



BRIAN SANDOVAL  
Governor

STATE OF NEVADA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH CARE FINANCING AND POLICY  
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RICHARD WHITLEY, MS  
Director

MARTA JENSEN  
Acting Administrator

**Division of Health Care Financing and Policy  
Notice of Meeting to Solicit Public Comments and Intent to Act  
Upon Amendments to the Medicaid Services Manual (MSM)**

**Public Hearing January 27, 2016**

**Minutes**

Date and Time of Meeting: January 27, 2016 at 9:12 AM

Name of Organization: State of Nevada, Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP)

Place of Meeting: **Division of Public and Behavioral Health  
4150 Technology Way, Room 303  
Carson City, Nevada 89706**

Place of Video Conference: **Division of Health Care Financing and Policy  
1210 S. Valley View Blvd., Suite 104  
Las Vegas, Nevada 89102**

**Division of Health Care Financing and Policy  
1010 Ruby Vista Drive, Suite 103  
Elko, Nevada 89801**

**Attendees**

**In Carson City, NV**

Shannon Sprout, DHCFP	Mary Gordon, DHCFP
Scott Mayne, Washoe Co./Clark Co.	Andrew Rico, DHCFP
Kristine DeMorris, DHCFP	Tracey Palmer, DHCFP
Alexis Tucey, DHCFP	Joanna Jacob, Ferrari Public Affairs
Darrell Faircloth, SDAG	Elizabeth Aiello, DHCFP
Lynne Foster, DHCFP	

**In Las Vegas, NV**

Michelle Guerra, HPN/BHO Medicaid	Ismael Lopez-Ferratt, HPE
Kristina Jones, HPN	Ani Abi Karan, HB

**Introduction:**

Ms. Lynne Foster, Chief of Division Compliance, Division of Health Care Financing and Policy (DHCFP), opened the Public Hearing introducing herself, Ms. Betsy Aiello, Deputy Administrator of the DHCFP and Mr. Darrell Faircloth, Senior Deputy Attorney General (SDAG).

Ms. Foster – The notice for this public hearing was published on December 23, 2015 in accordance with the Code of Federal Regulations 42 CFR 447.205 and the Nevada Revised Statute 422.2369.

**1. Public Comment**

No Comment

**2. For Possible Action: Review and approve meeting minutes from the November 12, 2015 public hearing**

Ms. Foster asked if any staff members have any proposed corrections to the minutes for this public hearing and none were received.

Public Comments

- No Comments

Ms. Foster – Recommended the Deputy Administrator approve as written.

Ms. Aiello – Approved as written.

**3. For Possible Action: Discussion and proposed adoption of changes to MSM Chapter 400 – Mental Health and Alcohol/Substance Abuse Services.**

Ms. Alexis Tucey:

Revisions to MSM Chapter 400 are being proposed to strengthen policy throughout the chapter, to ensure System of Care philosophy. Proposed revisions include adding verbiage to direct providers to appropriate chapter for Applied Behavior Analysis (ABA) services.

Additional proposed revisions include further clarification language to promote the importance of the System of Care core philosophy and approach of family driven, community based and culturally and linguistically competent services, ensuring that recipients will receive individualized comprehensive health services that promote collaboration between providers, utilize evidence-based practices, and continue to be family driven community-based services.

Clarification that Rehabilitative Mental Health (RMH) services cannot be billed the same day as Applied Behavior Analysis (ABA) services and direct providers to the appropriate MSM Chapter.

Entities Financially Affected: None Known

Financial Impact on Local Government: None Known

Effective Date: January 28, 2016

At the conclusion of Ms. Tucey's presentation, Ms. Foster asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, SDAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Foster – Recommended the Administrator approve as submitted.

Ms. Aiello's – Approved as submitted.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 400 – Mental Health and Alcohol/Substance Abuse Services.

**4. For Possible Action: Discussion and proposed adoption of changes to MSM Chapter 3600 – Managed Care Organization.**

Mr. Andrew Rico and Ms. Tracy Palmer:

Revisions to MSM Chapter 3600 are being proposed to incorporate the recent Centers for Medicare and Medicaid Services (CMS) approval that Managed Care Organizations (MCO) could provide services within an alternative inpatient setting, when the facility is licensed by the State of Nevada, and services within the facility are provided at a lower cost than that of services provided within a traditional inpatient hospital setting.

These changes are retroactively applied to align with revised covered services outlined within the managed care contract amendment number five.

Entities Financially Affected: None Known

Financial Impact on Local Government: None Known

Effective Date: November 3, 2014

Read in at the hearing is the change in language will be ICF/IID will be changed to ICF/ID.

On Section 3603 page 5 sub-section i. the last sentence will read “The alternative inpatient setting must be a lower cost than the traditional inpatient setting”.

At the conclusion of Mr. Rico and Ms. Palmer’s presentation, Ms. Foster asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, SDAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth’s Comments:

- Mr. Faircloth would like clarification; he understands the of the intent of this is to allow the Managed Care Organizations to provide services within an alternative setting and would like to be filled-in further, possibly summarize the intent of this change.
- Ms. Palmer replied that the intent of this change was to allow the Managed Care Health Plans the ability to seek other areas to place managed care malaise and giving the Managed Care Health Plans a much grander access to care. We were running into situations where we didn’t have that capability or the Managed Care Health Plans didn’t have that capability.

Public Comments:

- No Comments

Ms. Foster – Recommended the Administrator approve the chapter with the following changes:

References to “ICF/IID” will be changed to “ICF/ID” and on Section 3603 page 5 sub-section i. the final sentence will read “The alternative inpatient setting must be a lower cost than the traditional inpatient setting”.

Ms. Aiello's – Approved with the amendments as read in by Ms. Lynne Foster.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 3600 – Managed Care Organization.

**2. General Public Comments**

- No Comments

**3. Adjournment**

There were no further comments and Ms. Foster adjourned the public hearing at 9:30 AM.

*\*An Audio (CD) version of this meeting is available through the DHCFP Administration office. For more detailed information on any of the handouts, submittals, testimony and or comments please contact Ellen Felsing at [ellen.felsing@dhefp.nv.gov](mailto:ellen.felsing@dhefp.nv.gov) or (775) 684-3684 with any questions.*