



**Notice of Meeting to Solicit Public Comments and Intent to Act
Upon Amendments to the State Plan for Medicaid Services**

**Public Hearing August 25, 2020
Summary**

Date and Time of Meeting: September 29, 2020 at 9:02 AM

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

Place of Meeting: WebEX

Teleconference and/or WebEx Attendees

(Note: This List May Not Include All Participants, Just Those Who Identified Themselves)

Rebecca Vernon-Ritter DHCFP	Jessica Kemmerer, DHCFP
Tiffany Lewis, DHCFP	Deborah Jordan, DHCFP
Theresa Carsten, DHCFP	Robyn Gonzalez, DHCFP
Sarah Dearborn, DHCFP	Melody Hoover, DHCFP
Kimberly Adams, DHCFP	Lori Follett, DHCFP
Sarah Lamb, DHCFP	Debra Sisco, DHCFP
Shanna Cobb-Adams, DHCFP	Jon Glover
Jeannie Timberman	Mike Willden
Barbara Scaturro	Steve Reagan
Dave Doyle	Lea Cartwright
Kelly Jepson	Sia Dalacas
Mari Nakashima	Valerie Balen
Allison Genco	Sydney Banks
JR Green	Angela Mangum
Gordon Sheets	Sarah Braze
Jennifer Bevacqua	Dwaine Sheets
Homa Woodrum, Senior Deputy Attorney General (SDAG)	

1. Introduction:

Jessica Kemmerer, HIPAA Privacy and Civil Rights Officer, DHCFP, opened the Public Hearing introducing herself, Tiffany Lewis, CPM, Administrative Services Officer IV, DHCFP, and Homa Woodrum, SDAG.

Jessica Kemmerer – The notice for this public hearing was published on August 27, 2020 and revised on September 16, 2020 in accordance with Nevada Revised Statute (NRS) 422.2369.

2. Public Comments

Les Parker was concerned about WebEx not running and wanted to know if DuAne Young was in the meeting.

Homa Woodrum stated that DuAne Young was not in this meeting, but Tiffany Lewis is filling in for him today. She also stated public comments are limited to three minutes and written comments have been received and will be part of the minutes.

Les Parker, Regional Director of Operations, advised Educare Nevada is the only impacted provider and small private Intermediate Care Facility (ICF) provider. As the only impacted stakeholder, they are disappointed to not have direct input into the methodology changes prior to including the Centers for Medicare and Medicaid (CMS), despite multiple requests. Educare Nevada requests the DHCFP to reconsider submission and reinstate the stakeholder process due to Educare not learning of the new rates until last week. They have no time to adjust the internal spending or budgeting to accommodate the changes implemented. Under these changes they would be operating at a loss. If the DHCFP moves ahead, Educare asks the changes to be postponed until January 1, 2021 as an act of good faith. and work towards a transparent policy process with the DHCFP, with changes being considered in the future. Educare hopes the DHCFP can understand the difficult position these changes cause. As of last week, Educare did not have concrete rates nor a concrete picture of what the policy changes will mean. They hope the DHCFP understands the necessity of their continued advocacy and opposition.

Jessica Kemmerer asked Tiffany Lewis if she would like to address the comments, and she had none.

Homa Woodrum stated Medicaid will address this once the agenda has been read.

Dwaine Sheets, Executive Director for Educare Community Living Corporation of Nevada, concurred with Les Parker. ICF is on the growth right now and is moving from four ICFs to six by the end of the year. They have an unbelievable amount of people looking for correct placement for individuals with disabilities and have. They opened one ICF in the last 30 days. There is a waiting list and it seems there is a shortage of appropriate level of care housing for those with developmental disabilities in the state.

This new program is the opposite of the trends that is being seen in other states. California for example, has a model that puts a program together for businesses to do a great job and thrive. Educare is asking to be at a position where they can care for individuals with disabilities and have a strong business model that can be recreated over again in the state of Nevada.

Jessica Kemmerer advised his written comment will be a part of the minutes.

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

Subject: Small/Private Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID)

Kimberly Adams said the DHCFP is proposing an amendment to the Nevada Medicaid SPA, Attachment 4.19-D, Pages 11 through 13, to update the reimbursement methodology for Small/Private ICF/IID providers. The proposed change would restructure the current reimbursement methodology. Under the proposed rate methodology, Small/Private ICF/IID providers would be paid an interim rate calculated using the provider's adjusted cost report, subject to cost settlement at 100% of the provider's allowable costs.

This SPA corrects language included in the reimbursement methodology for Public Intermediate Care Facilities in order to reflect the correct terminology used to describe Individuals with Intellectual Disabilities.

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

This proposed reimbursement methodology change will affect Small/Private ICF/IID under PT 68. "Small" facilities are defined as facilities having six beds or fewer. Terminology changes described above will potentially affect ICF/IID, PT 16 (with no associated estimated change aggregate expenditures anticipated for PT 16).

Estimated change in annual aggregate expenditures: An estimated decrease in annual aggregate expenditures for Small/Private ICF/IID (PT 68):

SFY 2020:	(\$413,022)
SFY 2021:	(\$505,906)

The effective date of change is September 1, 2020.

At the conclusion of Kimberly Adams' presentation, Jessica Kemmerer asked Tiffany Lewis and Homa Woodrum if they had any questions or comments.

Tiffany Lewis addressed that the DHCFP has been working the past few years with CMS to address some of their concerns with the state. The DHCFP has been working with private partners to make them aware of the changes and ample time has been provided to discuss recommended changes.

Homa Woodrum had no comments.

Les Parker wanted to reiterate that they are in opposition with the new mythology.

Homa Woodrum stated that his public comments have previously been noted and will be entered in this agenda item.

Jessica Kemmerer – Closed the Public Hearing for the SPA on Attachment 4.19-D, Pages 11 through 13.

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

Subject: FFS rate reductions affecting all Medicaid-enrolled providers delivering services under the following provider types:

Rebecca Vernon-Ritter stated the Fee-for-Service (FFS) rate reductions affecting all Medicaid-enrolled providers delivering services under the following provider types:

- PT 32 Ambulance, Specialty 249 Community Paramedicine
- PT 26 Psychologist
- PT 72 Nurse Anesthetist

As a result of the 31st (2020) Special Session of the Nevada Legislature, which began on July 8, 2020 and adjourned sine die on July 19, 2020, FFS rates for Nevada Medicaid providers must be reduced by 6% to address the budget shortfall as a result of the COVID-19 pandemic and subsequent economic impact.

In order to achieve the 6% rate reductions, the percentages of reimbursement based on the different ranges of CPT codes listed in the State Plan pages was reduced by 6%. For example, 4.19-B, Page 1e, Section e., Item 2: Surgical codes previously reimbursed at 59% of the Medicare facility rate will now be reimbursed at 56% of the Medicare facility rate ($0.59 \times 0.94 = 0.56$).

Calculated percentages were rounded up to the nearest whole percentage point to ensure the cuts do not exceed 6% as authorized in the Legislatively approved bill. Due to rounding, some of the percentages resulted in a less than 6% rate cut when applied to the individual codes.

An estimated decrease in annual aggregate expenditures for the PT's affected are

SFY 2021: (\$603,667)

The effective date of these rate reductions is August 15, 2020.

At the conclusion of Rebecca Vernon-Ritter's presentation, Jessica Kemmerer asked Tiffany Lewis and Homa Woodrum if they had any questions or comments, and they had none.

There were no public comments.

Jessica Kemmerer – Closed the Public Hearing for the SPA, Attachment 4.19-B, Pages 1e and 1e (continued).

4. Adjournment

There were no further comments and Jessica Kemmerer adjourned the public hearing at 9:20 AM.

****An Audio (CD) version of this meeting is available through the DHCFP Compliance office. For more detailed information on any of the handouts, submittals, testimony and or comments please contact Jenifer Graham at jenifer.graham@dncfp.nv.gov with any questions.***