

Joe Lombardo
Governor

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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,
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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: September 28, 2023
Date of Revision: October 13, 2023
Date of 2nd Revision: October 18, 2023

Date and Time of Meeting: October 31, 2023, at 9:00 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.*

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

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Audio Only: (775) 321-6111

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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. Those who wish to provide a written comment may submit their comment via mail to 1100 E. William Street, Ste. 101, Carson City, Nevada 89701 or via email to documentcontrol@dchfp.nv.gov).
2. Discussion of proposed Amendments to the State Plan for Medicaid Services and solicitation of public comments

Subject: State Plan for Medicaid Services – Dental Rate Increase

DHCFP is proposing revisions to the Nevada Medicaid State Plan, Attachment 4.19-B, Page 2c. As a result of funding appropriations allocated by Senate Bill (SB) 504 of the 2023 Legislative Session, a 5% rate increase will be implemented for Dental Services.

This State Plan Amendment (SPA) is anticipated to impact Medicaid enrolled providers delivering dental type services including but not limited to provider types (PT): Dental (PT 22) and Physician M.D. (PT 20).

Estimated change in annual aggregate expenditures: An estimated increase in annual aggregate expenditures for state fiscal year (SFY):

SFY 2023 2024:	\$2,485,081
SFY 2024 2025:	\$4,970,797

The effective date of change is January 1, 2024.

- a. Public comment regarding subject matter.

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

Subject: Home Health Services (Including Private Duty Nursing), Attachment 4.19-B, Page 2 and 2a

DHCFP intends to increase current rates by 15% for Home Health Services including Private Duty Nursing (PDN) per the legislatively approved State Budget for fiscal years (FY) 24 & 25.

This SPA is anticipated to impact all Medicaid enrolled providers delivering Home Health Services, including Private Duty Nursing (PT 29). This is an opportunity to call this regulation to the attention of providers which may be affected, even if is presumed that there will be no negative financial impact to them.

Estimated change in annual aggregate expenditures:

SFY 2024:	\$2,124,482
SFY 2025:	\$4,593,465

The effective date of change is January 1, 2024.

a. Public comment regarding subject matter.

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

Subject: Payment for Long Term Nursing Facility Services Methods and Standards

As a result of funding appropriations allocated by SB 504 and Assembly Bill (AB) 237 of the 2023 Nevada Legislative Session, the Division is proposing a SPA to implement a 24.5% increase for Nursing Facility (NF) rates. The increase applies to the weighted neutral per diem rate, the ventilator dependent add-on rate, and Pediatric Levels I and II rates. Section 4.19-D, Pages 5i and 9 of the State Plan will be updated to reflect this change.

This SPA is anticipated to impact Medicaid NFs Providers (PT 19).

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

SFY 2024:	\$18,178,876
SFY 2025:	\$43,881,757

The effective date of change is January 1, 2024.

a. Public comment regarding subject matter.

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

Subject: Personal Care Services Rate Increase with Wage Requirement

The Division intends to submit a SPA to increase the reimbursement rates for Personal Care Services (HCPCS Code T1019) by 42.37%, resulting in an hourly rate equivalent to \$25 per hour. This rate change was included in the legislatively approved DHCFP budget for FY 24-25 based on recommendations from the Nevada Home Care Employment Standards Board. This SPA also includes a new requirement that ~~at least \$16 of the total \$25 per hour rate be passed directly to the individual rendering the service~~ direct care home workers (employed and/or contracted) be paid a minimum hourly wage of \$16.00 per hour as a condition of receiving the \$25.00 per hour rate for Personal Care Services.. Section 4.19-B, Page 4 (Addendum) of the State Plan will be updated to reflect this change.

This SPA is anticipated to impact Medicaid enrolled providers delivering Personal Care Services (PT 30 and 83).

Estimated change in annual aggregate expenditures:

SFY 2024:	\$23,349,042
SFY 2025:	\$51,840,260

The effective date of change is January 1, 2024.

a. Public comment regarding subject matter.

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

A. Subject: 5% Rate Increase for Physicians

The Division is proposing an amendment to the Nevada Medicaid State Plan, Attachment 4.19-B, Pages 1c and 1c (continued). During the 2023 Nevada Legislative Session, SB 504 was passed and signed into law; this bill authorized a 5% increase for physicians, including anesthesia services rendered by a physician.

This SPA is anticipated to impact Medicaid enrolled providers providing Physician Services (PT 20).

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

SFY 2024:	\$18,692,171
SFY 2025:	\$36,994,490

The effective date of this change is January 1, 2024.

1. Public comment regarding subject matter.

B. Subject: Payments for Advanced Practice Registered Nurses and Certified Nurse Midwives in Parity with Physicians

The Division is proposing an amendment to the Nevada Medicaid State Plan Attachment 4.19-B, Pages 1d (continued) and 1e (continued). During the 2023 Nevada Legislative Session, SB 504 was passed and signed into law; this bill authorized the Division to pay advanced practice registered nurses (APRN) and certified nurse midwives in parity with physicians. Rates paid in parity will be adjusted to include both the pediatric enhancement allowable for some physician services as well as the 5% rate increase for physicians effective January 1, 2024.

This SPA is anticipated to impact Advanced Practice Registered Nurse (PT 24) and Certified Nurse Midwife (PT 74).

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

SFY 2024:	\$11,805,906
SFY 2025:	\$24,772,092

The effective date of this change is January 1, 2024.

1. Public comment regarding subject matter.

C. Subject: Payments for Physician Assistants in Parity with Physicians Under Certain Circumstances

The Division is proposing an amendment to the Nevada Medicaid State Plan Attachment 4.19-B, Pages 1d (continued) and 1e (continued). During the 2023 Nevada Legislative Session, SB 439 was passed and signed into law. Per the terms of this bill, the Nevada Medicaid State Plan must be updated to allow APRNs and physician

assistants (PAs) to be paid in parity with physicians when providing services to test for, treat, or prevent human immunodeficiency virus or hepatitis C. Please note that although APRNs are included in SB 439 under specific circumstances, full parity for APRNs was included in SB 504 of the 2023 Nevada Legislative Session; as such, this agenda item only addresses parity for PAs under the conditions described in the bill.

This SPA is anticipated to impact Physician Assistants (PT 77).

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

SFY 2024:	\$4,925
SFY 2025:	\$10,523

The effective date of this change is January 1, 2024.

1. **Public comment regarding subject matter.**

D. Subject: Changes to Types of Practitioners Permitted to Supervise a Community Health Worker

The Division is proposing an amendment to the Nevada Medicaid State Plan Attachment 4.19-B, Pages 1b, 1b(b), 1c, 1c (continued), 1d (continued), 1e (continued) and 1e (continued p1). During the 2023 Legislative Session, SB 117 was passed and signed into law. This bill allows additional types of practitioners to supervise a community health worker (CHW). Changes made to the State Plan pages mentioned above remove the CHW reimbursement methodology from being placed only under the State Plan sections for physicians and advanced practice registered/physician assistants and instead creates a distinct section for the CHW reimbursement methodology. The intent of this change is to ensure that the Division has federal authority to reimburse the services of a CHW supervised by other types of practitioners in addition to physicians, APRNs, and PAs. There are no anticipated changes to the reimbursement rates currently paid to CHWs; the fiscal impact amounts listed below reflect only the anticipated increase in the number of CHW services provided to Medicaid recipients.

This SPA is anticipated to impact Community Health Workers (PT 89).

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

SFY 2024:	\$10,323
SFY 2025:	\$21,067

The effective date of this change is January 1, 2024.

1. **Public comment regarding subject matter.**

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

Subject: FMAP changes to the Nursing Facility Supplemental Payments.

As a result of funding appropriations allocated by SB 504 the calculation of the Federal Medical Assistance Percentages (FMAP) applied to the NF Supplemental Payment will be expanded to include FMAP calculations from 42 CFR 433.10 (c). Total spent on NF days and the aid code of the members from the base quarter will be gathered

to calculate a weighted state share percentage. Section 4.19-D Page 10a of the State Plan will be updated to reflect this change.

This SPA is anticipated to impact Nursing Facilities Providers (PT 19).

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

SFY 2024:	\$4,017,086
SFY 2025:	\$8,113,739

Please note that no State General Fund Dollars are used to increase aggregate expenditures.

The effective date of change is January 1, 2024.

a. Public comment regarding subject matter.

7-8. 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_OW10NGMzNTYtNDZhZi00NTA5LTIINzktNDMxNTczNjI2Y2Mz%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 DHCFFP 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.

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DHCFFP, 1100 E. William St., Suite 101, Carson City, Nevada 89701
DHCFFP, 1010 Ruby Vista Drive, Suite 103, Elko, Nevada 89801
DHCFFP, 1210 S. Valley View, Suite 104, Las Vegas, Nevada 89102
DHCFFP, 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@dhcftp.nv.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@dncfp.nv.gov in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701.