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## **Table of Contents**

**State/Territory Name:** Colorado

**State Plan Amendment (SPA) #:** CO-13-044

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
1600 Broadway, Suite 700  
Denver, CO 80202-4967



**Region VIII**

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August 20, 2014

Susan E. Birch, MBA, BSN, RN, Executive Director  
Department of Health Care Policy & Financing  
1570 Grant Street  
Denver, CO 80203-1818

RE: Colorado #13-044

Dear Ms. Birch:

We have reviewed the proposed State Plan Amendment (SPA) submitted under transmittal number (TN) 13-044. This amendment adds Licensed Freestanding Birth Centers and corresponding reimbursements section to the State Plan.

Please be informed that this State Plan Amendment was approved today with an effective date of July 1, 2014. We are enclosing the CMS-179 and the amended plan page(s).

In order to track expenditures associated with this amendment, Colorado should follow the CMS-64 reporting instructions outlined in Section 2500 of the State Medicaid Manual (SMM).

For those individuals whose expenditures qualify for the newly eligible federal medical assistance percentage report on the Form CMS-64.9 VIII and those not enrolled in the new adult group, claims should be reported on the Form CMS-64.9 Base.

This amendment would affect expenditures reported on Line 42-Free Standing Birthing Centers.

If you have any questions concerning this amendment, please contact Curtis Volesky at (303) 844-7033.

Sincerely,

/s/

Mary Marchioni  
Acting Associate Regional Administrator  
Division for Medicaid & Children's Health Operations

cc: Suzanne Brennan  
Pat Connally  
Barb Prehmus  
John Bartholomew  
Max Salazar

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b> <b>FOR: CENTERS FOR MEDICARE &amp; MEDICAID SERVICES</b>		1. TRANSMITTAL NUMBER:  <b>13-044</b>	2. STATE:  <b>COLORADO</b>
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE  <b>July 1, 2014</b>	
5. TYPE OF PLAN MATERIAL ( <i>Check One</i> ):  <input checked="" type="checkbox"/> <b>NEW STATE PLAN</b> <input type="checkbox"/> <b>AMENDMENT TO BE CONSIDERED AS A NEW PLAN</b> <input type="checkbox"/> <b>AMENDMENT</b>			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT ( <i>Separate transmittal for each amendment</i> )			
6. FEDERAL STATUTE/REGULATION CITATION <b>Sec. 2301 of the Patient Protection and Affordable Care Act</b>		7. FEDERAL BUDGET IMPACT a. FFY 2013-14: \$3,550.71 b. FFY 2014-15: \$14,202.83	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT  <ul style="list-style-type: none"> <li>• <b>Attachment 4.19-B, Methods and Standards for Establishing Payment Rates, Item 28 Free Standing Birth Center Services</b></li> <li>• <b>Attachment 3.1-A Item 28 Licensed or Otherwise State-Approved Freestanding Birth Centers</b></li> </ul>		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT ( <i>If Applicable</i> )  <ul style="list-style-type: none"> <li>• <b>New</b></li> </ul>	
10. SUBJECT OF AMENDMENT <b>Adds Licensed Freestanding Birth Centers and corresponding reimbursements section to the State Plan, effective July 1, 2014.</b>			
11. GOVERNOR'S REVIEW ( <i>Check One</i> )  <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> <b>OTHER, AS SPECIFIED</b>  <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <b>Governor's letter dated 01 September 2011</b> <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL 		16. RETURN TO  <b>Colorado Department of Health Care Policy and Financing</b> <b>1570 Grant Street</b> <b>Denver, CO 80203-1818</b>  <b>Attn: Barbara Prehmus</b>	
13. TYPED NAME  <b>Suzanne Brennan</b>			
14. TITLE  <b>Director, Medical &amp; CHP+ Program Administration Office</b>			
15. DATE SUBMITTED <b>December 6, 2013</b>			
<b>FOR REGIONAL OFFICE USE ONLY</b>			
17. DATE RECEIVED <b>12/06/13</b>		18. DATE APPROVED <b>08/20/14</b>	
<b>PLAN APPROVED – ONE COPY ATTACHED</b>			
19. EFFECTIVE DATE OF APPROVED MATERIAL  <b>07/01/14</b>		20. SIGNATURE OF REGIONAL OFFICIAL  <b>/s/</b>	
21. TYPED NAME  <b>Mary Marchioni</b>		22. TITLE  <b>Acting ARA, DMCHO</b>	
23. REMARKS			

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

STATE OF COLORADO

Attachment 4.19-B

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 and all eligible providers including certified nurse 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 reimbursement rates were set as of July 1, 2014 and are effective for services provided on or after that date. All rates can be found on the official Web site of the Department of Health Care Policy and Financing at [www.colorado.gov/hcpf](http://www.colorado.gov/hcpf).

Eligible Providers and Licensing

Clinical care must be provided by certified nurse midwives and/or physicians. Both must hold current licenses with the Department of Regulatory Agencies' Division of Professions and Occupations.

Certified nurse midwives are licensed as Advanced Practice Nurses – Certified Nurse Midwife. Physicians must hold current licenses as Medical Doctors (MDs).

Freestanding birth centers must be licensed by the Department of Public Health and Environment's Health Facilities Division.

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

STATE OF COLORADO

Supplement to Attachment 3.1-A

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).

(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). \*

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

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