



JIM GIBBONS  
Governor

STATE OF NEVADA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH CARE FINANCING AND POLICY

1100 E. William Street, Suite 101  
Carson City, Nevada 89701  
(775) 684-3600

MICHAEL J. WILLDEN  
Director

CHARLES DUARTE  
Administrator

November 10, 2009

Inter-Tribal Council of Nevada  
Alvin Moyle, President  
Daryl Crawford, Executive Director  
P.O. Box 7440  
Reno, NV 89510

Indian Health Board of Nevada  
Larry Curley, Executive Director  
1325 Airmotive Way, Ste. 250  
Reno, NV 89502

Dear Sirs,

Effective October 1, 2009, the Division of Health Care Financing & Policy (DHCFP) implemented a lock in policy for managed care in both Medicaid and Nevada Checkup. This policy allows managed care recipients the opportunity once per calendar year, during an open enrollment period, to switch between HMOs.

The policy does not affect the right of Native Americans to opt out of Medicaid managed care at any time; this right remains exclusive to Native Americans. However, anyone who chooses to remain in managed care will be required to stay enrolled with the same HMO until the next open enrollment period. Native American recipients enrolled in Medicaid HMO coverage still have the option to request HMO disenrollment at any time. They will be enrolled into the Medicaid fee-for-service program. The open enrollment period will begin on or around August 1<sup>st</sup> of each year, with changes becoming effective October 1 of that same year. There are certain federally required exceptions to this policy, but none are specific to Native Americans.

Recent federal legislation requires the Division of Health Care Financing & Policy (DHCFP) to solicit advice from the tribal authorities in Nevada, prior to submission, of any state plan amendments, waiver requests, and proposals for demonstration projects likely to have a direct effect on Indians, Indian Health Programs, or Urban Indian Organizations.

Decisions to move forward with managed care lock in were made prior to the effective date of this federal mandate; however the effective date of the lock in occurred after the law went into effect. A public hearing was held on this change in policy, however the DHCFP is concerned that this might not have met the full requirement of the law, and at this time we would like to solicit any advice you may have on the topic of managed care lock in.

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If you would like a specific consultation regarding this new policy, please contact Glenda Grafton who will schedule a meeting. We would appreciate a reply whether or not you would like this consultation, however if we do not hear from you within 30 days from the date of this letter we will consider that an indication that no consultation is requested.

Ms. Grafton's contact information is as follows:

Glenda Grafton  
Social Services Program Specialist III  
Provider Support, DHCFP  
Ph: 775-684-3613  
email: [Glendag@dncfp.nv.gov](mailto:Glendag@dncfp.nv.gov)

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Aiello for Charles Duarte".

Charles Duarte,  
Administrator

Cc: Elizabeth Aiello, Deputy Administrator  
Glenda Grafton, SSPSIII, DHCFP  
John Whaley, Chief, Business Lines  
John Liveratti, Chief, Compliance