



COLORADO
Department of Health Care
Policy & Financing

1570 Grant Street
Denver, CO 80203

2021 HCPF Legislative Agenda Overview

Updated 4/9/21

Telemedicine Policy Refinements

During the pandemic, telemedicine has grown as a delivery mode valued by members, providers, employers and payers. The Department is committed to developing comprehensive telemedicine policy with the goals of improving access to high-quality services, promoting health equity, and shepherding taxpayer resources.

This proposal seeks to give the Department specific rulemaking authority to create an accountability framework for entities that provide services predominantly or exclusively through telemedicine. These entities are new participants in the fee-for-service category. The Department wants to maximize the role these entities play in expanding access, while ensuring focus remains on the medical home model and appropriate utilization. This will give the Department the flexibility needed to adapt to the "new normal" and begin to develop a comprehensive telemedicine policy.

Case Management Redesign

This proposal will help the Department build a high-performing conflict-free case management system to serve all populations. The proposal has two goals: (1) eliminating the requirement of a third-party broker to assist individuals in choosing a case management agency and (2) removing language currently in statute to allow more flexibility for the Department to work with stakeholders to implement a plan to create a high performing case management system by July 1, 2024.

This bill will streamline operations, maintain federal compliance, increase administrative efficiencies and build a case management system that is rooted in quality and accountability.

Skilled Nursing Facilities: Establishing a Demonstration of Need and Technical Changes

Demonstration of Need: A Demonstration of Need policy permits the Department to only authorize expansion of skilled nursing Medicaid providers when localities can sustain expansion. The initiative would include a set of clear and predetermined criteria the Department would use to approve or deny nursing facilities that seek to serve Medicaid members. The criteria would be based on an analysis of demographics at the county



level and the needs of the surrounding community. The policy will ensure stability, access to care and quality of care remain consistent for one of our most vulnerable populations.

Technical changes: The Department seeks to make small adjustments to the skilled nursing facility statutes. The changes will neutralize language because of recent terminology changes and anticipated federal changes. Additionally, the Department requests to create an exemption from the rate methodology for facilities with fewer than six Medicaid beds to accommodate long-term care members who outlive their financial resources.

The nursing facility population is growing, and the state will need to expand the availability of long-term care for older adults at skilled nursing facilities in order to meet the needs of this population. This proposal would create a system to ensure stable growth with this demographic shift.

Add Remote Supports to Home and Community-Based Services (HCBS) Programs

The Department seeks to add a remote supports benefit to five of the Department's Home and Community-Based Services (HCBS) waivers. The bill will make changes in statute to allow for remote supports in the HCBS Elderly Blind and Disabled (EBD) waiver. While the remote supports benefit will be added to five HCBS waivers, only the EBD statute requires this change due to the current limiting nature of the electronic monitoring service.

Remote Supports is an emerging service model that combines technology and direct care to support people with disabilities. When hands-on care is not required, Remote Supports makes it possible for direct care staff to provide supervision, prompting, or instruction from a remote location, reducing the need for residential or in-person services. A remote support option will help address workforce shortages by increasing provider efficiency, improve access to care in rural areas and help members stay safely in their homes and communities.

Expand Canadian Prescription Drug Importation Program

This proposal authorizes the Department to expand the current drug importation program to include countries in addition to Canada if federal policy allowed such an expansion. Currently, federal statute permits drug importation from Canada. If federal policy changes to allow for importation from other countries, Colorado would be able to move forward quickly to expand saving opportunities for consumers.

This proposal ensures federal and state consumer safety standards are met. All imported drugs would have to be FDA-approved; sample tested for quality, authenticity, and degradation; tracked and traced according to federal supply chain law; and relabeled to meet U.S. labeling requirements.



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