



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

MAY 2024 EMERGENCY JUSTIFICATION FOR MEDICAL ASSISTANCE RULES ADOPTED AT THE MAY 10, 2024 EMERGENCY MEDICAL SERVICES BOARD MEETING

MSB 24-04-05-A, Revision to the Medical Assistance Act Rule concerning Doula Services, Section 8.734

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. Pursuant to C.R.S. 25.5-4-506(6), the Department of Health Care Policy and Financing is required to have completed a robust stakeholder engagement process to create a Doula benefit for pregnant and postpartum people to improve health outcomes of pregnant and postpartum people who face a disproportionately greater risk of poor birth outcomes. After a lengthy stakeholder engagement process that was necessary to comply with statute, the Department has designed this benefit to comply with this legislative mandate and must present this rule as an emergency rule to meet the July 1, 2024 deadline and is imperatively necessary for the preservation of public health safety, and welfare.

MSB 24-04-11-A, Revision to the Medical Assistance Act concerning the Coverage of FDA-Approved Imported Drugs, Section 8.800.4.B

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. There are ongoing and emerging drug shortages in the United States, affecting member access to critical drugs. The FDA has exercised enforcement discretion for temporary importation and use of select drugs to mitigate the effects of these drug shortages. An emergency rule change is required to allow the Department the authority to cover the FDA-approved imported drugs. There is a public health emergency related to the surge and increased numbers of syphilis and congenital syphilis cases occurring in Colorado. This rule would allow coverage of the imported Extencilline product during the nationwide Bicillin Shortage, in addition to covering imported Tiglutik, which is used to treat ALS and is imperatively necessary for the preservation of public health safety, and welfare.



MSB 24-04-18-B, Revision to the Medical Assistance Act Rule concerning Doula Services, Section 8.200.2.D.a

For the preservation of public health, safety and welfare

Emergency rule-making is imperatively necessary. Pursuant to C.R.S. 25.5-4-506, the Department of Health Care Policy and Financing is required to create a Doula benefit for pregnant and postpartum people to improve health outcomes of pregnant and postpartum people who face a disproportionately greater risk of poor birth outcomes. After a lengthy stakeholder engagement process, the Department has designed this benefit to comply with this legislative mandate and must present this rule, in order to implement the doula benefit, as an emergency rule to meet the July 1, 2024 deadline and is imperatively necessary for the preservation of public health safety, and welfare.

