
April 24, 2026

Adela Flores-Brennan, Medicaid Director
Health First Colorado, Department of Health Care Policy and Financing;
Medicaid & Child Health Plan (CHP+)
1570 Grant Street
Denver, CO 80203-1818

Dear Ms. Adela Flores-Brennan:

In accordance with 42 CFR 438.6(c), the Centers for Medicare & Medicaid Services (CMS) has reviewed and is approving Colorado's submission of a proposal for a state directed payment (SDP) under Medicaid managed care plan contract(s). The proposal was received by CMS on June 27, 2025. The proposal has a control name of CO_Fee_IPH.OPH.BHI.BHO_New_20250701-20260630.

CMS has completed our review of the following Medicaid managed care SDP(s):

- Uniform increase for inpatient and outpatient hospital services and behavioral health inpatient and outpatient services for rating periods covering July 1, 2025 through June 30, 2026, incorporated in the capitation rates through a separate payment term amount of up to \$725,112,312.

This letter satisfies the regulatory requirement in 42 CFR 438.6(c)(2) for SDPs described in 42 CFR 438.6(c)(1). This letter pertains only to the actions identified above and does not apply to other actions currently under CMS's review. This letter does not constitute approval of any specific Medicaid financing mechanism used to support the non-federal share of expenditures associated with these actions. All relevant federal laws and regulations apply. CMS reserves its authority to enforce requirements in the Social Security Act and the applicable implementing regulations.

Based on CMS's preliminary determination, this SDP proposal likely qualifies for the temporary grandfathering period in section 71116(b) of Public Law 119-21 (hereinafter referred to as "section 71116"). CMS is preparing a notice of proposed rulemaking to revise 42 CFR part 438 as required under section 71116. CMS acknowledges that this determination is preliminary in nature and policies will be finalized as part of notice and comment rulemaking. CMS will enforce all federal requirements, including section 71116, and CMS's assessment may be revised if further information is identified that alters the initial assessment.

Until the phase down required by section 71116 begins, the total dollar amount of a grandfathered SDP (as specified in item 4 of the current SDP preprint form) cannot increase and a state cannot increase this total dollar amount under any change or revision to the grandfathered SDP, including an amendment to the SDP, or subsequent renewal SDP for a future rating period. For rating periods beginning on or after January 1, 2028, grandfathered SDPs must comply with the specified phase down requirements.

The state is required to submit contract action(s) and related capitation rates that include all SDPs, including those that do not require written prior approval as specified in 42 CFR 438.6(c)(2)(i). Additionally, all SDPs must be addressed in the applicable rate certifications. CMS recommends that states share this letter and the preprint(s) with the certifying actuary. Documentation of all SDPs must be included in the initial rate certification as outlined in Section I, Item 4, Subsection D, of the [Medicaid Managed Care Rate Development Guide](#). The state and its actuary must ensure all documentation outlined in the Medicaid Managed Care Rate Development Guide is included in the initial rate certification. Failure to provide all required documentation in the rate certification will cause delays in CMS review.

Approval of this SDP proposal for the applicable rating period does not preclude CMS from requesting additional materials from the state, revision to the SDP proposal design or any other modifications to the proposal for this rating period or future rating periods, if CMS determines that such modifications are required for the state to meet relevant federal requirements.

If you have any questions concerning this letter, please contact StateDirectedPayment@cms.hhs.gov.

Sincerely,

Meagan T. Khau
Deputy Director, Managed Care Group
Center for Medicaid and CHIP Services

Section 438.6(c) Preprint

42 C.F.R. § 438.6(c) provides States with the flexibility to implement delivery system and provider payment initiatives under MCO, PIHP, or PAHP Medicaid managed care contracts (i.e., state directed payments). 42 C.F.R. § 438.6(c)(1) describes types of payment arrangements that States may use to direct expenditures under the managed care contract. Under 42 C.F.R. § 438.6(c)(2)(ii), contract arrangements that direct an MCO's, PIHP's, or PAHP's expenditures under paragraphs (c)(1)(i) through (c)(1)(ii) and (c)(1)(iii)(B) through (D) must have written approval from CMS prior to implementation and before approval of the corresponding managed care contract(s) and rate certification(s). This preprint implements the prior approval process and must be completed, submitted, and approved by CMS before implementing any of the specific payment arrangements described in 42 C.F.R. § 438.6(c)(1)(i) through (c)(1)(ii) and (c)(1)(iii)(B) through (D). Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules using State plan approved rates as defined in 42 C.F.R. § 438.6(a).

Submit all state directed payment preprints for prior approval to:
StateDirectedPayment@cms.hhs.gov.

SECTION I: DATE AND TIMING INFORMATION

1. Identify the State's managed care contract rating period(s) for which this payment arrangement will apply (for example, July 1, 2020 through June 30, 2021):
July 1, 2025 - June 30, 2026
2. Identify the State's requested start date for this payment arrangement (for example, January 1, 2021). *Note, this should be the start of the contract rating period unless this payment arrangement will begin during the rating period.* July 1, 2025
3. Identify the managed care program(s) to which this payment arrangement will apply:
Accountable Care Collaborative Phase III; Denver Health Medicaid Choice
4. Identify the estimated **total dollar amount** (federal and non-federal dollars) of this state directed payment: \$725,112,312
 - a. Identify the estimated federal share of this state directed payment: \$456,820,757
 - b. Identify the estimated non-federal share of this state directed payment: \$268,291,555

Please note, the estimated total dollar amount and the estimated federal share should be described for the rating period in Question 1. If the State is seeking a multi-year approval (which is only an option for VBP/DSR payment arrangements (42 C.F.R. § 438.6(c)(1)(i)-(ii))), States should provide the estimates per rating period. For amendments, states should include the change from the total and federal share estimated in the previously approved preprint.

5. Is this the initial submission the State is seeking approval under 42 C.F.R. § 438.6(c) for this state directed payment arrangement? Yes No

6. If this is not the initial submission for this state directed payment, please indicate if:
- a. The State is seeking approval of an amendment to an already approved state directed payment.
 - b. The State is seeking approval for a renewal of a state directed payment for a new rating period.
 - i. If the State is seeking approval of a renewal, please indicate the rating periods for which previous approvals have been granted:
 - c. Please identify the types of changes in this state directed payment that differ from what was previously approved.
 - Payment Type Change
 - Provider Type Change
 - Quality Metric(s) / Benchmark(s) Change
 - Other; please describe:

 - No changes from previously approved preprint other than rating period(s).
7. Please use the checkbox to provide an assurance that, in accordance with 42 C.F.R. § 438.6(c)(2)(ii)(F), the payment arrangement is not renewed automatically.

SECTION II: TYPE OF STATE DIRECTED PAYMENT

8. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(A), describe in detail how the payment arrangement is based on the utilization and delivery of services for enrollees covered under the contract. The State should specifically discuss what must occur in order for the provider to receive the payment (e.g., utilization of services by managed care enrollees, meet or exceed a performance benchmark on provider quality metrics).

The providers will be paid based on the utilization and delivery of inpatient and outpatient hospital services for enrollees covered under the managed care contracts. Rural hospital service providers will receive fixed dollar amounts per inpatient day and per outpatient visit. Non-rural hospital service providers will receive fixed dollar amounts per inpatient day and per outpatient visit. The providers for behavioral health inpatient and outpatient services will receive fixed dollar amounts per inpatient day and outpatient visit. Colorado's Managed Care plans will make payments to the hospitals on a quarterly basis. The Managed Care plans are required to submit encounter data to the state's Medicaid plan administrator. This encounter data will be analyzed quarterly to pay out any required payments based upon the prior quarter's claim activity, with any adjustments to prior quarter's payments reconciled to actual service utilization. Twelve months following the end of a fiscal year, the state's encounter data will be analyzed a final time to reconcile that fiscal year's state directed payment results.

- a. Please use the checkbox to provide an assurance that CMS has approved the federal authority for the Medicaid services linked to the services associated with the SDP (i.e., Medicaid State plan, 1115(a) demonstration, 1915(c) waiver, etc.).
- b. Please also provide a link to, or submit a copy of, the authority document(s) with initial submissions and at any time the authority document(s) has been renewed/revised/updated.
<https://hcpf.colorado.gov/regulatory-resource-center>

9. Please select the general type of state directed payment arrangement the State is seeking prior approval to implement. (Check all that apply and address the underlying questions for each category selected.)

- a. **VALUE-BASED PAYMENTS / DELIVERY SYSTEM REFORM:** In accordance with 42 C.F.R. § 438.6(c)(1)(i) and (ii), the State is requiring the MCO, PIHP, or PAHP to implement value-based purchasing models for provider reimbursement, such as alternative payment models (APMs), pay for performance arrangements, bundled payments, or other service payment models intended to recognize value or outcomes over volume of services; or the State is requiring the MCO, PIHP, or PAHP to participate in a multi-payer or Medicaid-specific delivery system reform or performance improvement initiative.

If checked, please answer all questions in Subsection IIA.

- b. **FEE SCHEDULE REQUIREMENTS:** In accordance with 42 C.F.R. § 438.6(c)(1)(iii)(B) through (D), the State is requiring the MCO, PIHP, or PAHP to adopt a minimum or maximum fee schedule for network providers that provide a particular service under the contract; or the State is requiring the MCO, PIHP, or PAHP to provide a uniform dollar or percentage increase for network providers that provide a particular service under the contract. **[Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules using State plan approved rates as defined in 42 C.F.R. § 438.6(a).]**

If checked, please answer all questions in Subsection IIB.

SUBSECTION IIA: VALUE-BASED PAYMENTS (VBP) / DELIVERY SYSTEM REFORM (DSR):

This section must be completed for all state directed payments that are VBP or DSR. This section does not need to be completed for state directed payments that are fee schedule requirements.

10. Please check the type of VBP/DSR State directed payment the State is seeking prior approval for. *Check all that apply; if none are checked, proceed to Section III.*

- Quality Payment/Pay for Performance (Category 2 APM, or similar)
- Bundled Payment/Episode-Based Payment (Category 3 APM, or similar)
- Population-Based Payment/Accountable Care Organization (Category 4 APM, or similar)
- Multi-Payer Delivery System Reform
- Medicaid-Specific Delivery System Reform
- Performance Improvement Initiative
- Other Value-Based Purchasing Model

11. Provide a brief summary or description of the required payment arrangement selected above and describe how the payment arrangement intends to recognize value or outcomes over volume of services. If “other” was checked above, identify the payment model. The State should specifically discuss what must occur in order for the provider to receive the payment (e.g., meet or exceed a performance benchmark on provider quality metrics).

12. In Table 1 below, identify the measure(s), baseline statistics, and targets that the State will tie to provider performance under this payment arrangement (provider performance measures). Please complete all boxes in the row. To the extent practicable, CMS encourages states to utilize existing, validated, and outcomes-based performance measures to evaluate the payment arrangement, and recommends States use the [CMS Adult and Child Core Set Measures](#) when applicable. If the state needs more space, please use Addendum Table 1.A and check this box:

TABLE 1: Payment Arrangement Provider Performance Measures

Measure Name and NQF # (if applicable)	Measure Steward/ Developer ¹	Baseline ² Year	Baseline ² Statistic	Performance Measurement Period ³	Performance Target	Notes ⁴
<i>Example: Percent of High-Risk Residents with Pressure Ulcers – Long Stay</i>	<i>CMS</i>	<i>CY 2018</i>	<i>9.23%</i>	<i>Year 2</i>	<i>8%</i>	<i>Example notes</i>
a.						
b.						
c.						
d.						
e.						

1. Baseline data must be added after the first year of the payment arrangement
 2. If state-developed, list State name for Steward/Developer.
 3. If this is planned to be a multi-year payment arrangement, indicate which year(s) of the payment arrangement that performance on the measure will trigger payment.
 4. If the State is using an established measure and will deviate from the measure steward’s measure specifications, please describe here. Additionally, if a state-specific measure will be used, please define the numerator and denominator here.

14. Is the State seeking a multi-year approval of the state directed payment arrangement?

Yes No

- a. If this payment arrangement is designed to be a multi-year effort, denote the State's managed care contract rating period(s) the State is seeking approval for.

- b. If this payment arrangement is designed to be a multi-year effort and the State is **NOT** requesting a multi-year approval, describe how this application's payment arrangement fits into the larger multi-year effort and identify which year of the effort is addressed in this application.

15. Use the checkboxes below to make the following assurances:

- a. In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(A), the state directed payment arrangement makes participation in the value-based purchasing initiative, delivery system reform, or performance improvement initiative available, using the same terms of performance, to the class or classes of providers (identified below) providing services under the contract related to the reform or improvement initiative.
- b. In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(B), the payment arrangement makes use of a common set of performance measures across all of the payers and providers.
- c. In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(C), the payment arrangement does not set the amount or frequency of the expenditures.
- d. In accordance with 42 C.F.R. § 438.6(c)(2)(iii)(D), the payment arrangement does not allow the State to recoup any unspent funds allocated for these arrangements from the MCO, PIHP, or PAHP.

SUBSECTION IIB: STATE DIRECTED FEE SCHEDULES:

This section must be completed for all state directed payments that are fee schedule requirements. This section does not need to be completed for state directed payments that are VBP or DSR.

16. Please check the type of state directed payment for which the State is seeking prior approval. Check all that apply; if none are checked, proceed to Section III.

- a. Minimum Fee Schedule for providers that provide a particular service under the contract *using rates other than State plan approved rates*¹ (42 C.F.R. § 438.6(c)(1)(iii)(B))
- b. Maximum Fee Schedule (42 C.F.R. § 438.6(c)(1)(iii)(D))
- c. Uniform Dollar or Percentage Increase (42 C.F.R. § 438.6(c)(1)(iii)(C))

¹ Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules that use State plan approved rates as defined in 42 C.F.R. § 438.6(a).

17. If the State is seeking prior approval of a fee schedule (options a or b in Question 16):

- a.** Check the basis for the fee schedule selected above.
 - i.** The State is proposing to use a fee schedule based on the **State-plan approved rates** as defined in 42 C.F.R. § 438.6(a).²
 - ii.** The State is proposing to use a fee schedule based on the **Medicare or Medicare-equivalent rate**.
 - iii.** The State is proposing to use a fee schedule based on an **alternative fee schedule established by the State**.
 - 1.** If the State is proposing an alternative fee schedule, please describe the alternative fee schedule (e.g., 80% of Medicaid State-plan approved rate)
- b.** Explain how the state determined this fee schedule requirement to be reasonable and appropriate.

18. If using a maximum fee schedule (option b in Question 16), please answer the following additional questions:

- a.** Use the checkbox to provide the following assurance: In accordance with 42 C.F.R. § 438.6(c)(1)(iii)(C), the State has determined that the MCO, PIHP, or PAHP has retained the ability to reasonably manage risk and has discretion in accomplishing the goals of the contract.
- b.** Describe the process for plans and providers to request an exemption if they are under contract obligations that result in the need to pay more than the maximum fee schedule.
- c.** Indicate the number of exemptions to the requirement:
 - i.** Expected in this contract rating period (estimate)
 - ii.** Granted in past years of this payment arrangement
- d.** Describe how such exemptions will be considered in rate development.

² Please note, per the 2020 Medicaid and CHIP final rule at 42 C.F.R. § 438.6(c)(1)(iii)(A), States no longer need to submit a preprint for prior approval to adopt minimum fee schedules that use State plan approved rates as defined in 42 C.F.R. § 438.6(a).

19. If the State is seeking prior approval for a uniform dollar or percentage increase (option c in Question 16), please address the following questions:

- a. Will the state require plans to pay a uniform dollar amount **or** a uniform percentage increase? (*Please select only one.*)
- b. What is the magnitude of the increase (e.g., \$4 per claim or 3% increase per claim?)

Rural hospital service providers will receive \$2,721 per inpatient day and \$1,004 per outpatient visit. Non-rural hospital service providers will receive \$3,116 per inpatient day and \$1,893 per outpatient visit. The providers for behavioral health inpa

- c. Describe how will the uniform increase be paid out by plans (e.g., upon processing the initial claim, a retroactive adjustment done one month after the end of quarter for those claims incurred during that quarter).

Colorado's Managed Care plans will make payments to providers within one month of the end of each quarter based on claims received from the providers. The Managed Care plans are required to submit encounter data to the Department of Health Care Policy and Finance (HCPF). Twelve months following the end of a fiscal year, the state's encounter data will be analyzed a final time to reconcile that fiscal year's state directed payment results.

- d. Describe how the increase was developed, including why the increase is reasonable and appropriate for network providers that provide a particular service under the contract

The payment increases were developed under the authority of Colorado's legislatively created CHASE Board by a workgroup created specifically for the purpose of the State's Directed Payment Program. The increases are at or below the calculated Average Commercial Rate (ACR). For the rural and non-rural acute hospital service providers, the increase was developed by first determining the average commercial rate for each provider class separately for inpatient and outpatient services based upon hospital costs. Using the fiscal year 2023 Medicaid managed care claim encounter data, the managed care claim costs were adjusted to the average commercial rate to obtain the commercial-based payment level for the Medicaid managed care claims. Actual Medicaid managed care payments were subtracted from the commercial-based payment level to obtain the maximum directed payment levels and divided by encounters (days for inpatient; visits for outpatient) to obtain the maximum utilization-based increases, with actual increases set at or below this maximum as noted above. For the behavioral health service providers, the increase was developed by first determining the average commercial rate for inpatient and outpatient services based upon commercial rate charges. The average commercial rate was obtained through provider surveys identifying the top commercial carriers and the average commercial rates for these carriers from the 2023 base experience year. Medicaid managed care claims were adjusted to the average commercial rate to obtain the commercial-based payment level for the Medicaid managed care claims. Actual Medicaid managed care payments were subtracted from the commercial-based payment level to obtain the maximum state directed payment levels and divided by inpatient days to obtain the maximum utilization-based increases, with actual increases set at or below this maximum as noted above.

SECTION III: PROVIDER CLASS AND ASSESSMENT OF REASONABLENESS

20. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(B), identify the class or classes of providers that will participate in this payment arrangement by answering the following questions:

- a. Please indicate which general class of providers would be affected by the state directed payment (check all that apply):

- inpatient hospital service
 outpatient hospital service
 professional services at an academic medical center
 primary care services
 specialty physician services
 nursing facility services
 HCBS/personal care services
 behavioral health inpatient services
 behavioral health outpatient services
 dental services
 Other:

- b. Please define the provider class(es) (if further narrowed from the general classes indicated above).

The provider types for inpatient hospital services and outpatient hospital services are grouped into Rural and Non-Rural classes. A provider is categorized as Rural if it is located in a county that does not include a Metropolitan Statistical Area (MSA) designated by the United States Office of Management and Budget. The providers for behavioral health inpatient and outpatient services are categorized into their own class.

- c. Provide a justification for the provider class defined in Question 20b (e.g., the provider class is defined in the State Plan.) If the provider class is defined in the State Plan, please provide a link to or attach the applicable State Plan pages to the preprint submission. Provider classes cannot be defined to only include providers that provide intergovernmental transfers.

The purpose of the directed payments to each of these provider classes is to ensure comparable access to services for Colorado's Medicaid managed care members. Colorado has many rural areas. Consistent with CMS statements in the Preamble to the Final Rule, Colorado finds rural hospitals often serve a critical role in providing access to services for Medicaid beneficiaries living in rural areas where alternatives to care are very limited or non-existent. Therefore the State is using the flexibility authorized by CMS to distinguish between rural and non-rural hospitals for this directed payment program. In addition, Colorado has relatively few behavioral health hospitals and they provide specialized services. Therefore, the State is also using the CMS authorized flexibility to designate behavioral health hospitals in a distinct class.

21. In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(B), describe how the payment arrangement directs expenditures equally, using the same terms of performance, for the class or classes of providers (identified above) providing the service under the contract. Each provider in a class will receive payment based upon a per diem for inpatient services or a per visit amount for outpatient services according to the uniform payments described in 19.c. and as determined by encounter data.

22. For the services where payment is affected by the state directed payment, how will the state directed payment interact with the negotiated rate(s) between the plan and the provider? Will the state directed payment:

- a. Replace the negotiated rate(s) between the plan(s) and provider(s).
b. Limit but not replace the negotiated rate(s) between the plans(s) and provider(s).
c. Require a payment be made in addition to the negotiated rate(s) between the plan(s) and provider(s).

23. For payment arrangements that are intended to require plans to make a payment in addition to the negotiated rates (as noted in option c in Question 22), please provide an analysis in Table 2 showing the impact of the state directed payment on payment levels for each provider class. This provider payment analysis should be completed distinctly for each service type (e.g., inpatient hospital services, outpatient hospital services, etc.).

This should include an estimate of the base reimbursement rate the managed care plans pay to these providers as a percent of Medicare, or some other standardized measure, and the effect the increase from the state directed payment will have on total payment. *Ex: The average base payment level from plans to providers is 80% of Medicare and this SDP is expected to increase the total payment level from 80% to 100% of Medicare.*

If the state needs more space, please use Addendum 2.A and check this box:

TABLE 2: Provider Payment Analysis

Provider Class(es)	Average Base Payment Level from Plans to Providers (absent the SDP)	Effect on Total Payment Level of State Directed Payment (SDP)	Effect on Total Payment Level of Other SDPs	Effect on Total Payment Level of Pass-Through Payments (PTPs)	Total Payment Level (after accounting for all SDPs and PTPs)
<i>Ex: Rural Inpatient Hospital Services</i>	80%	20%	N/A	N/A	100%
a. Rural Inpatient Hospital Services	31.6%	55.4%			87.0%
b. Non-Rural Inpatient Hospital Services	30.3%	56.7%			87.0%
c. Rural Outpatient Hospital Services	18.2%	68.8%			87.0%
d. Non-Rural Outpatient Hospital Services	15.0%	72.0%			87.0%
e. Behavioral Health Inpatient Services	77.7%	22.3%			100%
f. Behavioral Health Outpatient Services	77.7%	22.3%			100%
g.					

24. Please indicate if the data provided in Table 2 above is in terms of a percentage of:

- a. Medicare payment/cost
- b. State-plan approved rates as defined in 42 C.F.R. § 438.6(a) (Please note, this rate cannot include supplemental payments.)
- c. Other; Please define: **Average commercial rate**

25. Does the State also require plans to pay any other state directed payments for providers eligible for the provider class described in Question 20b? Yes No

If yes, please provide information requested under the column "Other State Directed Payments" in Table 2.

- 26.** Does the State also require plans to pay pass-through payments as defined in 42 C.F.R. § 438.6(a) to any of the providers eligible for any of the provider class(es) described in Question 20b? Yes No

If yes, please provide information requested under the column “Pass-Through Payments” in Table 2.

- 27.** Please describe the data sources and methodology used for the analysis provided in response to Question 23.

For hospital service providers, the estimated payments under commercial rates are based on inpatient and outpatient commercial pay-to-cost ratios calculated without trending from hospital FYE 2023 Medicare cost report data extracted from the HCRIS dataset by subtracting the Medicare FFS, estimated Medicare Advantage, Medicaid, CHIP, charity care, and indigent data from the total payments and costs. The commercial pay-to-cost ratios were then applied to untrended SFY 2023 Medicaid managed care costs to calculate the untrended commercial equivalent payment level. Then untrended SFY 2023 Medicaid managed care payments were subtracted from the untrended SFY 2023 commercial payments to calculate the untrended commercial payment gap. The effective rate increase percentages were calculated by dividing the untrended commercial payment gap by the untrended SFY 2023 Medicaid managed care payments (converted to a percentage). The effective rate increase percentages were then applied to Medicaid managed care payments trended to SFY 2026 to calculate the directed payment pool.

For the behavioral health service providers, the estimated payments under commercial rates are based upon provider surveys identifying the top commercial carriers and their commercial payment rates for the 2023 base experience year. Medicaid managed care claims were adjusted to the average commercial rate to obtain the commercial-based payment level for the Medicaid managed care claims. Actual Medicaid managed care payments were subtracted from the commercial-based payment level to obtain the maximum directed payment amounts and divided by inpatient days to obtain the maximum utilization-based increases, with actual increases set at or below this maximum as noted above.

- 28.** Please describe the State's process for determining how the proposed state directed payment was appropriate and reasonable.

The State determined the proposed state directed payment is appropriate and reasonable through an analysis comparing Medicaid and commercial reimbursement rates. Total Medicaid payments, including the directed payments, remain at or below average commercial rates for inpatient and outpatient services. The process for determining the state directed payment was authorized by the legislatively created CHASE Board and the outcomes were reviewed and approved by the CHASE Board.

SECTION IV: INCORPORATION INTO MANAGED CARE CONTRACTS

- 29.** States must adequately describe the contractual obligation for the state directed payment in the state's contract with the managed care plan(s) in accordance with 42 C.F.R. § 438.6(c). Has the state already submitted all contract action(s) to implement this state directed payment? Yes No

a. If yes:

i. What is/are the state-assigned identifier(s) of the contract actions provided to CMS?

ii. Please indicate where (page or section) the state directed payment is captured in the contract action(s).

b. If no, please estimate when the state will be submitting the contract actions for review.

Per CFR 438.6(c)(5), the State will submit to CMS no later than 120 days after the start date of the State directed payment.

SECTION V: INCORPORATION INTO THE ACTUARIAL RATE CERTIFICATION

Note: Provide responses to the questions below for the first rating period if seeking approval for multi-year approval.

30. Has/Have the actuarial rate certification(s) for the rating period for which this state directed payment applies been submitted to CMS? Yes No

a. If no, please estimate when the state will be submitting the actuarial rate certification(s) for review.

10/29/2025

b. If yes, provide the following information in the table below for each of the actuarial rate certification review(s) that will include this state directed payment.

Table 3: Actuarial Rate Certification(s)

Control Name Provided by CMS (List each actuarial rate certification separately)	Date Submitted to CMS	Does the certification incorporate the SDP?	If so, indicate where the state directed payment is captured in the certification (page or section)
i.			
ii.			
iii.			
iv.			
v.			

Please note, states and actuaries should consult the most recent [Medicaid Managed Care Rate Development Guide](#) for how to document state directed payments in actuarial rate certification(s). The actuary’s certification must contain all of the information outlined; if all required documentation is not included, review of the certification will likely be delayed.)

c. If not currently captured in the State’s actuarial certification submitted to CMS, note that the regulations at 42 C.F.R. § 438.7(b)(6) requires that all state directed payments are documented in the State’s actuarial rate certification(s). CMS will not be able to approve the related contract action(s) until the rate certification(s) has/have been amended to account for all state directed payments. Please provide an estimate of when the State plans to submit an amendment to capture this information.

The State plans to submit a final actuarial rate certification once the state directed payment is approved.

- 31.** Describe how the State will/has incorporated this state directed payment arrangement in the applicable actuarial rate certification(s) (please select one of the options below):
- a. An adjustment applied in the development of the monthly base capitation rates paid to plans.
 - b. Separate payment term(s) which are captured in the applicable rate certification(s) but paid separately to the plans from the monthly base capitation rates paid to plans.
 - c. Other, please describe:
- 32.** States should incorporate state directed payment arrangements into actuarial rate certification(s) as an adjustment applied in the development of the monthly base capitation rates paid to plans as this approach is consistent with the rate development requirements described in 42 C.F.R. § 438.5 and consistent with the nature of risk-based managed care. For state directed payments that are incorporated in another manner, particularly through separate payment terms, provide additional justification as to why this is necessary and what precludes the state from incorporating as an adjustment applied in the development of the monthly base capitation rates paid to managed care plans. This State Directed Payment is Colorado's initial SDP. The State plans to incorporate SDPs into capitation rates in the future consistent with CMS regulations and as the State gathers data and information from the initial SDPs.
- 33.** In accordance with 42 C.F.R. § 438.6(c)(2)(i), the State assures that all expenditures for this payment arrangement under this section are developed in accordance with 42 C.F.R. § 438.4, the standards specified in 42 C.F.R. § 438.5, and generally accepted actuarial principles and practices.

SECTION VI: FUNDING FOR THE NON-FEDERAL SHARE

- 34.** Describe the source of the non-federal share of the payment arrangement. Check all that apply:
- a. State general revenue
 - b. Intergovernmental transfers (IGTs) from a State or local government entity
 - c. Health Care-Related Provider tax(es) / assessment(s)
 - d. Provider donation(s)
 - e. Other, specify:
- 35.** For any payment funded by **IGTs (option b in Question 34)**,
- a. Provide the following (respond to each column for all entities transferring funds). If the state needs more space, please use Addendum Table 4.A and check this box:

Table 4: IGT Transferring Entities

Name of Entities transferring funds (enter each on a separate line)	Operational nature of the Transferring Entity (State, County, City, Other)	Total Amounts Transferred by This Entity	Does the Transferring Entity have General Taxing Authority? (Yes or No)	Did the Transferring Entity receive appropriations? If not, put N/A. If yes, identify the level of appropriations	Is the Transferring Entity eligible for payment under this state directed payment? (Yes or No)
i. <small>Denver Health and Hospital Authority</small>	Other	\$170,000,000	No <input type="checkbox"/>	N/A	Yes <input type="checkbox"/>
ii. <small>University of Colorado Hospital Authority</small>	Other	\$109,000,000	No <input type="checkbox"/>	N/A	Yes <input type="checkbox"/>
iii.					
iv.					
v.					
vi.					
vii.					
viii.					
ix.					
x.					

- b. Use the checkbox to provide an assurance that no state directed payments made under this payment arrangement funded by IGTs are dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.
- c. Provide information or documentation regarding any written agreements that exist between the State and healthcare providers or amongst healthcare providers and/or related entities relating to the non-federal share of the payment arrangement. This should include any written agreements that may exist with healthcare providers to support and finance the non-federal share of the payment arrangement. Submit a copy of any written agreements described above.

36. For any state directed payments funded by provider taxes/assessments (option c in Question 34),

- a. Provide the following (respond to each column for all entries). If there are more entries than space in the table, please provide an attachment with the information requested in the table.

Table 5: Health Care-Related Provider Tax/Assessment(s)

Name of the Health Care-Related Provider Tax / Assessment (enter each on a separate line)	Identify the permissible class for this tax / assessment	Is the tax / assessment broad-based?	Is the tax / assessment uniform?	Is the tax / assessment under the 6% indirect hold harmless limit?	If not under the 6% indirect hold harmless limit, does it pass the "75/75" test?	Does it contain a hold harmless arrangement that guarantees to return all or any portion of the tax payment to the tax payer?
i. CHASE inpatient hospital provider fee	inpatient hospital services	No <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>		No <input type="checkbox"/>
ii. CHASE outpatient hospital provider fee	outpatient hospital services	No <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>		No <input type="checkbox"/>
iii.						
iv.						
v.						

- b. If the state has any waiver(s) of the broad-based and/or uniform requirements for any of the health care-related provider taxes/assessments, list the waiver(s) and its current status:

Table 6: Health Care-Related Provider Tax/Assessment Waivers

Name of the Health Care-Related Provider Tax/Assessment Waiver (enter each on a separate line)	Submission Date	Current Status (Under Review, Approved)	Approval Date
i. CHASE Hospital Provider Fee	7/1/2025	Under review	
ii.			
iii.			
iv.			
v.			

37. For any state directed payments funded by **provider donations (option d in Question 34)**, please answer the following questions:

- a. Is the donation bona-fide? Yes No
- b. Does it contain a hold harmless arrangement to return all or any part of the donation to the donating entity, a related entity, or other provider furnishing the same health care items or services as the donating entity within the class?
 Yes No

38. For all state directed payment arrangements, use the checkbox to provide an assurance that in accordance with 42 C.F.R. § 438.6(c)(2)(ii)(E), the payment arrangement does not condition network provider participation on the network provider entering into or adhering to intergovernmental transfer agreements.

SECTION VII: QUALITY CRITERIA AND FRAMEWORK FOR ALL PAYMENT ARRANGEMENTS

39. Use the checkbox below to make the following assurance, “In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(C), the State expects this payment arrangement to advance at least one of the goals and objectives in the quality strategy required per 42 C.F.R. § 438.340.”
40. Consistent with 42 C.F.R. § 438.340(d), States must post the final quality strategy online beginning July 1, 2018. Please provide:
- A hyperlink to State’s most recent quality strategy: <https://hcpf.colorado.gov/sites/hcpf/files/2020%20Colorado%20Quality%20Strategy%20.pdf>
 - The effective date of quality strategy. 2020
41. If the State is currently updating the quality strategy, please submit a draft version, and provide:
- A target date for submission of the revised quality strategy (month and year): 2024 C
 - Note any potential changes that might be made to the goals and objectives.

See pillars and priorities on page 12-13 on the 2024 CMS Medicaid & Children’s Health Insurance Plan (CHIP) Managed Care Quality Strategy

Note: The State should submit the final version to CMS as soon as it is finalized. To be in compliance with 42 C.F.R. § 438.340(c)(2) the quality strategy must be updated no less than once every 3-years.

42. To obtain written approval of this payment arrangement, a State must demonstrate that each state directed payment arrangement expects to advance at least one of the goals and objectives in the quality strategy. In the Table 7 below, identify the goal(s) and objective(s), as they appear in the Quality Strategy (include page numbers), this payment arrangement is expected to advance. If additional rows are required, please attach.

Table 7: Payment Arrangement Quality Strategy Goals and Objectives

Goal(s)	Objective(s)	Quality strategy page
<i>Example: Improve care coordination for enrollees with behavioral health conditions</i>	<i>Example: Increase the number of managed care patients receiving follow-up behavior health counseling by 15%</i>	5
a. Healthfirst Colorado Value: Ensure the right services, at the right place and the right price	Prevent avoidable ER visits and hospital care	13
b. Healthfirst Colorado Value: Ensure the right services, at the right place and the right price	Advance value-based payments to drive quality, access, and affordability	13
c. Member Health: Improve quality of care and member health outcomes while reducing disparities in care.	Transform behavioral health and improve care for high acuity children and youth	13
d.		

43. Describe how this payment arrangement is expected to advance the goal(s) and objective(s) identified in Table 7. If this is part of a multi-year effort, describe this both in terms of this year’s payment arrangement and in terms of that of the multi-year payment arrangement.

This payment arrangement supports the objectives of ensuring the right services at the right place at the right time by providing funds to incentivize hospitals to work with the state, Medicaid Managed Care Organizations (MCOs) and Regional Accountable Entities (RAEs) by aligning measures and incentives to reduce avoidable ER visits and hospital care, improve care coordination and transitions of care, and ensure that follow-up is conducted after hospitalization for mental illness. These payments will support improving the quality of care and member health outcomes.

44. Please complete the following questions regarding having an evaluation plan to measure the degree to which the payment arrangement advances at least one of the goals and objectives of the State's quality strategy. To the extent practicable, CMS encourages States to utilize existing, validated, and outcomes-based performance measures to evaluate the payment arrangement, and recommends States use the [CMS Adult and Child Core Set Measures](#), when applicable.

- a.** In accordance with 42 C.F.R. § 438.6(c)(2)(ii)(D), use the checkbox to assure the State has an evaluation plan which measures the degree to which the payment arrangement advances at least one of the goals and objectives in the quality strategy required per 42 C.F.R. § 438.340, and that the evaluation conducted will be *specific* to this payment arrangement. *Note:* States have flexibility in how the evaluation is conducted and may leverage existing resources, such as their 1115 demonstration evaluation if this payment arrangement is tied to an 1115 demonstration or their External Quality Review validation activities, as long as those evaluation or validation activities are *specific* to this payment arrangement and its impacts on health care quality and outcomes.

- b. Describe how and when the State will review progress on the advancement of the State’s goal(s) and objective(s) in the quality strategy identified in Question 42. For each measure the State intends to use in the evaluation of this payment arrangement, provide in Table 8 below: 1) the baseline year, 2) the baseline statistics, and 3) the performance targets the State will use to track the impact of this payment arrangement on the State’s goals and objectives. Please attach the State’s evaluation plan for this payment arrangement.

TABLE 8: Evaluation Measures, Baseline and Performance Targets

Measure Name and NQF # (if applicable)	Baseline Year	Baseline Statistic	Performance Target	Notes ¹
<i>Example: Flu Vaccinations for Adults Ages 19 to 64 (FVA-AD); NQF # 0039</i>	<i>CY 2019</i>	<i>34%</i>	<i>Increase the percentage of adults 18–64 years of age who report receiving an influenza vaccination by 1 percentage point per year</i>	<i>Example notes</i>
i. 30 day all-cause Readmissions (HEDIS)	CY2023	0.9916 Statewide Managed Care Weighted Average	Improve the statewide managed care weighted average by reducing the rate as measured by a 10% gap to the goal of 0.85 which is used in the Colorado Hospital Transformation Program (HTP) each year	Target 0.97744
ii. Follow-Up After Emergency Department Visit for Mental Illness 7 Day	SFY2022 -2023 for MCO CY2024 for RAE	Managed Care 23.33% Statewide; Regional Accountable Entity (RAE) 37% Total	Improve the MCO and RAE rates by reducing the rate as measured by a 10 % gap to the goal based on the department goal based on NCQA 90th Percentile for Total Medicaid All Lines of Business 90th percentile Medicaid All Lines of Business: 60% Total	Targets MCO 27.00%; Total RAE 39.30% Total
iii. Follow-Up After Emergency Department Visit for Substance Use 7 Day	SFY2022 -2023 for MCO CY2024 for RAE	Managed Care 19.11% Total; Regional Accountable Entity (RAE) 29.12% Total	Improve the MCO and RAE rates by reducing the rate as measured by a 10 % gap to the goal based on the department goal based on NCQA 90th Percentile for Total Medicaid All Lines of Business 90th percentile Medicaid All Lines of Business: 37% Total	Target MCO 20.90% Total; RAE 29.91% Total
iv. Follow-Up After Hospitalization for Mental Illness -7 Day	SFY2022 -2023 for MCO CY2024 for RAE	Managed Care 23.69% Total; Regional Accountable Entity (RAE) 34.11% Total	Improve the MCO and RAE rates by reducing the rate as measured by a 10 % gap to the goal based on the department goal based on NCQA 90th Percentile for Total Medicaid All Lines of Business 90th percentile Medicaid All Lines of Business: 58% Total	Target MCO 27.12% Total RAE 36.50% Total

1. If the State will deviate from the measure specification, please describe here. If a State-specific measure will be used, please define the numerator and denominator here. Additionally, describe any planned data or measure stratifications (for example, age, race, or ethnicity) that will be used to evaluate the payment arrangement.

- c. If this is any year other than year 1 of a multi-year effort, describe (or attach) prior year(s) evaluation findings and the payment arrangement's impact on the goal(s) and objective(s) in the State's quality strategy. Evaluation findings must include 1) historical data; 2) prior year(s) results data; 3) a description of the evaluation methodology; and 4) baseline and performance target information from the prior year(s) preprint(s) where applicable. If full evaluation findings from prior year(s) are not available, provide partial year(s) findings and an anticipated date for when CMS may expect to receive the full evaluation findings.