

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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## NOTICE OF PUBLIC MEETING TO SOLICIT COMMENTS ON AMENDMENTS TO THE STATE PLAN FOR MEDICAID SERVICES

### REVISED AGENDA

**Date of Publication:** May 27, 2021

**Date of Revision:** June 7, 2021

**Date and Time of Meeting:** June 29, 2021 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

Space is limited at the physical location and subject to any applicable social distancing or mask wearing requirements as may be in effect at the time of the meeting for the county in which the physical meeting is held.

Please use the teleconference/Microsoft Teams options provided below. If accommodations are 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 [jenifer.graham@dhcpf.nv.gov](mailto:jenifer.graham@dhcpf.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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**YOU MAY BE UNMUTED BY THE HOST WHEN SEEKING PUBLIC COMMENT, PLEASE HANG UP AND REJOIN IF YOU ARE HAVING SIDE CONVERSATIONS DURING THE MEETING**

**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 (Because of time considerations, the period for public comment by each speaker or organization may be limited to three minutes and speakers are urged to avoid repetition of comments made by previous speakers)
2. Discussion of proposed Amendments to the State Plan for Medicaid Services and solicitation of public comments

Subject: Supplemental payment for inpatient hospitals

Attachment 4.19-A, Page 32b: DHCFP is proposing an amendment to the Nevada Medicaid State Plan that would allow the continuation of the supplemental payment program based on inpatient hospital utilization in order to preserve access to inpatient acute services through SFY 2022. This amendment will also decrease the supplemental payments from \$75,496,676.47 in SFY 2021 to \$70,660,110.92 in SFY 2022.

The following Provider Type (PT) will potentially be affected by this change: Hospital, Inpatient (PT 011)

Estimated Change in Annual Aggregate expenditures: An estimated decrease in annual aggregate expenditures for:

SFY 2022: (\$4,836,565.55)

The effective date of change is 7/1/2021.

- a. Public comment regarding subject matter.

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

Subject: Nevada Checkup Support SPA Amendment to add Behavioral Health Coverage

The Center for Medicaid and Medicare Services (CMS) released guidance related to Section 5022 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Communities and Patients Act, referred to as the SUPPORT Act. This provision expands access to services by making behavioral health coverage a mandatory benefit for Separate Children Health Insurance Programs (SCHIP). This requires states with Separate CHIPs on the actions necessary to implement the requirements of Section 5022 of the SUPPORT Act.

DHCFP is required to add a new section in the SCHIP State Plan, ~~6.2~~ 6.3-BH Behavioral Health Coverage Section 2103(c)(5). The added language provides coverage to prevent, diagnose, and treat a broad range of mental health and substance use disorders in a culturally and linguistically appropriate manner for all CHIP enrollees, including pregnant women and unborn children. Although we are required to add this language to SCHIP, State Plan currently provides all the required coverages as outlined. The scope of medical services available are described in the SSA, Section 1905(a).

Estimated change in annual aggregate expenditures: No change in annual aggregate expenditures is anticipated.

The effective date of change is June 30, 2021.

a. Public comment regarding subject matter.

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

Subject: Removal of Biofeedback and Neurotherapy services for the treatment of a mental health diagnosis.

This proposed State Plan Amendment (SPA) to Attachment 4.19-B page 3b and 3g will eliminate Biofeedback and Neurotherapy services for the treatment of a mental health diagnosis. Neurotherapy is individual psychological therapy incorporating biofeedback training combined with psychotherapy as a treatment for mental health disorders. The elimination of these services is being made as a result of the approved Division of Health Care Financing and Policy budget during the 2021 Legislative session in effort to reduce current costs to the Medicaid program and to address the Governor’s mandated budget cuts.

This proposed change affects all Medicaid-enrolled providers delivering biofeedback and neurotherapy type of services. Those provider types include, but are not limited to, Hospital, Outpatient (PT 12); Behavioral Health Outpatient Treatment (PT 14); Physician, M.D., Osteopath D.O. (PT 20); Advanced Practice Registered Nurse (PT 24); Psychologist (PT 26); Physician’s Assistant (PT 77); and Behavioral Health Rehabilitative Treatment (PT 82), and Certified Community Behavioral Health Center (PT 17 Specialty 188).

Estimated change in annual aggregate expenditures: An estimated decrease in annual aggregate expenditures for

SFY 2022:	\$ 28,024,136
SFY 2023:	\$ 28,299,314

The effective date of change is July 1, 2021.

a. Public comment regarding subject matter.

5. Adjournment

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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 may be limited to three minutes.

The DHCFP 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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This notice and agenda have been posted online at <http://dhcftp.nv.gov> and <http://notice.nv.gov>, as well as Carson City, Las Vegas, Elko, and Reno central offices for the DHCFP. Email notice has been made to such individuals as have requested notice of meetings (to request notifications please contact Savannah Taylor), or at 1100 East William Street, Suite 101, Carson City, Nevada 89701. Notice has also been posted at the following physical location(s):

DHCFP, 1100 E. William St., Suite 101, Carson City, Nevada 89701  
DHCFP, 1010 Ruby vista Drive, Suite 103, Elko, Nevada 89801  
DHCFP, 1210 S. Valley View, Suite 104, Las Vegas, Nevada 89102  
DHCFP, 745 W. Moana Lane, Suite 200, Reno, Nevada 89509

If requested in writing, a draft copy of the changes will be mailed to you. Requests and/or written comments on the proposed changes may be sent to Jenifer Graham at the Division of Health Care Financing and Policy, 1100 E. William Street, Suite 101, Carson City, Nevada 89701.

All persons that have requested in writing to receive the public hearing agendas have been duly notified by mail or e-mail.

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We are pleased to make accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements are necessary, notify the Division of Health Care Financing and Policy as soon as possible and at least ten days in advance of the meeting, by e-mail at: [jenifer.graham@dhcftp.nv.gov](mailto:jenifer.graham@dhcftp.nv.gov) in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701 or call Jenifer Graham at (775) 684-3685.

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