, Section 8.580	September 2023	Providers	Adopted September 2023	
MSB 23-07-26-A	Health Policy Office	Revision	Section 25.5-5-336, C.R.S. (2023)	Revision to the Medical Assistance Act Rule concerning Bariatric Surgery, Section 8.300.3.C	September 2023	Medicaid members	Adopted September 2023	

Rule Number (CCR) and Title (or Description)	Division /Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
MSB 23-07-26-B	Eligibility Policy Section	Revision	C.R.S 25.5-3-105, 25.5-5-101(5), and 26-2-111.8(5.5)	Revision to the Medical Assistance Rule Concerning Updates to the Agreement Not to Sponsor for Section 8.100.3.D.6	September 2023	Medicaid members	Adopted August 2023	
MSB 23-07-26-C	Special Financing Division	Revision	42 CFR § 447; 42 CFR § 433.68 & Section 25.5-4-402.4(5)(g), C.R.S. (2023)	Revisions to the Medicaid Assistance Rule Concerning the Health Care Affordability and Sustainability Fee, Section 8.3000	September 2023	Providers and facilities	Adopted September 2023	