for a diverse, competent, and sustainable
Medicaid mental health workforce

Policy Title: Right of Private Action for HB19-1269

Challenge: Colorado supports Medicaid mental health care by contracting with managed care entities (MCEs) also known as Regional Accountability Entities (RAEs). These entities are contracted by HCPF. This arrangement violates federal MHPAEA and Colorado's HB19-1269 law by creating various barriers to mental health care access that do not exist on the medical care side. HB19-1269 extended Parity protections from commercial payers to include Medicaid in Colorado.

For example: medical providers are privileged by having a state-set payment rate while mental health care providers have to manage a patchwork of payer policies as each managed care entity has its own rate setting policy.

Because the Attorney General is the legal representation for HCPF, there is no venue for Parity violations to be heard, investigated, or adjudicated.

Proposal: Amend HB19-1269 to include a right of private action so the court may be accessed to hear and adjudicate on alleged Parity violations

Fiscal Note: 0$