



NOTICE OF MEETING TO SOLICIT PUBLIC COMMENTS AND INTENT TO ACT UPON AMENDMENTS TO THE NEVADA MEDICAID SERVICES MANUALS (MSM)

**NOTE: This meeting has been delayed due to technical difficulties.
It is being rescheduled for May 1, 2020.**

AGENDA

Date of Publication:	March 27, 2020
Date of Revision:	April 24, 2020
Date and Time of Meeting:	April 28, 2020 at 9:10 AM or upon completion of the amendments to the State Plan for Medicaid Services Public Hearing immediately preceding this meeting in the same manner (via WebEx) as this meeting
Name of Organization:	The State of Nevada, Department of Health and Human Services (DHHS), Division of Health Care Financing and Policy (DHCFP)
Place of Meeting:	Please use the teleconference/WebEx options provided below. If accommodations are requested, please advise using the information at the end of this agenda. Out of deference to Declaration of Emergency Directive 006 (https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/Declaration-of-Emergency-Directive-006-re-OML.3-21-20.pdf) from the State of Nevada Executive Department signed by Governor Sisolak on March 22, 2020 as well as Emergency Directive 003 (https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/2020-03-20.Declaration-of-Emergency-Directive-003.pdf) signed March 20, 2020, a physical location will not be open to the public for attendance at this time.

Note: If at any time during the meeting an individual who has been named on the agenda or has an item specifically regarding them included on the agenda is unable to participate because of technical or other difficulties, please email or call Jenifer Graham at jenifer.graham@dhcpf.nv.gov or (775)684-3685 and note at what time the difficulty started so that matters pertaining specifically to their participation may be continued to a future agenda if needed or otherwise addressed.

Webinar: <https://dhcftp.webex.com/dhcftp/onstage/g.php?MTID=e96a081612932649cbd74dd9184f46722>

Or

www.webex.com, select "Join," enter Meeting Number ~~803~~ **745-670 802 104 198**, your name and email and then select "Join."

Teleconference: _____ (888) 363-4735

Access Code: _____ 1961395

Audio Only: (415) 655-0002
Event Number: 802 104 198

PLEASE DO NOT PUT THIS NUMBER ON HOLD (*hang up and rejoin if you must take another call*)

AGENDA

1. General Public Comments (*Owing to the lack of a physical location for this meeting, public comment is encouraged to be submitted in advance so that it may be included in meeting materials and given attention. No action may be taken upon a matter raised through public comment unless the matter itself has been specifically included on an agenda as an action item. Please provide your name in any comment for record keeping purposes. You may submit comments in writing via e-mail to (email address). There may be opportunity to take public comment via telephone but phone participants should disconnect their call and re-join if they must take another call. Do not place your phone on hold or you may disrupt the meeting for other participants. Public comments may be related to topics on the agenda or matters related to other topics per NRS 241.020(3)(3)(II).*) **Note: this guidance regarding public comment applies throughout this agenda where public comment is referenced.**

2. For possible action: Discussion and adoption of changes to Medicaid Services Manual (MSM) Chapter 1900 – Transportation Services.

Revisions are being proposed to update current transportation services policy to align with amendments made to carve out Ground Emergency Medical Transportation (GEMT) services from the contracts held with the Managed Care Organizations (MCOs). The proposed changes include revision to policy language to remove reference to the MCOs for GEMT services. Updates have been made to differentiate and clarify coverage, limitations and non-covered services for GEMT and Air Ambulance Transport services. In addition, grammatical changes were made, acronyms used and standardized and language was reworded for clarity throughout the chapter.

Entities Financially Affected: This proposed change affects all Nevada Medicaid-enrolled providers delivering Ambulance, Air or Ground Transportation (Provider Type (PT) 32).

Financial impact on local government: There is no anticipated fiscal impact known at this time.

Effective date: March 25, 2020. (*Per NRS 422.2369(1), at least 30 days notice of the intended action was provided in advance of a previously noticed and scheduled meeting set for March 24, 2020*)

- a. Presentation of MSM Chapter 1900
 - b. Public comment on proposed changes
 - c. Adoption of proposed changes
3. For possible action: Discussion and adoption of changes to MSM Chapter 2800 – School Based Child Health Services

Revisions to MSM Chapter 2800 are being proposed in accordance with the Nevada Medicaid State Plan Submittal #19-005 that was approved by the Centers for Medicare and Medicaid Services (CMS) on October 24, 2019. These changes were in alignment with CMS' State Medicaid Director's Letter #14-006 which reversed CMS guidance on reimbursement for services provided free of charge to all students in a school setting. This guidance, known as the "free care" reversal, removes the Individualized Education Program (IEP) restriction for Medicaid billable services and allows for any medically necessary service recognized in the Nevada Medicaid State Plan to be billed by a Local Education Agency (LEA) or State Education Agency (SEA). The updated language in MSM 2800 defines policy for the additional services that may be reimbursed in a school setting.

Entities Financially Affected: This proposed change affects all Medicaid-enrolled providers delivering School Based Child Health Services (SBCHS). Those PTs include but are not limited to: School Based Services (PT 60).

Financial impact on local government: There is no anticipated fiscal impact known at this time.

Effective date: March 25, 2020. *(Per NRS 422.2369(1), at least 30 days notice of the intended action was provided in advance of a previously noticed and scheduled meeting set for March 24, 2020)*

- a. Presentation of MSM Chapter 2800
- b. Public comment on proposed changes
- c. Adoption of proposed changes

4. For possible action: Discussion and adoption of changes to MSM Chapter 1000 – Dental

Revisions to MSM Chapter 1000 – Dental, are being proposed to clarify the following: pregnancy related services; remove Prior Authorization (PA) language for Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services; replace the title of "PT 22, Dentist Billing Guide," to the "Medicaid Dental Benefit Schedule"; remove obsolete dental codes; clarify coverage of prosthodontic service requirements for partials and/or full dentures, to include recipients residing in nursing facilities; revise automatic qualifying conditions for orthodontic treatment; add out-of-state orthodontia policy; clarify coverage of fluoride supplements; remove specific coverage and limitations for Residents of Intermediate Care Facilities; update PA requirements for Hospital/Surgical Centers, Maxillofacial Surgery and other physician services; and updated the References and Cross References section to reflect updated MSM chapter names and contact information.

Entities Financially Affected: This proposed change affects all Medicaid enrolled Dental providers (PT 22), all specialties.

Financial impact on local government: There is no anticipated fiscal impact known at this time.

Effective date: April 1, 2020. *(Per NRS 422.2369(1), at least 30 days notice of the intended action was provided in advance of a previously noticed and scheduled meeting set for March 24, 2020)*

- a. Presentation of MSM Chapter 1000 - Dental

- b. Public comment on proposed changes
- c. Adoption of proposed changes

5. For possible action: Discussion and adoption of changes to MSM Chapter 3000 – Indian Health Program

Revisions to MSM Chapter 3000 are being proposed to allow eligible Tribal organizations to enroll as Tribal Federally Qualified Health Centers (FQHCs). This service model will promote greater access to specialty care and related services outside of the four walls of the tribal clinics for American Indian/Alaska Native (AI/AN) Medicaid beneficiaries.

Entities Financially Affected: This proposed service model may affect all Medicaid-enrolled providers that provide health services to American Indian/Alaska Native (AI/AN) Medicaid recipients. Those PT's include, but are not limited to, Indian Health Programs and Tribal Clinics (PT 47).

Financial impact on local government: This is expected to have a positive impact on tribal governments.

Effective date: March 25, 2020. *(Per NRS 422.2369(1), at least 30 days notice of the intended action was provided in advance of a previously noticed and scheduled meeting set for March 24, 2020)*

- a. Presentation of MSM Chapter 3000
- b. Public comment on proposed changes
- c. Adoption of proposed changes

6. For possible action: Discussion and adoption of changes to MSM Chapter 400 – Mental Health and Substance Abuse Services

Revisions to MSM Chapter 400 are being proposed to remove Medical Supervision from the Behavioral Health Community Network (BHCN), while clarifying the roles of Clinical and Direct Supervision within the BHCN and the Behavioral Health Rehabilitative Treatment Agency.

Entities Financially Affected This proposed change may affect Medicaid-enrolled providers delivering Medical Supervision to BHCNs. Those provider types include, but are not limited to, Physician, M.D., Osteopath, D.O., Provider Type 20.

Financial impact on local government: There is no anticipated fiscal impact known at this time.

Effective date: April 29, 2020.

- a. Presentation of MSM Chapter 400
- b. Public comment on proposed changes
- c. Adoption of proposed changes

7. For possible action: Discussion and adoption of changes to MSM Addendum – Sections B, C, D, and M

Revisions to MSM Addendum Sections are being proposed to remove the definitions for Medical Supervision and Medical Supervisor from the Addendum, as well as to align the definitions of Behavioral Health Community Network (BHCN), Clinical Supervision and Direct Supervision with the proposed Chapter 400 changes.

Entities Financially Affected This proposed change may affect Medicaid-enrolled providers delivering Medical Supervision to BHCNs. Those provider types include, but are not limited to, Physician, M.D., Osteopath, D.O., (PT 20).

Financial impact on local government: There is no anticipated fiscal impact known at this time.

Effective date: April 29, 2020.

- a. Presentation of MSM Addendum
- b. Public comment on proposed changes
- c. Adoption of proposed changes

8. For possible action: Discussion and adoption of changes to MSM Chapter 3600 – Managed Care Organization

Revisions to MSM Chapter 3600 are being proposed to align with amendments made within the contracts held with the Managed Care Organizations (MCO). The proposed changes include revisions and clarification to existing policy related to MCO responsibility and coverage of Ground Emergency Medical Transportation (GEMT) services, Certified Community Behavioral Health Centers (CCBHCs), Private Duty Nursing (PDN), Dental, Adult Day Health Care (ADHC), Early, Periodic, Screening, Diagnostic, and Treatment (EPSDT) services, Pharmacy, Pharmacy Drug Limitations, Electronic Visit Verification (EVV), and Enrollment for Medicaid Eligible Newborns.

Entities Financially Affected: This proposed change affects all Nevada MCOs.

Financial impact on local government: Unknown at this time.

Effective date: April 29, 2020.

- a. Presentation of MSM Chapter 3600
- b. Public comment on proposed changes
- c. Adoption of proposed changes

9. Adjournment

Nevada Medicaid is unaware of any financial impact to other entities or local government due to this public hearing, other than as stated above.

PLEASE NOTE: Items may be taken out of order. Items may be pulled or removed from the agenda at any time. All public comment may be limited to three minutes.

The DHCFP is exempt from Chapter 233B according to NRS 233B.039 and is not required to comply with the open meeting law in this process.

This notice and agenda have been posted at <http://dhcfnv.gov/> and <https://notice.nv.gov/>.

Notice of this meeting and draft copies of the changes will be available on or after the date of this notice at the DHCFP website <http://dhcfnv.gov/>.

This notice and agenda have been posted online at http://dhcfnv.gov and http://notice.nv.gov as well as Carson City, Las Vegas, and Reno central offices for the Division of Health Care Financing and Policy. E-mail notice has been made to such individuals as have requested notice of meetings (to request notifications please contact jenifer.graham@dhcfnv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701 or call Jenifer Graham at (775) 684-3685). At this time, in deference to Emergency Directive 006 dated March 22, 2020 and related directives which have discouraged certain in-person activities, notice has not been posted at other physical locations.

If you require a physical copy of supporting material for the public meeting, please contact jenifer.graham@dhcfnv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701 or call Jenifer Graham at (775) 684-3685). Supporting material will also be posted online as referenced above.

All persons that have requested in writing to receive the public hearing agendas have been duly notified by mail or e-mail.

Per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 3: The requirements contained in NRS 241.020 (4) (a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.

Per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 4: Public bodies must still comply with requirements in NRS 241.020 (4)(b) and NRS 241.020 (4)(c) that public notice agendas be posted to Nevada's notice website and the public body's website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.

Per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 5: The requirement contained in NRS 241.020 (3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.

Per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body's website, if it maintains one.

We are pleased to make reasonable accommodations for members of the public with a disability and wish to participate in the meeting. If accommodated arrangements are necessary, notify the Division of Health Care Financing and Policy as soon as possible and at least ten days in advance of the meeting, by e-mail at: jenifer.graham@dhcfnv.gov, in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701 or call Jenifer Graham at (775) 684-3685.
