



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH CARE FINANCING AND POLICY
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**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 December 21, 2017
Minutes**

Date and Time of Meeting: December 21, 2017 at 9:33 AM

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

Place of Meeting: Nevada State Legislative Building
401 S. Carson Street, Room 3137
Carson City, Nevada 89701

Place of Video Conference: Grant Sawyer Office Building
555 E. Washington Avenue, Room 4412E
Las Vegas, Nevada 89101

Teleconference: North (775) 687-0999
South (702) 486-5260

Access Code: 43606

Attendees

In Carson City, NV

Marta Jensen, DHCFP
Lynne Foster, DHCFP
Janet Osalvo, DHCFP
Sheri Eggleston, DHCFP

Darrell Faircloth, SDAG
Erin Lynch, DHCFP
Jodi Patton, DHCFP
Joe Dibble, Department of Public and Behavioral Health (DPBH)

Rebecca Vernon-Ritter, DHCFP
Joanna Jacob, Ferrari Public Affairs
Steven Messinger, Nevada Primary Care
Association
Brooke Maylath, Transgender Allies Group

Heather Hatch, DHCFP
Katie Damon, Community Health Alliance
Joan Hall, Nevada Rural Hospital Partners
Cody Phinney, DHCFP

Teleconference

Dr. Lorraine Spalding, United Healthcare Nevada Dr. Wayne Dunetz

Introduction:

Ms. Lynne Foster, Chief of Division Compliance, DHCFP, opened the Public Hearing introducing herself, Ms. Marta Jensen, Administrator of the DHCFP and Mr. Darrell Faircloth, Senior Deputy Attorney General (SDAG).

Ms. Foster – The notice for this public hearing was published on November 20, 2017 in accordance with the Nevada Revised Statute 422.2369.

1. Public Comment

- No Comments.

2. For Possible Action: Review and approve meeting minutes from the November 16, 2017 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 Administrator approve as written.

Ms. Jensen – Approved as written.

Mr. Faircloth pointed out that the minutes for the December 14, 2017 public hearing was on the agenda and he wanted to know if they were going to be presented.

Ms. Foster explained that those minutes were not ready.

3. Discussion of proposed changes to MSM Chapter 600 – Physician Services, Podiatry

Ms. Sheri Eggleston:

Revisions to MSM Chapter 600 – Physician Services are being proposed to expand coverage of Podiatry Services as authorized during the 2017 Legislative Session. Podiatry services are being expanded to include coverage for all Medicaid eligible individuals.

Entities financially affected: Podiatry (Provider Type (PT) 21).

Financial impact on local government: None known.

The effective date is January 1, 2018.

At the conclusion of Ms. Eggleston presentation, Ms. Foster asked Ms. Jensen and Mr. Faircloth if they had any questions or comments.

Ms. Jensen's Comments:

- No Comments.

Mr. Faircloth's Comments:

- No Comments.

Public Comments:

Dr. Dunetz spoke in favor of this chapter.

Ms. Foster – Recommended the Administrator approve as submitted allowing staff to correct spelling, grammar, pagination, punctuation and chapter organization.

Ms. Jensen – Approved as submitted allowing staff to make any of those changes noted.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 600 – Physician Services, Podiatry.

4. Discussion of proposed changes to MSM Chapter 600 – Physician Services, Gender Reassignment

Ms. Janet Osalvo:

Revisions to MSM Chapter 600 are being proposed to include coverage for gender reassignment services for Medicaid recipients with diagnosis of gender dysphoria. Services will expand to include genital reconstruction surgical procedures, based on medical necessity.

Entities Financially Affected: Physician, M.D., Osteopath (PT 20), Advanced Practice Registered Nurse (PT 24), Physician's Assistant (PT 77).

Financial Impact on Local Government: There will be no impact on local government.

The effective date is January 1, 2018.

Ms. Osalvo completely read in all revisions and changes.

At the conclusion of Ms. Osalvo's presentation, Ms. Foster asked Ms. Jensen and Mr. Faircloth if they had any questions or comments.

Ms. Jensen's Comments:

- No Comments.

Mr. Faircloth's Comments:

- No Comments.

Public Comments:

Ms. Maylath wanted to show her appreciation while working with the DHCFP staff on the important changes to Medicaid services. She noted that Nevada will become the 14th state to have comprehensive coverage for transgender services. Ms. Maylath said she is grateful for the opportunity and wanted to thank the state for being inclusive with these procedures.

Ms. Foster – Recommended the Administrator approve as submitted with the following change:

- Section 607.1(E)(1)(d)(i) – remove the word “that” and replace with “with which.”

Ms. Foster – Requested the Administrator give staff a chance to fix pagination, spelling and grammar.

Ms. Jensen – Approved as submitted with amendments and allowing staff time to look over the chapter.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 600 – Physician Services, Gender Reassignment.

5. Discussion of proposed changes to MSM Chapter 600 – Physician Services, Medical Nutrition Therapy (MNT)

Ms. Jodi Patton:

Revisions to MSM Chapter 600 are being proposed to Sections 600, 601 and 608 to add language for the coverage of MNT by Registered Dietitians (RDs). MNT services may only be provided by

RDs and must be part of a coordinated multidisciplinary team. These changes received budgetary approval during the 2017 Legislative session.

Entities Financially Affected: Registered Dietitians (PT 15), Special Clinics (PT 17), Physicians (PT 20), Certified RN Practitioner (PT 24), Indian Health Services and Tribal Clinics (PT 47) and Physician's Assistant (PT 77).

Financial Impact on Local Government: None known.

The effective date is January 1, 2018.

At the conclusion of Ms. Patton's presentation, Ms. Foster asked Ms. Jensen and Mr. Faircloth if they had any questions or comments.

Ms. Jensen's Comments:

- No Comments.

Mr. Faircloth's Comments:

- No Comments.

Public Comments:

Ms. Damon commented on 608.2 "Coverage and Limitations" and requested consideration be made to allow same-day nutrition services to be reimbursable for Federally Qualified Health Centers (FQHCs).

Ms. Jensen replied that staff could look into that for a future review.

Mr. Messinger inquired if FQHCs would be eligible to provide this service based on State Plan Amendment Attachment 3.1-A, Page 1.a. regarding other ambulatory services included in the state plan.

Ms. Patton replied the Division's process is to update the FQHC policy.

Ms. Eggleston responded that the FQHC policy will updated to reflect the state plan where it does have other ambulatory providers. This will fall under that category.

Mr. Messinger recommended while updating the MSM, the FQHC be included with it.

Ms. Jensen informed Mr. Messinger since the Division does not have the policy updated yet, it would have to be heard at a future public hearing. There will be a time lag.

Ms. Foster – Recommended the Administrator approve as submitted, allowing staff time to correct spelling, grammar, punctuation and pagination.

Ms. Jensen – Approved as submitted.

Ms. Foster – Closed the Public Hearing for the MSM Chapter 600 – Physician Services, MNT.

6. Discussion of proposed changes to MSM Addendum

Ms. Jodi Patton:

Revisions to Medicaid Services Manual Addendum – Sections M and R are being proposed to add language regarding the definition of MNT and RDs. These changes are part of the addition of MNT provided by RDs policy in MSM Chapter 600 – Physicians Services.

Entities Financially Affected: Registered Dietitians (PT 15), Special Clinics (PT 17), Physicians (PT 20), Certified RN Practitioner (PT 24), Indian Health Services and Tribal Clinics (PT 47) and Physician’s Assistant (PT 77).

Financial Impact on Local Government: There is no anticipated fiscal impact.

The effective date is January 1, 2018.

At the conclusion of Ms. Patton’s presentation, Ms. Foster asked Ms. Jensen and Mr. Faircloth if they had any questions or comments.

Ms. Jensen’s Comments:

- No Comments.

Mr. Faircloth’s Comments:

- No Comments.

Public Comments:

- No Comments.

Ms. Foster – Recommended the Administrator approve as submitted.

Ms. Jensen – Approved as submitted.

Ms. Foster – Closed the Public Hearing for the MSM Addendum.

7. General Public Comments

- No Comments.

8. Adjournment

There were no further comments and Ms. Foster adjourned the public hearing at 10:11 AM.

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

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