

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

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October 12, 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 updates to the Medicaid State Plan Attachment 3.1-D - Transportation (Page 1) based on provisions for Medicaid non-emergency medical transportation (NEMT) services added to section 1902(a)(87), Title XIX of the Social Security Act, as part of the Consolidated Appropriations Act, 2021. Revisions include the attestation that State of Nevada DHCFP assures compliance with section 1902(a)(87) of the Social Security Act. Section 1902(a)(87) requires that any provider or individual driver reimbursed for providing NEMT services meet the specified minimum requirements. These minimum requirements include the following:

1. Each provider and individual driver is not excluded from participation in any federal health care program and is not listed on the exclusion list of the Inspector General of the Department of Health and Human Services;
2. Each such individual driver has a valid driver's license;
3. Each such provider has in place a process to address any violation of a state drug law; and
4. Each such provider has in place a process to disclose to the state Medicaid program the driving history, including any traffic violations, of each such individual driver employed by such provider, including any traffic violations.

Minor revisions are also being proposed for Medicaid State Plan, Attachment 3.1-A Amount, Duration and Scope of Medical and Remedial Care and Services Provided to the Categorically Needy to rename the service, Non-Emergency Transportation (NET) to Non-Emergency Medical Transportation (NEMT).

There is no anticipated fiscal impact to the Tribal Governments.

If you would like a consultation regarding this proposed change in policy, please contact Crystal Biselli at (775) 684-3722 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,

Sandie Ruybalid, CPM

Sandie Ruybalid, CPM (Oct 11, 2021 16:19 PDT)

Sandie Ruybalid, CPM  
Deputy Administrator, DHCFP

Cc: Antonina Capurro, DMD, Acting Deputy Administrator, DHCFP  
Kirsten Coulombe, Chief, Long Term Services and Support, DHCFP  
Jackeline Obregon SSPS III, Long Term Services and Support, DHCFP  
Briza Virgen, Chief I, Medical Programs Unit, DHCFP