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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF HEALTH CARE FINANCING AND POLICY

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Suzanne Bierman,
JD MPH
Administrator

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

Public Hearing November 30, 2021 Summary

Date and Time of Meeting: November 30, 2021 at 9:01 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: DHCFP
1100 E. William Street
First Floor Conference Room
Carson City, Nevada 89701

Teleconference and/or Microsoft Teams Attendees

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

Gabe Lither, Senior Deputy Attorney General (SDAG)	Kirsten Coulombe, DHCFP
Dr. Antonina Capurro, Deputy Administrator	Kyril Plaston, DHCFP
Jessica Kemmerer, HIPAA Privacy Officer	Laurie Curfman
Abigail Bailey, DHCFP	Lisa Thompson, MD
Alex Tanchek	Loretta Cook, DHCFP
Amy Levin, MD	Lori Follett, DHCFP
Aodhan Downey	Luke Lim
Beth Slamowitz, DHCFP	Melissa Boesen
Blake Thomas	Michael Gorden, DHCFP
Blayne Osborn	Nancy Bowen
Briza Virgen, DHCFP	Nicholle Booker
Carin Hennessey, DHCFP	Nicole Figles
Dan Musgrove	Natasha Powell
David Olsen, DHCFP	Regina De Rosa
Donalda Binstock	Robin Ochsenschlager, DHCFP
Heather Lazarakis, DHCFP	Robyn Gonzalez, DHCFP
Jackeline Obregon, DHCFP	Sarah Dearborn, DHCFP
Jameca Williams	Sheila Heflin-Conour, DHCFP
Jamelle Nance	Steve Messinger, Nevada Primary Care Association
Jeanette K. Belz	Susan Galvin, MD, FAAFP
Kaelyne Day, DHCFP	Tiffani Hart
Kelly Carranza, DHCFP	Tiffany Saunders-Newey, DHCFP

Introduction:

Jessica Kemmerer, HIPAA Privacy Officer, DHCFP, opened the Public Hearing introducing herself, Dr. Antonina Capurro, Deputy Administrator of DHCFP and Gabe Lither, Senior Deputy Attorney General (SDAG).

Jessica Kemmerer – The notice for this public hearing was published on October 28, 2021 in accordance with 42 CFR 422.2369.

1. Public Comments

No comments.

2. Discussion of Amendments to the State Plan for Medicaid Services and Solicitation of Public Comments

Subject: Nevada Medicaid State Plan Attachment 3.1 D- Transportation

Kelly Carranza, Social Services Program Specialist II – Transportation, DHCFP. DHCFP is proposing updates to Medicaid State Plan Attachment 3.1-D - Transportation, based on provisions for Medicaid non-emergency medical transportation (NEMT) services added to section 1902(a)(87), Title 19 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. Based on the provisions added to Section 1902(a)(87), the Medicaid State Plan must provide for a mechanism, which may include attestation, that assures compliance with the provider and driver requirements added to section 1902(a)(87) of the Social Security Act. Kelly Carranza listed the provider and driver requirements that were added to Section 1902(a)(87), to clarify what exactly DHCFP is assuring compliance with.

These minimum provider and driver requirements include the following:

1. Each such 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.

These provider and driver requirements are for any transportation provider or individual driver, including transportation network companies, (TNC), which many know as companies like Uber or Lyft.

This proposed change affects all Medicaid-enrolled providers delivering non-emergency medical transportation (NEMT) services. Those PTs include but are not limited to: Transportation - Nevada Medicaid's NEMT Broker, MTM, Inc. (PT 35) and; Non-Emergency Secure Behavioral Health Transport (PT 35, Specialty 987).

There is no anticipated change in annual aggregate expenditures.

The effective date for these changes is December 1, 2021.

At the conclusion of Kelly Carranza's presentation, Jessica Kemmerer asked Dr. Antonina Capurro and Gabe Lither if they had any questions or comments, they had none.

Public Comments:

No comments.

3. Discussion of proposed Amendments to the Medicaid State Plan 3.1-A Amount, Duration and Scope of Medical and Remedial Care and Services Provided to the Categorically Needy (Pages 9a, 9c, 9d, 9e, 9g, 9h, 9i)

Subject: 1915(b) Waiver Renewal Application for the Pre-Ambulatory Health Plan

Kelly Carranza, Social Services Program Specialist II – Transportation, DHCFP. DHCFP is proposing minor revisions to 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) to align with how the program is referred to in our Medicaid Services Manual (MSM) policy. This revision has been made throughout attachment 3.1-A.

This proposed change affects the following provider types: Transportation - Nevada Medicaid's NEMT Broker, MTM, Inc. (PT 35). Kelly pointed out the posted agenda also lists Non-Emergency Secure Behavioral Health Transport (PT 35, Specialty 987) as an affected provider; however, this provider type was included in error and is not affected by these proposed changes.

There is no anticipated change in annual aggregate expenditures.

The effective date for these changes is December 1, 2021.

At the conclusion of Kelly Carranza's presentation, Jessica Kemmerer asked Dr. Antonina Capurro and Gabe Lither if they had any questions or comments, they had none.

Public Comments: There were none.

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

Subject: Tobacco Cessation Counseling

Michael Gorden, Social Services Manager III, DHCFP.

The Nevada State Plan Attachment 3.1 -A is being updated to reflect a change in the coverage for Tobacco Cessation Counseling.

Nevada State Plan Support SPA 6.3 Behavioral Health Coverage requires the coverage of Tobacco Cessation for all Nevada Medicaid recipients. Nevada State Plan Attachment 3.1 – A is being revised to remove language reflecting Tobacco Cessation coverage for Pregnant Women Only. A change to encounter limitations is being added to no more than 24 sessions per calendar year. No changes are being made to Tobacco Cessation products. The following PT will potentially be affected by this change: This proposed change affects all Medicaid-enrolled providers delivering Tobacco Cessation Counseling type of services. Those PTs include but are not limited to: Special Clinics (PT 17), Behavioral Health Outpatient Treatment (PT 14), Physician M.D. Osteopath D.O. (PT 20), Physician Assistant (PT 77), and Advanced Practice Registered Nurses (PT 24).

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

SFY 2022: \$17,570

SFY 2023: \$34,981

The effective date of change is November 1, 2021.

At the conclusion of Michael Gorden's presentation, Jessica Kemmerer asked Dr. Antonina Capurro and Gabe Lither if they had any questions or comments, they had none.

Public Comments: There were no comments.

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

Subject: Nevada Check Up State Plan

Michael Gorden, Social Services Manager III, DHCFP.

The Center for Medicare and Medicaid Services (CMS) requested DHCFP to update the Nevada Checkup State Plan to coincide with annual reporting. Nevada Check Up State Plan Sec 9.1 (Strategic Objectives). This section is being updated to be consistent with the annual CARTS Reporting for Nevada Check Up. Outdated objectives have been removed to include: (1) Improved application and enrollment process, (2) Improve accessibility to dental providers, and (3) Covering Kids and Family Grant. Nevada Check Up State Plan Sec 9.2 (Performance Goals). This section is being updated to be consistent with the annual CARTS Reporting for Nevada Check Up. Outdated goals related to above objectives were removed. Remaining goals updated include revised CMS HEDIS Measures.

The following PT will potentially be affected by this change: No Provider Types are affected by this update.

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

The effective date of change is December 1, 2021

At the conclusion of Michael Gorden's presentation, Jessica Kemmerer asked Dr. Antonina Capurro and Gabe Lither if they had any questions or comments, they had none.

Public Comments: There were no comments.

There were no further comments and Jessica Kemmerer closed the public hearing at 9:16 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.***