

The logo for Colorado Covering Kids & Families features the word "COLORADO" in a teal sans-serif font at the top, flanked by two horizontal lines of colored dots (green, orange, teal). Below this, the word "COVERING" is written in a larger, bold teal font, and "KIDS & FAMILIES" is written in a smaller teal font underneath.

## MONTHLY MEETING NOTES

March 19, 2021

### Legislative Update

Alice Steiner, Colorado Community Health Network provided a legislative update. The legislative session started again mid-February and will go until June 14. About 300 bills were introduced on the first day, a few of which are related to health care.

The bills include:

- [HB21-1198](#) HealthCare Billing Requirements for Indigent Patients
  - Requires hospitals to screen for eligibility for Health First Colorado and discount programs for all patients. Sets out of pocket limits for indigent patients at 80 percent of Medicare rates and no more than 5 percent of the patient's income. Hospitals would be required to allow payment plans for individuals that last no more than three years. If a patient has been making payments and a balance remains at the end of three years the remaining amount would be written off.
  - There will likely be future amendments to this bill.
- [SB21-025](#) Family Planning Service for Eligible Individuals
  - Will cover family planning services for people who would be otherwise eligible for Health First Colorado (Colorado's Medicaid Program), but they are over income, up to 250 percent of the federal poverty level (FPL).
  - Family planning services are matched by the federal government at 90 percent.
- [HB21-1232](#): Standardized Health Benefit Plan Colorado Option
  - Different from previous years because it provides a path for carriers to meet premium reductions.
  - During the first two years health insurance carriers would be required to offer a standardized plan to reduce costs. If costs are not reduced within the first two years Colorado would create its own standardized plan in 2025.
  -
- [SB21-175](#) Prescription Drug Affordability Review Board
  - The goal of this legislation is to look create a board will review the most expensive prescription drugs and set payment limits for consumers.

### Connect for Health Colorado Updates

Bailey Dvorak, Connect for Health Colorado, shared that over 6,500 individuals have enrolled during the Uninsured Enrollment Period (UEP) thus far. Connect for Health Colorado's UEP started on February 8 and will end on May 15. For more resources, view Connect for Colorado's [UEP Stakeholder Toolkit](#).

If a customer overestimated their advanced premium tax credit (APTC) during 2020, they will not be required to pay them back during tax reconciliation.

The American Rescue Plan will introduce changes to Connect for Health Colorado. APTC calculations for the 2021 and 2022 plan year will be adjusted. This includes removing the cap of 400 percent of the Federal Poverty Limit, and a limit of 8.5 percent of their income on premiums. This will backdate to the end of 2020. Additionally, Coloradans who received at least one week of unemployment benefits in 2021 will now be calculated at 138 percent of the FPL and given zero-dollar premium options. Connect for Health Colorado is working with the Division of Insurance and other partners on implementing these changes.

Connect for Health Colorado is working on updating their calculators. While those are being updated, you can view the [Kaiser Family Marketplace Calculator](#) which includes new APTCs from the American Rescue Plan.

Health First Colorado members who are interested in applying for Connect for Health Colorado coverage may log in to their PEAK account or contact their county to disenroll from Health First Colorado, then they may enroll in Connect for Health Colorado.

### **Upcoming PEAK Homepage Changes**

Rory Thomes, PEAK Outreach, provided information on PEAK modernization. PEAK will be incrementally updated and modernized to make the website easier for users and eligibility technicians, to be mobile friendly, and to return an accurate eligibility determination. The first build will take place on April 10. Changes in this build include updating the homepage, including updates to how users explore benefits, view the frequently asked questions, and access contact information. The login process will also be updated as part of the build. Moving forward, updated parts of PEAK will be mobile friendly. Future modernization builds will take place throughout 2021 – 2022.

PEAK Outreach is hosting two informational webinars about these updates. A webinar recording will be made available on the [PEAK Outreach Website](#) for those unable to attend the live trainings.

Zoom info below:

- [April 8, 11:00 a.m. - 12:00 p.m.](#)
- [April 12, 10:00 - 11:00 a.m.](#)

### **HCPF Updates**

Lisa Pera and Rebecca Ornelas, Colorado Department of Health Care Policy and Financing (HCPF) shared information about the American Rescue Plan, the return mail program, the disability determination application process, income guidelines, estate recovery, and verbal consent forms.

HCPF is working with Centers for Medicare and Medicaid Services (CMS) to determine the impact that the American Rescue Plan will have on Health First Colorado (Colorado's Medicaid Program) and Child Health Plan *Plus* (CHP+) members.

In 2020, HCPF contracted Prowers County to process all returned mail in a centralized location. The Consolidated Returned Mail Center (CRMC) is separate from Prowers County Human

Services. The goal was to increase accuracy and member contact information so that members do not experience problems or delays in benefits. The first phase was a pilot in El Paso, Montrose, and Prowers County in December 2020, which included Medical Assistance only cases. The pilot was successful, and HCPF is adding more counties to the returned mail program in cohorts. The next phase will include the Colorado Department of Human Services programs, starting this summer.

HCPF received acknowledgement that CMS will have guidance about enrollment for Pacific Islanders by the end of the month.

HCPF released a [memo on the Disability Determination Application](#) changes. The application was updated and condensed, and the process is now automated. Eligibility sites and agency letters have been updated to reflect the new process. HCPF followed process from the Social Security Administration, so the questions on the application are aligned. Only counties and Medical Assistance sites are approved to submit disability determination applications.

Based on the new Federal Poverty Level, income limits for Health First Colorado Modified Adjusted Gross Income (MAGI), Health First Colorado Buy-In for Working Adults with Disabilities, CHP+, the Children's Buy-In, the Medicare Savings, and the Low-Income Subsidy have all been updated. Visit HCPF's website for [Income Limit Memos](#).

The reason the 5 percent disregard is not included in the income charts is because federal rules require that state not apply the 5 percent disregard when determining eligibility for MAGI. The state will only apply the 5 percent disregard if the applicant's income is above the income limit and it is needed to make the member eligible.

Health First Colorado members recently received letters about Estate Recovery. The letter was informational and does not require response. Estate Recovery is a program where the state may recover the money spent on a member's Long Term Care Benefits by selling the property (items or real estate) the person owned after they pass away. Estate Recovery applies to Health First Colorado members of any age who are institutionalized. It also can apply to members who are 55 years or older and are nursing facility, home and community-based services, and related prescription and hospitalization services when they pass away. Note that previously HCPF shared that Estate Recovery exclusively applies to individuals who are more than 55 years old. This information is now updated to reflect that people of all ages may be subject to Estate Recovery, if they are institutionalized prior to their death.

HCPF also clarified that on the acknowledgement of receipt of verbal consent, it is acceptable to type the assister signature.

### **CKF Updates**

Shoshi Preuss, CKF, shared an update on the Public Charge. On March 9, the U.S. Department of Justice announced that it will stop defending the 2019 final public charge rule changes. This resulted in previous lawsuits from the federal government being dismissed. This means that a

previous injunction on the rule from November 2020 is now in effect and the final rule is permanently blocked nationwide. The [U.S. Department of Homeland Security](#) will return to using the previous standards for a public charge determination, which do not consider the use of Medicaid or Food Assistance. Protecting Immigrant Families released a [resource](#) with recommendations for advocacy and family-facing messages. CKF will update our Public Charge resources in the coming days to reflect this change.

**Next meeting: April 16, 2021**