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**State/Territory Name: Colorado**

**State Plan Amendments (SPA) #: CO-20-0031**

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**Children and Adults Health Programs Group**

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June 10, 2020

Tracy Johnson  
Medicaid Director  
Colorado Department of Health Care Policy and Financing  
Medicaid & Child Health Plan Plus (CHP+)  
1570 Grant Street  
Denver, CO 80203-1818

Dear Ms. Johnson:

Your title XXI Children's Health Insurance Program (CHIP) state plan amendment (SPA), CO-20-0031, submitted on May 5, 2020, has been approved. This SPA has an effective date of March 1, 2020.

This amendment, as it applies to the COVID-19 public health emergency (PHE), makes the following changes effective March 1, 2020 through the duration of the Federally-declared PHE:

- Conduct tribal consultation following submission of this SPA, as permitted under section 1135 of the Social Security Act;
- Waive requirements related to timely processing of applications and renewals;
- Delay processing of renewals and extend deadlines for families to respond to renewal requests;
- Delay acting on changes in circumstances for CHIP beneficiaries other than the required changes in circumstances described in 42 CFR 457.342(a) cross-referencing 42 CFR 435.926(d);
- Delay the collection of enrollment fees at the time of redetermination for existing CHIP beneficiaries; and
- Waive cost-sharing specifically for any in vitro diagnostic product described in section 2103(c)(10) of the Act and any other COVID-19 testing related service regardless of setting type.

Your title XXI project officer is Ms. Joyce Jordan. She is available to answer questions concerning this amendment and other CHIP-related issues. Her contact information is as follows:

Centers for Medicare & Medicaid Services  
Center for Medicaid and CHIP Services  
Mail Stop: S2-01-16  
7500 Security Boulevard  
Baltimore, MD 21244-1850  
Telephone: (410) 786-3413  
E-mail: [Joyce.Jordan@cms.hhs.gov](mailto:Joyce.Jordan@cms.hhs.gov)

If you have additional questions, please contact Meg Barry, Acting Director, Division of State Coverage Programs at (410) 786-1536. We look forward to continuing to work with you and your staff.

Sincerely,

/signed Amy Lutzky/

Amy Lutzky  
Acting Deputy Director

cc: Courtney Miller, Director, Medicaid and CHIP Operations Group  
Jackie Glaze, Deputy Director, Medicaid and CHIP Operations Group

SPA #31

<b>Date Amendment #31 Submitted:</b>	<b>05/05/2020</b>
<b>Date Amendment #31 Approved:</b>	<b>XXXXXX</b>
<b>Date Amendment #31 Effective:</b>	<b>03/01/2020</b>
<b>Date Amendment #31 Implemented:</b>	<b>03/01/2020</b>

Effective 03/01/2020, Colorado added provisions to implement temporary adjustments to policies related to tribal consultation, timely processing of applications, changes in circumstances, enrollment fees, and cost-sharing during the Federal COVID-19 public health emergency.

**1.4 Provide the effective (date costs begin to be incurred) and implementation (date services begin to be provided) dates for this SPA (42 CFR 457.65). A SPA may only have one effective date, but provisions within the SPA may have different implementation dates that must be after the effective date.**

**1.4- TC Tribal Consultation (Section 2107(e)(1)(C))** Describe the consultation process that occurred specifically for the development and submission of this State Plan Amendment, when it occurred and who was involved.

The State included consultation on this SPA in the tribal consultation log dated 05/04/2020. A copy of the relevant page of the consultation log is attached.

To address the Federal COVID-19 public health emergency, the State seeks a waiver under section 1135 of the Act to modify the tribal consultation process by conducting consultation after submission of the SPA.

**4.3 Methodology. Describe the methods of establishing and continuing eligibility and enrollment. The description should address the procedures for applying the eligibility standards, the organization and infrastructure responsible for making and reviewing eligibility determinations, and the process for enrollment of individuals receiving covered services, and whether the State uses the same application form for Medicaid and/or other public benefit programs. (Section 2102)(b)(2)) (42CFR, 457.350)**

During the Federal COVID-19 public health emergency, requirements related to timely processing of applications may be temporarily waived for CHIP applicants.

During the Federal COVID-19 public health emergency, the State will temporarily delay acting on certain changes in circumstances for CHIP beneficiaries whom the state determines are impacted by COVID-19 such that processing the change in a timely

manner is not feasible. The state will continue to act on the changes in circumstances described in 42 CFR 457.342(a) cross-referencing 435.926(d).

- 8.2.** Describe the amount of cost-sharing, any sliding scale based on income, the group or groups of enrollees that may be subject to the charge by age and income (if applicable) and the service for which the charge is imposed or time period for the charge, as appropriate. (Section 2103(e)(1)(A)) (42CFR 457.505(a), 457.510(b) &(c), 457.515(a)&(c))

**8.2.1. Premiums**

During the Federal COVID-19 public health emergency,, the State may temporarily delay collection of enrollment fees at the time of redetermination for existing CHIP beneficiaries.

**8.2.3. Coinsurance or copayments**

During the Federal COVID-19 public health emergency,, cost sharing shall be waived for any in vitro diagnostic product described in section 2103(c)(10) of the Social Security Act and any other COVID-19 testing-related services regardless of setting type..

- 9.10** Provide a 1-year projected budget (Section 2107(d)) (42CFR 457.140).

If the State's proposed disaster event provisions pose a significant budget impact, please include an updated budget. If the proposed changes do not make any notable impact to the budget, please include a statement with that assumption.