

Steve Sisolak
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.



Suzanne Bierman,
JD MPH
Administrator

November 23, 2021

Inter-Tribal Council of Nevada
Serrell Smokey, ITCN President
Tribal Chairman of Washoe Tribe
919 Highway 395 S
Gardnerville, Nevada 89410

Dear Tribal Members:

In accordance with established consultation guidelines, the Division of Health Care Financing and Policy (DHCFP) is notifying Nevada tribes of the following proposed change in policy:

The DHCFP is proposing changes to the Medicaid State Plan Attachment 2.6-A Page 4b and 2.6-A Supplement 12, related to the determination of financial eligibility. When determining the Community Spouse income allowance for individuals living in an institutionalized setting; Federal rules allow states the option of choosing to calculate the income allowance by using the applicable percentage of the official poverty level (set out in Section 1924(d)(3)(B) of the Social Security Act), a percentage greater than the applicable percentage of the official poverty level, or set at the maximum permitted by Section 1924(d)(3)(C) of the Social Security Act. The state is proposing to set the Community Spouse income allowance for individuals living in an institutionalized setting at the maximum permitted. This change will allow the Division of Welfare and Supportive Services (DWSS) to assign the Maximum Monthly Maintenance Needs Allowance to the community spouse once the institutionalized (or those considered to be institutionalized) spouse receives their personal needs allowance, without requiring a court-ordered spousal division of income. The maximum will be adjusted based on increases in the Federal Maximum each year.

There is no fiscal impact to the Tribal Government.

If you would like a consultation regarding this proposed change in policy, please contact Crystal Biselli at crystal.biselli@dhcfp.nv.gov who will schedule a meeting. We would appreciate a reply within 30 days from the date of this letter. If we do not hear from you within this time, we will consider this an indication that no consultation is requested.

Sincerely,

Jessica Kemmerer

Jessica Kemmerer
HIPAA Privacy and Civil Rights Officer, DHCFP

Cc: Antonina Capurro, DMD, Deputy Administrator, DHCFP
Sandie Ruybalid, CPM, Deputy Administrator, DHCFP
Kirsten Coulombe, Chief III, Long Term Services and Supports (LTSS), DHCFP

Ellen Frias-Wilcox, SSPS III, LTSS, DHCFP
Briza Virgen, Chief I, Medical Programs Unit, DHCFP