

Joe Lombardo  
Governor



Richard Whitley, MS  
Director

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF HEALTH CARE FINANCING AND POLICY

*Helping people. It's who we are and what we do.*



Stacie Weeks, JD  
MPH  
Administrator

March 30, 2023

Inter-Tribal Council of Nevada  
Serrell Smokey, ITCN President  
Tribal Chairman of Washoe Tribe  
919 Highway 395 South  
Gardnerville, Nevada 89410

Dear Tribal Members:

In accordance with established consultation guidelines, the Division of Health Care Financing and Policy (DHCFP) is notifying Nevada tribes of the following proposed change in policy:

The DHCFP is proposing revisions to Medicaid Services Manual (MSM) Chapter 3800 – Medication Assisted Treatment to remove language related to the “DATA-Waiver Program.” Additionally, removing language contradictory to the harm reduction model. The Data-Waiver (X-Waiver) Program was eliminated when Congress signed the Consolidated Appropriations Act of 2023 into law on December 29, 2022. On January 12, 2023, the Drug Enforcement Administration (DEA) and the Substance Abuse and Mental Health Services Administration (SAMHSA) announced the immediate elimination of the X-Waiver for prescribing buprenorphine.

There is no anticipated fiscal impact to the Tribal Governments.

If you would like a consultation regarding this proposed change in policy, please contact Monica Schiffer at (775) 684-3653 who will schedule a meeting. We would appreciate a reply within 30 days from the date of this letter. If we do not hear from you within this time, we will consider this an indication that no consultation is requested.

Sincerely,

*Casey Angres*

[Casey Angres \(Mar 30, 2023 11:57 PDT\)](#)

Casey Angres  
Division Compliance Chief, DHCFP

cc: Theresa Carsten, Deputy Administrator, DHCFP  
Sandie Ruybalid, CPM, Deputy Administrator, DHCFP  
Sarah Dearborn, SSC II, Behavioral Health Unit, DHCFP  
Marcel Brown, SSPS III, Behavioral Health Unit, DHCFP  
Abigail Bailey, SSPS II, Behavioral Health Unit, DHCFP  
Monica Schiffer, SSPS III, Medical Programs Unit, DHCFP