

BRIAN SANDOVAL
Governor



RICHARD WHITLEY, MS
Director
MARTA JENSEN
Administrator

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH CARE FINANCING AND POLICY
1100 East William Street, Suite 101
Carson City, Nevada 89701
Telephone (775) 684-3676 • Fax (775) 687-3893
<http://dhcfp.nv.gov>

**Notice of Meeting to Solicit Public Comments and Intent to Act
Upon Amendments to the State Plan for Medicaid Services**

**Public Hearing July 26, 2018
Minutes**

Date and Time of Meeting: July 26, 2018 at 1:03 PM

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 (775) 486-5260

Access Code: 43606

Attendees

In Carson City, NV

| | |
|--------------------------|---|
| Marta Jensen, DHCFP | Lynne Foster, DHCFP |
| Alexis Tucey, DHCFP | Tracy Palmer, DHCFP |
| Andolyn Johnson, DAG | Tammy Moffitt, DHCFP |
| Erin Lynch, DHCFP | Julie Lindesmith, DHCFP |
| Gladys Cook, DHCFP | Genevieve Ramos, Serenity Mental Health |
| John Zabukovec, Conduent | Cody Phinney, DHCFP |

Shannon Sprout, DHCFP
Heather Flowers, Public

Marci Hinehey, Serenity Mental Health

In Las Vegas, NV

Kerri Korin, Kids Peace
Michelle Guerra, HPA/BHO
Leslie LaCombe, Apple Grove
Edyllynn Quijano, Eagle Quest
Jennifer Bevacena, Eagle Quest
Marisa Marano, Catch 22 Life Services
Valorie Hicks, Specialized Alternatives
for Families and Youth
Ayele Amavigan, Behavioral Health
Management
Katherine Moldovan, H.O.P.E. Counseling

Nicole Henderson, Victorious Beginnings
Felicia Elder, Victorious Beginnings
Rosalind Dyson, Victorious Beginnings
Dr. Jeffrey Rogers, Victorious Beginnings
Melissa Paller, Healthy Minds
Carla Habeck, Habeck Consulting, INC

Teleconference

Tiffany Shorter, Dynamic Minds
David Hardy
Brandon Ford, United Providers Mental Health

Jer Roberson-Strange, Catch22Life Services

Introduction:

Ms. Lynne Foster, Chief of Division Compliance, DHCFP, opened the public hearing introducing herself, Ms. Marta Jensen, Administrator of the DHCFP and Ms. Andolyn Johnson, Deputy Attorney General (DAG).

Ms. Foster – The notice for this public hearing was published on June 20, 2018 in accordance with 42 CFR 447.205.

1. Public Comments

An unidentified caller asked if this hearing was on the follow up from the June public workshop on prior authorization for all services.

Ms. Foster thanked the caller for the question and clarified that the first hearing was on the State Plan for Medicaid Services and would be followed by the hearing on the Medicaid Services Manual where comments can be made about prior authorization.

The unidentified caller thanked Ms. Foster.

Ms. Genevieve Ramos asked for clarification on open comments and if they needed to be about the topics on the agenda or could there be open comment on any subject.

Ms. Foster clarified for Ms. Ramos that there would be an open comment time in the hearing for both the State Plan Amendment and the Medicaid Serves Manual.

Ms. Ramos thanked Ms. Foster for the clarification.

2. Discussion of Amendments to the State Plan for Medicaid Services and Solicitation of Public Comments

Subject: Third Party Liability

Ms. Tracy Palmer:

The Division is updating State Plan 4.22 and Attachment 4.22-B Third Party Liability language related to payment of claims to be consistent with current methodology for cost avoidance and cost savings programs.

The effective date is July 27, 2018.

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

Ms. Jensen's Comments:

No Comments.

Ms. Johnson's Comments:

No Comments.

Public Comments:

No Comments.

Ms. Foster – Closed the Public Hearing for the SPA on Third Party Liability

4. General Public Comments

Ms. Ramos with Serenity Mental Health stated she had questions regarding non-payment. She said that claims submitted to Nevada Medicaid and have been erroneously denied and payments not made. Ms. Ramos continued that this issue had been going on for over a month and because of this, many places were looking to close their doors and many clinicians were going to no longer accept Nevada Medicaid patients. She commented that when the billing departments are called, the answers given are not satisfactory. The responses Ms. Ramos has received have been "they do not know what is going on," "we need to send these to a "manager" or "the billing department will call back when there is more information." No one has called back. Ms. Ramos informed the Division that it was unacceptable they claim to have no knowledge of the situation and there are many claims being denied. They wanted to know when they could expect constancy with payment and claims submitted.

Ms. Foster asked that Ms. Ramos provide her contact information so the Division may be able to contact her and sort out the current situation.

Ms. Jensen let Ms. Ramos know that she would not enjoy the answer, but she was unaware of any issues with payment. She asked if it would be possible to speak with Ms. Ramos personally.

Ms. Ramos agreed and clarified that this issue is statewide and not just within her agency. She reiterated that many agencies had intentions of closing their doors and these were larger companies.

Ms. Jensen agreed that they would speak after the hearing to find out more.

Ms. Foster asked for any other public comments.

Ms. Tiffany Shorter commented from the teleconference that she was also going through the same issues as Ms. Ramos.

Ms. Foster asked if she would send an email to the email address on the agenda.

Ms. Shorter then asked if she could just give Ms. Foster her contact information.

Ms. Foster said that was fine, but it would be public record.

Ms. Shorter continued that she was okay with that. She said her email was tiffany.shorter.dynamicminds@gmail.com

Ms. Foster thanked Ms. Shorter and asked if there were more comments.

Ms. Jer Roberson-Strange inquired about on the third item on the agenda that was red lined.

Ms. Foster informed Ms. Roberson-Strange that we were not yet at the hearing for the Medicaid Services Manual and if she would be able to hold her comment, the hearing could move forward to the Medicaid Services Manual.

Ms. Roberson-Strange agreed and thanked Ms. Foster.

Ms. Foster then asked for any other comments via teleconference, no further comments made.

Ms. Heather Lazarakis commented that in Las Vegas there were several participants that had the same comments regarding not being paid and claims being denied. She continued that she would have one person comment and then suggested the rest could communicate via email.

Ms. Foster agreed and Ms. Jensen recommended that if the comments were the same that they could all email the email address provided on the agenda.

Ms. Jensen added that additional information would be needed in these emails, including names of individuals, agency names and client information.

Ms. Foster then gave the following email, ellen.felsing@dncfp.nv.gov. She clarified that public comment was still welcome if the participant felt the need to comment.

Ms. Ayele Amavigan reiterated most of Mr. Ramos comments. She added that this was a financial burden on the agencies and was causing issues with keeping business open. Ms. Amavigan also requested back dating on payments to assure payment. She asked that it be addressed now.

Ms. Jensen explained that she would have staff reach out to Ms. Amavigan to get more details and information per case to ensure they are all getting paid. Ms. Jensen explained that providers are needed for patients and the Division. She said that details needed to be worked out but agreed that it was unacceptable to not get paid for services.

Ms. Katherine Moldovan wanted to bring attention to the recent denials that her agency was facing. She continued that in addition to the denials, many of her clinicians were choosing to no longer service Medicaid clients. Ms. Moldovan offered the suggestion that they can use the Code 90834 for 45 minutes session without a prior authorization. She suggested not to require a prior authorization for once a week treatment. Ms. Moldovan said that this was an injustice to those that need the help and if anything, this will cause more harm and suicides.

Ms. Jensen asked who she worked for so that the denials could be investigated.

Ms. Moldovan said that she worked for H.O.P.E. Counseling Services.

Ms. Jensen reiterated the need for specific information so that the Division can see why the cases are being denied. She asked if they had done a peer-to-peer or a reconsideration on the prior authorization denied.

Ms. Moldovan explained that she had only just received this information and previously had not had the issue. She reiterated her concerns for the recipients of Medicaid.

Ms. Jensen thanked her for the comments and for her passion for the recipients.

Mr. Brandon Ford said he felt that the Division was not understanding the severity of the situation and the need for actual solution instead of just getting told to send an email. He stated there was a huge mistake that was made on the state's end and it now effects everyone statewide.

Ms. Jensen reiterated the need for emails and getting all the information needed.

Ms. Foster said that moving forward to please keep comments to three minutes.

Ms. Ramos wanted to add that she had lost numerous clinicians and was told that others lost clinicians as well. She added that this was not a case by case situation but rather a

larger issue that needed to be looked at as a larger issue. Ms. Ramos clarified that a large issue was clients exceeding hours when according to records had not met or exceeded this.

Ms. Jensen thanked Ms. Ramos for the clarification.

Ms. Marisa Marano from Catch 22 Life Services commented that one of the biggest issues is the children being affected by these changes. They are the ones being harmed by the lack of response and care from the state.

Ms. Jensen thanked her for her comment.

Ms. Foster asked if there were further comments in Las Vegas.

Ms. Lazarakis said there were no further comments.

Mr. Ford continued that action needed to be taken now and today.

Mr. David Hardy questioned when Medicaid will follow the same quality assurance program the providers follow.

Ms. Jensen said that a majority of the information should be on the dashboard of the provider site for further clarification.

Mr. Hardy continued that he was looking for more specific information about the number of denials and why they were denied without the generalization of the denial.

Ms. Jensen said she would like to consider a dashboard that would give providers access to this kind of information as it would be something for them to access. She said it was something she would look in putting together.

Mr. Hardy thanked Ms. Jensen.

Ms. Foster continued and asked if there were further comments via teleconference.

Ms. Roberson-Strange added that she felt focusing on the prior authorization was not the real issue but that the children and adults get the care that they need.

Ms. Jensen said she appreciated the comment. Ms. Jensen added that the 26 sessions was not the standard and that there was a way, via medical necessity, to expand on those sessions.

Mr. Ford reiterated the need to address the issues brought up now and not wait.

Ms. Foster thanked him for the comment.

Ms. Moldavan stated that if a dashboard was created, wouldn't it be possible to track the number of sessions a client has had in a calendar year.

Ms. Jensen informed Ms. Moldavan that the Divisions staff was looking into that.

There were no further comments and Ms. Foster adjourned the public hearing at 1:44 PM.

****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.***