



BRIAN SANDOVAL  
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

ROMAINE GILLILAND  
Director

LAURIE SQUARTSOFF  
Administrator

August 6, 2014

Inter-Tribal Council of Nevada  
Executive Board President  
Gerald Temoke, Tribal Chairman  
Elko Band Council  
1745 Silver Eagle Drive  
Elko, Nevada 89801

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.

With the implementation of the Patient Protection and Affordable Care Act, the Centers for Medicare & Medicaid Services (CMS) requires all ordering, prescribing and referring physicians to be enrolled in the state Medicaid program (42 CFR §455.410 - Enrollment and Screening of Providers). Traditionally, most providers have enrolled in the Nevada Medicaid program to furnish covered services to Medicaid recipients and to submit claims for such services. However, the Affordable Care Act (ACA) now requires physicians or other eligible practitioners to enroll in the Medicaid program to order, prescribe and refer items or services for Medicaid recipients, even when they do not submit claims to Medicaid.

The Division of Health Care Financing and Policy (DHCFP) is actively working on the implementation of this new requirement with an anticipated effective date of October 15, 2014.

Ordering, prescribing or referring (OPR) providers do not bill Nevada Medicaid for services rendered, but may order, prescribe or refer services/supplies for Medicaid recipients. For Medicaid to reimburse for services or medical supplies resulting from a practitioner's order, prescription or referral, the OPR provider must be enrolled in Medicaid. Enrolling as an OPR provider is appropriate for practitioners who:

- May occasionally see an individual who is a Medicaid recipient who needs additional services or supplies that will be covered by the Medicaid program
- Do not want to be enrolled as another Nevada Medicaid provider type
- Do not plan to submit claims for payment of services rendered

Physicians or other eligible professionals who are already enrolled in Medicaid as participating providers and who submit claims to Medicaid are not required to enroll separately as OPR providers.

It is important for OPR providers to understand the implications of failing to enroll in Medicaid. If you are an OPR provider, the physicians, other practitioners and facilities who actually render services to Medicaid recipients based on your order, prescription or referral, will not be paid for such items or services unless you enroll in Medicaid and your NPI is included on the claim submitted to Medicaid by the rendering provider (42 CFR §455.440).

August 6, 2014

Page 2

This proposed policy could have a regulatory and compliance impact on Tribes.

If you would like a consultation regarding this new policy, please contact Tanya Benitez at (775) 684-3722 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,

A handwritten signature in black ink, appearing to read "Laurie Squartsoff". The signature is fluid and cursive, with the first name "Laurie" being more prominent than the last name "Squartsoff".

Laurie Squartsoff  
Administrator

Cc: Elizabeth Aiello, Deputy Administrator  
Coleen Lawrence, Chief, Program Services  
Diane Smith, Supervisor, Provider Support