



BRIAN SANDOVAL  
Governor

STATE OF NEVADA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**DIVISION OF HEALTH CARE FINANCING AND POLICY**

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ROMAINE GILLILAND  
*Director*  
LAURIE SQUARTSOFF  
*Administrator*

**Division of Health Care Financing and Policy**  
**Notice of meeting to solicit public comments and intent to act**  
**Upon Amendments to the Medicaid Services Manual (MSM)**

**Public Hearing June 12, 2014**  
**Minutes**

Date and Time of Meeting: June 12, 2014 at 9:15 am or at the conclusion of the State Plan Public Hearing

Name of Organization: State of Nevada, Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP)

Place of Meeting: State of Nevada Legislative Building  
401 So. Carson Street Room 2135  
Carson City, Nevada 89701

Place of Video Conference: Grant Sawyer Office Building  
555 E. Washington Avenue Suite 4406  
Las Vegas, Nevada 89101

**Attendees**

**In Carson City, NV**

Betsy Aiello, DHCFP  
Marta Stagliano, DHCFP  
Darrell Faircloth, DAG  
Lynne Foster, DHCFP  
Kathy Stoner, DHCFP  
Marti Cotè, DHCFP  
Mary Griffith, DHCFP  
Jeff Buez, Johnson and Johnson

Judy Kroshus, Pyramid Lake Tribal Health Center  
Joanna Jacob, Ferrari Public Affairs  
Shannon Sprout, DHCFP  
Coleen Lawerence, DHCFP  
Sarah Ramirez, HPES  
Jenni Bonk, DHCFP  
Carl Jeffery, Catamaran

**In Las Vegas, NV**

Dawn Bowden, Johnson and Johnson  
Shawn Tsuda MD, UNLV  
Jim Heffernan, BHO/HPN  
Sam Kaufman, Valley Hospital

Stephanie Pocchia, CCSD  
Tarsha Austin, CCSD  
Venetia Brewer, PCG  
Claire South, PCG

## In Las Vegas, NV Continued

Robin Morello, UNLV  
Jason Schwartz, Unisom-Mojave

Yvette Black, UMC  
Kim McKay, Healthy Minds LV

### **Introduction:**

Ms. Marta Stagliano, Chief of Program Integrity, Division of Health Care Financing and Policy (DHCFP), opened the Public Hearing introducing herself, Ms. Betsy Aiello, Deputy Administrator of the DHCFP and Mr. Darrell Faircloth, Senior Deputy Attorney General (DAG).

Ms. Stagliano – The notice for this public hearing was published on May 12, 2014 in accordance with the Nevada Revised Statute 422.2369.

### **1. Discussion of proposed changes to Medicaid Service Manual Chapter 2800**

Ms. Shannon Sprout:

Revisions to MSM 2800 are being proposed to reflect the requirement in 34 Code of Federal Regulations (CFR) under paragraph 300.154(d)(2)(iv) that parental consent be on file and to add a parental notification requirement as mandated by 34 CFR 300.154(d)(2)(v).

The effective date is July 1, 2014.

At the conclusion of Ms. Sprout's presentation, Ms. Stagliano asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, DAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Stagliano – Recommended the Deputy Administrator approve as submitted.

Ms. Aiello – Approved as submitted.

Ms. Stagliano – Closed the Public Hearing for the MSM Chapter 2800, School Based Child Health Services.

## **2. Discussion and Proposed changes to Medicaid Service Manual Chapter 100**

Ms. Lynne Foster:

Revisions to MSM Chapter 100 are proposed to establish definitions, safeguards, and sanctions regarding confidential information as required by 42 Code of Federal Regulations (CFR) § 431.301, the State Plan, Section 4.3, and Nevada Revised Statute (NRS) 422.290. A new section defining confidential information, regulatory references, limitations on use and disclosure, authorized uses and disclosures, penalties, and data ownership is proposed.

The effective date is July 1, 2014.

At the conclusion of Ms. Foster's presentation, Ms. Stagliano asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, DAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Stagliano – Recommended the Deputy Administrator approved as amended; Section 100.1 under item D change the word “of” to “or” and in Section 100.2 third paragraph remove the extra word “in” and approve the rest of the chapter as submitted.

Ms. Aiello – Approved as submitted with the change of the word “of” to “or” and removing the word “in” within the phrase “in the statement regarding”.

Ms. Stagliano – Closed the Public Hearing for the Medicaid Services Manual Chapter 100, Medicaid Program.

## **3. Discussion and Proposed changes to Medicaid Service Manual Chapter 600**

Ms. Marti Cotè:

Revisions to MSM Chapter 600 are being proposed to clarify language pertaining to Rural Health Clinics/ Federally Qualified Health Centers (RHCs/FQHCs) and their encounter payment policy, as well as, an updated list of medical professionals who can provide services. Language was added regarding the coverage guidelines for our Teaching Physician policy.

Throughout the chapter, grammar, punctuation, and capitalization changes were made, duplications removed, acronyms used and standardized, and language reworded for clarity. Renumbering and Rearranging of sections was necessary.

The effective date is July 1, 2014.

At the conclusion of Ms. Cotè's presentation, Ms. Stagliano asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, DAG, if they had any questions or comments.

Ms. Aiello's Comments:

- Ms. Aiello inquired if the list of providers included in an encounter was reformatted from the table or did it change the providers in the list?
- Ms. Cotè responded the list of providers was not changed but some providers were added in the chapter for clarification, such as the License Clinical Social Worker and the Registered Dental Hygienist.
- Ms. Aiello clarified that the adding to providers went into the chapter.
- Ms. Cotè agreed.

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- Mr. Shawn Tsuda MD, Chief of Bariatric Surgery for the University of Nevada, School of Medicine, Ms. Robin Morello, Bariatric coordinator for the University of Nevada School of Medicine and Ms. Yvette Black, former patient of Dr. Tsuda and Dr. Lau had comments regarding Bariatric Surgery Policy 6-07 Attachment A page 9.
  - Ms. Stagliano thanks Mr. Tsuda, Ms. Morello and Ms. Black for their comments, but unfortunately is not prepared to address those today. She requested Mr. Tsuda's contact information so staff could reach out to him.
  - Ms. Stagliano asks if there are any other comments regarding the chapter change that is being disused at this time.

Ms. Stagliano – Recommended the Deputy Administrator approved as submitted.

Ms. Aiello – Approved as submitted.

Ms. Stagliano – Closed the Public Hearing for the Medicaid Services Manual Chapter 600, Physician Services.

#### **4. Discussion and Proposed changes to Medicaid Service Manual Chapter 1200**

Ms. Mary Griffith:

Revisions to MSM Chapter 1200 were made to reflect approved actions by the Drug Use Review (DUR) Board at the July 25, 2013 meeting.

The DUR Board is a requirement of the Social Security Act to identify and reduce fraud, abuse, overuse, and medically unnecessary care. The DUR Board also works to minimize drug interactions, drug-induced illness, and undesirable drug reactions in recipients.

Prior authorization criteria was approved by the DUR Board on July 25, 2013 for the following drugs. Prior authorization criteria will be added or criteria will be revised to MSM Chapter 1200 for Eliquis® (apixaban); Pradaxa® (dabigatran etexilate); Xarelto® (rivaroxaban); Ampyra® (dalfampridine); Cymbalta® (duloxetine); Suboxone® (buprenorphine/naloxone); Subutex® (buprenorphine); Genotropin® (somatropin); Humatrope® (somatropin); Norditropin® (somatropin) Nutropin® (somatropin); Omnitrope® (somatropin); Saizen® (somatropin); Tev-Tropin® (somatropin); Serostim® (somatropin); Zorbtive® (somatropin); Cinryze® (C1 esterase inhibitor); Berinert® (C1 esterase inhibitor); Kalbitor® (ecallantide); Firazyr® (icatibant); Leukine® (sargramostim); Neulasta® (pegfilgrastim); Neupogen® (filgrastim); Subsys® (fentanyl sublingual spray); Onsolis® (fentanyl citrate buccal film); Fentora® (fentanyl citrate buccal tablet); Lazanda® (fentanyl citrate nasal spray); Abstral® (fentanyl citrate sublingual tablet); Cesamet® (nabilone); Marinol® (dronabinol); and Actiq® (fentanyl citrate transmucosal lozenge).

The length of prioritization approval for Omontys® (peginesatide) will be changed from one year to one month.

Clarifying language was added under Injectable Immunomodulators, Crohn's Disease.

Bone pain was removed under Cox-2 Inhibitors.

The effective date is July 1, 2014.

At the conclusion of Ms.Griffith presentation, Ms. Stagliano asked Ms. Aiello, Deputy Administrator, and Mr. Faircloth, DAG, if they had any questions or comments.

Ms. Aiello's Comments:

- No Comments

Mr. Faircloth's Comments:

- No Comments

Public Comments:

- No Comments

Ms. Stagliano – Recommended the Deputy Administrator approve as amended; Page 15 of the Appendix under item 1.a.1.c.2. to add a closing parenthesis.

Ms. Aiello – Approved as submitted with the one change that was discussed of the end parenthesis.

Ms. Stagliano – Closed the Public Hearing for the Medicaid Services Manual Chapter 1200, Prescribed Drugs.

**5. General Public Comments**

- No comments

**6. Adjournment**

There were no further comments and Ms. Stagliano adjourned the public hearing at 10:20 am.

*\*An Audio (CD) version of this meeting is available through the DHCFP Administration office. For more detailed information on any of the handouts, submittals, testimony and or comments please contact Rita Mackie at [rmackie@dhcfp.nv.gov](mailto:rmackie@dhcfp.nv.gov) or you may call (775) 684-3681.*