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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF HEALTH CARE FINANCING AND POLICY

Helping people. It's who we are and what we do.



Stacie Weeks,
JD MPH
Administrator

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

Public Hearing April 25, 2023

Summary

Date and Time of Meeting: April 25, 2023, at 10:00 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: DHCFP
1100 E. William Street
First Floor Conference Room
Carson City, Nevada 89701

Teleconference and/or Microsoft Teams Attendees

(Note: This List May Not Include All Participants, Just Those Who Identified Themselves)

Karen A. Griffin, Senior Deputy Attorney General
Malinda Southard, Deputy Administrator, DHCFP
Amy Hale, JANUS
Antonio Gudino-Vargas, DHCFP
Ashleigh Papez
Brooke Gruger, Liberty Dental
Candice Wilson, Gainwell Technologies (GWT)
Casey Angres, DHCFP
Catherine Vairo, DHCFP
Charyce Bedford
Christy Nguyen, Fidelis Rx
Cyndi L. Smith, Division of Public and Behavioral
Health (DPBH)
David Dilworth, GWT
David Olsen, DHCFP
Deborah Jordan, DHCFP

Dena Brennan
Desiree Seghieri
Dustin McNeff
Ellen Flowers, DHCFP
Erin Lynch, DHCFP
Gladys Cook, DHCFP
Hana Fahmi
Holly Long
Janell Reyes, DHCFP
JC Flowers, Nevada Rural Health Center (NVRHC)
Jeffrey Styer
Jennifer Wheeler
Jessica Vannucci, DHCFP
Josh Porter, DHCFP
Julie Peterson, DHCFP
Kaelyne Day, DHCFP
Karen White

Kimberly Adams, DHCFP
 Kindra Berntson, DHCFP
 Kirsten Coulombe, DHCFP
 Kristine Noblett-Lopez
 Kurt Karst, DHCFP
 Kyril Plaskon, DHCFP Public Information Officer
 Laurie Curfman, DHCFP
 Lisa Pulver, JANUS
 Loretta Cook, DHCFP
 Mackenzie Lopez, GWT
 Marcia Tinberg, DHCFP
 Mark Du, DHCFP
 Mark Rosenberg, Fidelis Rx
 Marta Jensen
 Mary Lou Fisher
 Melody Hall-Ramirez, DHCFP
 Michelle Soule, Division of Welfare and Supportive Services
 (DWSS)

Michelyn Y. Domingo, ANT
 Minerva Perez, DHCFP
 Nicole J. Myers, Silver Summit
 Rossana Dagdagan, DHCFP
 Sandra Stone, Division of Child and Family Services (DCFS)
 Sarah Dearborn, DHCFP
 Sarah Moses, DHCFP
 Seth Wray
 Shawna Derousse
 Sheila Heflin-Conour, DHCFP
 Sophia Heinz
 Stephanie Sadabseng, DHCFP
 Torie Jones
 Travis Walker
 Valerie Noor
 Wendy Montgomery, DHCFP
 Yes, Yvonne Vestal, DHCFP

Introduction:

Casey Angres, Chief of Division Compliance, DHCFP, opened the Public Hearing introducing herself, Malinda Southard, Deputy Administrator, DHCFP, and Karen Griffin, Senior Deputy Attorney General.

Casey Angres – The notice for this public hearing was published on March 23, 2023, in accordance with Nevada Statute 422.2369.

1. **Public Comments:** There were none.
2. **Discussion of Amendments to the State Plan for Medicaid Services and Solicitation of Public Comments**

Subject: Aged Out Former Foster Care Children (FFCC)

Michelle Soule, Nevada Checkup Program Specialist, DWSS, presented the proposed amendment to Nevada State Plan Attachment Supplement 8a to Attachment 2.6-A Page 1a.1 to Section 1002(a) of the SUPPORT Act, Aged Out FFCC who turn 18 on or after January 1, will be eligible for Medicaid if they meet all the requirements listed below:

- Are under age 26;
- Are not enrolled in another mandatory eligibility group *even if they meet the eligibility requirements for such group);
- Were in foster care in any state upon attaining age 18; and
- Were enrolled in Medicaid in any state while in such foster care.

The estimated change in annual aggregate expenditures:

SFY 2023: \$270,813

SFY 2024: \$524,067

The effective date of the change is April 1, 2023.

At the conclusion of Michelle Soule’s presentation, Casey Angres asked Malinda Southard and Karen Griffin if they had any questions or comments, they had none.

Public Comments: There were none.

Casey Angres – Closed the Public Hearing for Aged Out FFCC.

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

Subject: 1915(i) Home and Community Based State Plan Option

Marcia Tinberg, Program Specialist for the 1915(i) Program, DHCFP, presented revisions to the 1915(i) State Plan Amendment State Plan Attachment 3.1-I-1, regarding provider qualifications Pages 14, 15, and 16 for Day Habilitation and Residential Habilitation Services.

A public workshop for this SPA revision was held March 13, 2023, and DHCFP has been meeting with the providers on a regular basis for about two years.

This PT is Facility for Care of Adults During the Day, Day Habilitation (PT 55). The Licensure was changed to go through DPBH, Bureau of Health Care Quality and Compliance (HCQC). The Commission on Accreditation of Rehabilitation Facilities (CARF) certification was removed and was replaced with at least one full time employee with Certified Brain Injury Specialist (CBIS) certification through Brain Injury Association of America (BIAA).

This PT is Residential Facility for Groups, Residential Habilitation (PT 55). The licensure was changed to go through the DPBH, HCQC. The CARF requirement was removed and replaced with at least one full time employee with CBIS through BIAA.

The following PT affected by this change includes but is not limited to: Day and Residential Habilitation Services (PT 55).

No financial impact is currently anticipated for local government as a result of these changes.

The effective date of this proposed policy is August 1, 2023.

At the conclusion of Marcia Tinberg’s presentation, Casey Angres asked Malinda Southard and Karen Griffin if they had any questions or comments, they had none.

Public Comments: Julie Peterson – “1915(i) has recognized the necessity for additional training specific to brain injury in order for service providers to be able to carry out care plans. However, we as clinical experts in the field have recognized that the person(s) doing the evaluations for our clients and writing these care plans, do not have the necessary training and expertise in brain injury to be consistent in their clinical determinations. Specifically, the care coordinators seem to be able to recognize physical disabilities resulting from a brain injury, but not cognitive disabilities, which impact client’s abilities to care for

themselves independently. For example, a 1915(i) care coordinator completed an annual reevaluation of one of our clients under guardianship. The client was unable to care for herself due to cognitive disabilities, including taking a shower, grooming herself, etc., she was found to no longer qualify for services by the care coordinator. The public guardian's office appealed it, and she was found to qualify. There is no recourse for these individuals with brain injuries who have cognitive disabilities who do not qualify and are not cognitively able to complete the appeal for themselves. There is no way for them to access and advocate, because many times they don't have the intellectual or functional abilities to do so, especially if they have a new brain injury and do not yet have a guardian. Truly, if provider qualifications require additional training in brain injury to carry out care plans, so would the care coordinators qualifications. Thank you."

Kirsten Coulombe, DHCFP, responded to Julie Peterson and thanked her for attending the Public Hearing today, and was happy to have more information on the case she was talking about. She is certainly happy to discuss this when they meet with her each month as they have been for the last year and will continue working with her.

Casey Angres – Closed the Public Hearing for State Plan Attachment 1915(i) Home and Community Based State Plan Option.

4. Adjournment

There were no further comments and Casey Angres closed the public hearing at 10:12 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 Jenifer Graham at documentcontrol@dncfp.nv.gov with any questions.***