



# COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

## **DECEMBER 2022 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE DECEMBER 9, 2022 EMERGENCY MEDICAL SERVICES BOARD MEETING**

### **MSB 22-11-08-A, Revision to the Medical Assistance Rule Concerning the Rural Provider Access and Affordability Stimulus Grant Program, Section 8.8000**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. The enabling legislation, Senate Bill 22-200, requires that the Medical Services Board promulgate rules for the administration of the Rural Provider Access and Affordability Stimulus Grant Program on or before December 31, 2022. The legislation also created the Rural Provider Access and Affordability Advisory Committee to begin meeting in September 2022 and charged the committee with making formal recommendations to the Department on the administration of the grant program including the proposed rule. The timeline for the advisory committee's work necessitates emergency rule-making to meet the December 2022 rule deadline established by the legislation in law at Section 25.5-1-207 (5), C.R.S.

### **MSB 22-10-26-A, Revision to the Medical Assistance Rule Concerning Medicare-Only Provider Types, Section 8.125 & 8.126**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. An emergency rulemaking is necessary to comply with federal law, pursuant to 42 CFR §455.410(d). This rule clarifies that Medicare-Only Providers means a provider enrolled in the Medical Assistance Program for purposes of Medicare cost-sharing only, pursuant to 42 CFR §455.410(d).

### **MSB 22-11-17-A, Revision to the Medical Assistance Act Rule Concerning Inpatient Payment Rates for Opioid Antagonist, Section 8.300.5.D**

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. House Bill 22-1326 appropriates funding allowing the Department of Health Care Policy and Financing to reimburse opioid antagonist



drugs outside of its current reimbursement methodology and assumes implementation within the 2023 state fiscal year.

