

Joe Lombardo
Governor



Richard Whitley, MS
Director

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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2nd REVISED NOTICE OF PUBLIC MEETING TO SOLICIT COMMENTS ON AMENDMENTS TO THE STATE PLAN FOR MEDICAID SERVICES

AGENDA

Date of Publication: July 27, 2023
Date of Revision: August 3, 2023
Date of 2nd Revision: August 22, 2023

Date and Time of Meeting: August 29, 2023 at 10:00 AM

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: DHCFP
1100 E. William Street
First Floor Conference Room
Carson City, Nevada 89701

Please use the teleconference/Microsoft Teams options provided below. If accommodation is requested, please advise using the information at the end of this agenda.

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 Jenifer Graham at documentcontrol@dhcftp.nv.gov 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.*

Please be cautious and do not click on links in the chat area of the meeting unless you have verified they are safe. If you ever have questions about a link in a document purporting to be from Nevada Medicaid, please do not hesitate to contact documentcontrol@dhcftp.nv.gov for verification.

Webinar: <https://tinyurl.com/DHCFP2023PH>

Select "Join," enter your name and email and then select "Join."

The meeting should not require a password.

Audio Only: (775) 321-6111

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

YOU MAY BE UNMUTED BY THE HOST WHEN SEEKING PUBLIC COMMENT, PLEASE HANG UP AND REJOIN IF YOU ARE HAVING SIDE CONVERSATIONS DURING THE MEETING OR THOSE MAY BE HEARD BY OTHERS AND RECORDED

This meeting may be recorded to facilitate note-taking or other uses. By participating you consent to recording of your participation in this meeting.

AGENDA

1. General Public Comments (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. To provide public comment telephonically, you may join the meeting by dialing (775) 321-6111 and when prompted to provide the Meeting ID, enter 934 453 822#. You may then press *5 to raise your hand during the public comment periods to provide your comment. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments).
2. Discussion of proposed Amendments to the State Plan for Medicaid Services and solicitation of public comments

Subject: Specialty Physician Administered Drugs (PAD)

The DHCFP is proposing a State Plan Amendment (SPA) to Section 4.19-B to create a fee schedule for physician-administered drugs (PADs) as part of effective and comprehensive management of PADs.

The DHCFP is proposing a State Plan Amendment (SPA) to Section 4.19-B to change the reimbursement logic for Physician Administered Drugs (PAD(s)) ~~by introducing and incorporating the Medicare Part B fee schedule into a simplified lesser of logic which will still include the~~ **This change seeks to reimburse PADs not currently listed on the Nevada Medicaid PAD fee schedule, in accordance with the Medicare Part B fee schedule. Additionally, PADs not listed on either fee schedule would be reimbursed based on the lesser of the** National Average Drug Acquisition Cost (NADAC) or Wholesale Acquisition Cost (WAC), **and Actual Acquisition Cost (AAC).**

The following Provider Type (PT) will potentially be affected by this change:

Providers who prescribe, dispense or administer PAD drugs may be affected by this change, including but not limited to the following Provider Types (PTs): Outpatient Surgery (PT 10); Hospital, Inpatient (PT 11); Hospital, Outpatient (PT 12); Intermediate Care Facilities for Individuals with Intellectual Disabilities, Public (PT 16); Special Clinics (PT 17); Nursing Facility (PT 19); Physician/Osteopath (PT 20); Podiatrist (PT21); Advanced Practice Registered Nurse (PT 24); Pharmacy (PT 28); Home Health Agency (PT 29); Ambulatory Surgical Centers, Freestanding (PT 46); Indian Health Programs and Tribal Clinics (PT 47); Indian Health Service Hospital, Inpatient (Tribal) (PT 51), Indian Health Service Hospital, Outpatient (Tribal) (PT52); Transitional Rehabilitative Center, Outpatient (PT 55); Inpatient Rehabilitation and Long Term Acute Care (LTAC) Specialty Hospitals (PT 56); Hospice (PT 64); Hospice, Long Term Care (PT 65); Intermediate Care Facilities for Individuals with Intellectual Disabilities, Private (PT68); Nurse Anesthetist (PT 72); Critical Access Hospital (CAH), Inpatient (PT 75); Audiologist (PT 76); Physician's Assistant (PT 77); Indian Health Service Hospital, Inpatient (Non-Tribal) (PT 78); Indian Health Service Hospital, Outpatient (Non-Tribal) (PT 79).

Estimated change in annual aggregate expenditures: No change in annual aggregate expenditures is anticipated.

The effective date of change is December 1, 2023.

a. Public comment regarding subject matter.

3. Discussion of proposed Amendments to the State Plan for Medicaid Services and solicitation of public comments

Subject: Nevada State Plan Amendment (SPA) Attachment 4.19-A Payment for Inpatient Hospital Services Assurances and Related Information

DHCFP is proposing to amend Nevada State Plan Attachment 4.19-A Payment for Inpatient Hospital Services Assurances and Related Information to implement a new inpatient fee-for-service (FFS) upper payment limit (UPL) supplemental payment to all qualifying private hospitals in the State of Nevada. The supplemental payments shall not exceed, when aggregated with other payments made to private hospitals under all other provisions of the state plan, 100% of a reasonable estimate of the amount that would be paid for such services under Medicare payment principles (i.e. the UPL).

The following Provider Type (PT) will potentially be affected by this change:

Inpatient Hospital (PT 11), Inpatient Psychiatric Hospital (PT 13), Swing-bed, Acute Hospital (PT 44), Medical Rehabilitative Center and Long-Term Acute Care (LTAC) Specialty Hospitals (PT 56), Inpatient Critical Access Hospital (CAH) (PT 75).

Estimated change in annual aggregate expenditures: An estimated increase in annual aggregate expenditures for

SFY 2024:	\$71,635,852
SFY 2025:	\$71,635,852

The effective date of change is July 1, 2023.

a. Public comment regarding subject matter.

4. Discussion of proposed Amendments to the State Plan for Medicaid Services and solicitation of public comments

Subject: Nevada State Plan Amendment (SPA) for Outpatient Hospital Services Assurances and Related Information

DHCFP is proposing to add a new Nevada State Plan Attachment for Outpatient Hospital Services Assurances and Related Information to implement a new outpatient fee-for-service (FFS) upper payment limit (UPL) supplemental payment to all qualifying private hospitals in the State of Nevada. The supplemental payments shall not exceed, when aggregated with other payments made to private hospitals under all other provisions of the state plan, 100% of a reasonable estimate of the amount that would be paid for such services under Medicare payment principles (i.e. the UPL).

The following Provider Type (PT) will potentially be affected by this change:

Outpatient Surgery, Hospital Based (PT 10), Outpatient Hospital (PT 12), Behavioral Health Outpatient Treatment (PT 14), Swing-bed, Acute Hospital (PT 44).

Estimated change in annual aggregate expenditures: An estimated increase in annual aggregate expenditures for

SFY 2024: \$63,694,270
SFY 2025: \$63,694,270

The effective date of change is July 1, 2023.

- a. Public comment regarding subject matter.

3.5. Adjournment

NOTE: To use the long link to the meeting in the event there are issues with the URL shortener, please use the following complete link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OW10NGMzNTYtNDZhZi00NTA5LTIInzktNDMxNTczNjl2Y2Mz%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22cc4c7a00-e2be-4dda-a27b-3405a8271b9c%22%7d

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 will 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 Nevada Administrative Procedure Act in this process. This meeting is conducted by and with state agency staff which is not a public body for purposes of NRS 241 related to Nevada Open Meeting Law but every effort is made to be transparent in notice and information provided to encourage public awareness and participation.

This notice and agenda have been posted online at <http://dhcfnv.gov> and <http://notice.nv.gov>, as well as Carson City, Las Vegas, Elko, and Reno central offices for DHCFP. E-mail notice has been made to such individuals as have requested notice of meetings (to request notifications please contact documentcontrol@dhcfnv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701.

DHCFP, 1100 E. William St., Suite 101, Carson City, Nevada 89701
DHCFP, 1010 Ruby Vista Drive, Suite 103, Elko, Nevada 89801
DHCFP, 1210 S. Valley View, Suite 104, Las Vegas, Nevada 89102
DHCFP, 745 W. Moana Lane, Suite 200, Reno, Nevada 89509

If you require a physical copy of supporting material for the public meeting, please contact documentcontrol@dhcfnv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701. Supporting material will also be posted online as referenced above.

Note: We are pleased to make reasonable accommodations for members of the public with a disability and wish to participate. If accommodated arrangements are necessary, notify DHCFP as soon as possible in advance of the meeting, by e-mail at documentcontrol@dhcfnv.gov in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701.