

Table of Contents

State/Territory Name: Colorado

State Plan Amendment (SPA) #: 24-0003-A

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS Form 179
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

September 26, 2024

Adela Flores-Brennan
State Medicaid Director
Colorado Department of Health Care
Policy and Financing
1570 Grant Street
Denver, CO 80203-1818

Re: Colorado State Plan Amendment (SPA) 24-0003-A

Dear Adela Flores-Brennan:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 24-0003-A. This amendment proposes to add Direct-Entry Midwives (also referred to as Certified Professional Midwives) to the midwifery provider types.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act. This letter informs you that Colorado Medicaid SPA TN 24-0003-A was approved on September 25, 2024, with an effective date of April 1, 2024.

Enclosed are copies of Form CMS-179 and approved SPA pages to be incorporated into the Colorado State Plan.

If you have any questions, please contact Helenita Augustus at (410) 786-8902 or via email at Helenita.Augustus@cms.hhs.gov.

Sincerely



Division of Program Operations

Enclosures

cc: Adela Flores-Brennan, CO State Medicaid Director
Erica Schaler, CO Medicaid

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2-4 00 03 -A

2. STATE

CO

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT



XIXXXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

April 1, 2024

5. FEDERAL STATUTE/REGULATION CITATION
Social Security Act Section 1905(a)(28); 42 CFR ~~440.50(a)~~
~~440.130(c)~~

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2024 \$ 0

b. FFY 2025 \$ 0

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

~~Supp to Att 3.1-A - Limitations - Direct-Entry Midwives and Certified Professional Midwives – Page 1 of 1~~ ~~Pages 1-2 of 2;~~

~~Supplemental to Att.3.1-A -Limitation – Freestanding Birth Centers, Item 28 – Page 1 of 1~~

~~Supp. to Att. 4.19-B Methods - Free Standing Birth Center Services - Page 1 of 1~~

Supp. to Att. 3.1-A Lactation - Page 3 of 3

Supplement to Attachment 3.1-A - Limitations - Other Practitioners, Item 6d Page 1 of 1

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

~~Supp. to Att. 3.1-A - Limitations - Pages 1-2 of 2 Direct-Entry Midwives and Certified Professional Midwives-Page 1 (TN 13-044;NEW);~~

~~Supplemental to Att.3.1-A -Limitation – Freestanding Birth Centers, Page 1 of 1~~

Att. 4.19-B Methods - Free Standing Birth Center Services - Page 1 of 1 (TN 19-0006)
(Continued in Box 22);

Supp. to Att. 3.1-A Lactation page 3 of 3 (TN 22-0036-A)

Supplement to Attachment 3.1-A - Limitations - Other Practitioners, Item 6d Page 1 of 1 (TN 21-0055)"

9. SUBJECT OF AMENDMENT

This amendment adds Direct-Entry Midwives (also referred to as Certified Professional Midwives) to the midwifery provider types. These providers offer care, education, counseling and support to pregnant persons and their families throughout the prenatal, labor and delivery, and postpartum periods of pregnancy

10. GOVERNOR'S REVIEW (Check One)



GOVERNOR'S OFFICE REPORTED NO COMMENT

COMMENTS OF GOVERNOR'S OFFICE ENCLOSED

NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL



OTHER, AS SPECIFIED:

Governor's letter dated

5 April 2023

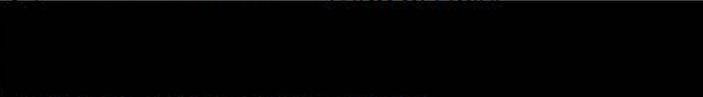
11. SIGNATURE OF STATE AGENCY OFFICIAL

15. RETURN TO

Colorado Department of Health Care Policy and Financing
303 E. 17th Avenue, Suite 1100
Denver, CO 80203

12. TYPED NAME Adela
Flores-Brennan

Attn: Alex Lyons

13. TITLE State Medicaid Director	
14. DATE SUBMITTED	June 28, 2024
<i>FOR CMS USE ONLY</i>	
16. DATE RECEIVED June 28, 2024	17. DATE APPROVED September 25, 2024
<i>PLAN APPROVED - ONE COPY ATTACHED</i>	
18. EFFECTIVE DATE OF APPROVED MATERIAL April 1, 2024	19. SIGNATURE OF APPROVING OFFICIAL 
20. TYPED NAME OF APPROVING OFFICIAL James G. Scott	21. TITLE OF APPROVING OFFICIAL Director, Division of Program Operations

22. REMARKS

The state requested the below changes to the CMS 179 Form:

1. Box 1: Add "A" at the end to reflect "24-0003-A"
2. Box 5: Please remove regulatory citation "440.50(a)" and replace with "440.130(c)" for preventive services.
3. Box 7: Please remove "Supplement to" so it reads "Att 3.1-A - Limitations - Direct-Entry Midwives and Certified Professional Midwives - Pages 1-2 of 2" Please add "Supplement to Att. 3.1-A - Limitations - Freestanding Birth Centers, Item 28 - Page 1 of 1"
4. Box 8: Remove "Supplement to" and remove reference to "page 2" and "New" so it reads "Att 3.1-A - Limitations - Direct-Entry Midwives and Certified Professional Midwives - Page 1 (TN 13-044)" Please remove "Continued in Box 22"

Additional Pen and Ink Changes below:

- Box 7: "Att 3.1-A Limitations - Direct-Entry Midwives and Certified Professional Midwives Pags 1-2 of 2" should be changed to " Att 3.1-A Limitations - Direct-Entry Midwives and Certified Professional Midwives Page 1 of 1"
 - Add "Supplement to Attachment 3.1-A - Limitations - Other Practitioners, Item 6d Page 1 of 1"
- Box 8: Add "Supplement to Attachment 3.1-A - Limitations - Other Practitioners, Item 6d Page 1 of 1 (TN 21-0055)"

Additional Pen and Ink Changes:

- Box 8: Add Supplemental to Att.3.1-A -Limitation – Freestanding Birth Centers, Page 1 of 1
- Box 7: Remove “supplement to” from attachment 4.19-B

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT MEDICAL ASSISTANCE PROGRAM

STATE OF COLORADO

Attachment 3.1-A
Page 1 of 1

LIMITATIONS TO CARE AND SERVICES

28. (i) Licensed or Otherwise State-Approved Freestanding Birth Centers

X Provided: X No limitations With limitations None licensed or approved

28. (ii) Licensed or Otherwise State-Recognized covered professionals providing services in the Freestanding Birth Center

X Provided: No limitations X With limitations (please describe below)

Not Applicable (there are no licensed or State approved Freestanding Birth Centers)

Please check all that apply:

X (a) Practitioners furnishing mandatory services described in another benefit category and otherwise covered under the State plan (i.e., physicians and certified nurse midwives).

X (b) Other licensed practitioners furnishing prenatal, labor and delivery, or postpartum care in a freestanding birth center within the scope of practice under State law whose services are otherwise covered under 42 CFR 440.60 (e.g., lay midwives, certified professional midwives (CPMs), and any other type of licensed midwife).*

- Direct-Entry Midwives (DEMs)/Certified Professional Midwives (CPMs)

X (c) Other health care professionals licensed or otherwise recognized by the State to provide these birth attendant services (e.g., doulas, lactation consultant, etc.).*

- Doulas
- Lactation Consultants (IBCLCs)/Lactation Counselors (CLEs/CLCs)

*For (b) and (c) above, please list and identify below each type of professional who will be providing birth center services

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

STATE OF COLORADO

Supplement to Attachment 3.1-A
Page 1 of 1

LIMITATIONS TO CARE AND SERVICES

28. Freestanding Birth Centers

Services are provided by licensed or otherwise state-approved Freestanding Birth Centers or licensed or otherwise state-recognized covered professionals providing services in the Freestanding Birth Center.

1. Direct-Entry Midwives (DEMs)/Certified Professional Midwives (CPMs)

Effective April 1, 2024, Medicaid members are eligible for medically necessary midwifery services provided by a Direct-Entry Midwife (DEM)/Certified Professional Midwife (CPM) without prior authorization. Enrolled Medicaid DEMs/CPMs must hold a valid license issued by the Colorado Department of Regulatory Agencies (DORA).

Direct-Entry Midwife (DEM)/Certified Professional Midwife (CPM) means a skilled and professional independent midwifery practitioner educated in the discipline of midwifery and trained to provide the Midwives Model of Care to help families during labor, delivery, and after the birth of their babies. They also care for the birthing person and infant in the first few weeks of life, providing routine newborn exams and lactation support, primarily in out-of-hospital community-based settings.

Qualified Provider Specifications:

Enrolled Medicaid DEMs/CPMs must comply with all standards set forth by both DORA and the National Association of Registered Midwives (NARM). DEMs/CPMs must hold certification in midwifery that is accredited or approved by the Midwifery Education and Accreditation Council (MEAC) and must have achieved a passing score on the NARM examination.

DEMs/CPMs are required to obtain liability insurance in accordance with the standards set forth by the Colorado Board of Nursing (CBN) under DORA, the Colorado Department of Health Care Policy and Financing (HCPF), and any requirements set forth by other applicable oversight bodies that define a provider's scope of practice.

Limits:

Prior authorization is not required for DEM/CPM services.

STATE PLAN UNDER TITLE XIX OF
THE SOCIAL SECURITY ACT MEDICAL
ASSISTANCE PROGRAM

STATE OF COLORADO

Supplement to Attachment 3.1-A
Page 3 of 3

- i. Lactation Support Services must be provided by individuals trained in advance lactation support. Services may be provided by the following provider types:
 1. International Board Certified Lactation Consultant (IBCLC) – requires certification by the International Board of Lactation Consultant Examiners.
 2. Certified Lactation Counselor (CLC) requires certification by the Academy of Lactation Policy and Practice, Inc.
 3. Certified Lactation Educator (CLE) requires certification by an accredited Certified Lactation Educator certification organization.
 4. Direct-Entry Midwife (DEM)/Certified Professional Midwife (CPM)
 - (a) DEM/CPM requires a certification in midwifery that is approved or accredited by the Midwifery Education and Accreditation Council (MEAC) and a passing score on the national North American Registry of Midwives (NARM) examination.
 5. Certified Midwife (CM) requires certification by the American Midwifery Certification Board (AMCB) and accreditation by the Accreditation Commission for Midwifery Education (ACME).
 6. Certified Nurse Midwife (CNM), within their scope of practice according to state law and requires certification by the American Midwifery Certification Board (AMCB) and accreditation by the Accreditation Commission for Midwifery Education (ACME).
 7. Licensed Physician, within their scope of practice according to state law.
 8. Licensed Physician Assistant, within their scope of practice according to state law.
 9. Licensed Advanced Practice Nurse, within their scope of practice according to state law.
 10. Licensed Registered Nurse, within their scope of practice according to state law

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM**

STATE OF COLORADO

Supplement to Attachment 3.1-A

Page 1 of 1

LIMITATIONS TO CARE AND SERVICES

6.d. Other practitioners' services.

The following services are provided:

1. Services of State licensed Psychologists within their scope of practice according to state law.
2. Services of Certified Registered Nurse Anesthetists within their scope of practice according to state law.
3. Services of Clinical Nurse Specialists within their scope of practice according to state law.
4. Services of licensed Physician Assistants within their scope of practice according to state law.
5. Services of licensed Pharmacists within their scope of practice according to state law.
6. Services of licensed School Psychologists within their scope of practice according to state law.
7. Services of licensed Direct-Entry Midwives (DEMs)/Certified Professional Midwives (CPMs) within their scope of practice according to state law.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

STATE OF COLORADO

Attachment 4.19-B
Page 1 of 1

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

28. FREE STANDING BIRTH CENTER SERVICES

Freestanding birth center facility services shall be reimbursed at the lower of the following:

1. Submitted charges or
2. 75 percent of the average payments to inpatient hospitals for uncomplicated vaginal deliveries.

Freestanding birth center transfer payments shall be reimbursed at the lower of the following:

1. Submitted charges or
2. 50 percent of the freestanding birth center's facility payment.

Professional services at freestanding birth centers are reimbursed separately under Physician Services at Attachment 4.19-B, Methods and Standards for Establishing Payment Rates – Other Types of Care, Item 5.a. Physician Services, and all eligible providers including certified nurse midwives, certified midwives, and direct-entry midwives/certified professional midwives, are reimbursed at 100 percent of the physician fee schedule rate for the service rendered. This may include but is not limited to labor and delivery, evaluation provided prior to transfer to a hospital and newborn care.

Except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers. The rates are effective for services on or after the date listed on the Attachment 4.19-B Introduction Page. All rates can be found on the official Web site of the Department of Health Care Policy and Financing at www.colorado.gov/hcpf.