

Steve Sisolak
Governor

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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

NOTICE OF MEETING TO SOLICIT PUBLIC COMMENTS AND INTENT TO ACT UPON AMENDMENTS TO THE NEVADA MEDICAID SERVICES MANUALS (MSM)

RESCHEDULED AGENDA

Date of Publication: January 20, 2022
Date of Revision: January 20, 2022
Date of 2nd Revision: February 17, 2022
Date of Reschedule: March 2, 2022
Date of Revised Reschedule: March 3, 2022

Date and Time of Meeting: ~~March 11, 2022 from 9:00 AM to 10:00 AM~~ ~~February 22, 2022 at 9:05 AM or upon completion of the amendments to the State Plan for Medicaid Services Public Hearing immediately preceding this meeting at the same location(s)~~

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 East 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 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.*

Webinar: <https://tinyurl.com/PH022222>

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Audio Only:
Event Number:

(775) 321 6111
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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. **For possible action:** Discussion and adoption of changes to MSM Chapter 1200 – Prescribed Drugs

Revisions to the Medicaid Services Manual (MSM) Chapter 1200 – Prescribed Drugs are being proposed to reflect recommendations approved on October 26, 2021 by the Drug Utilization Review (DUR) Board. The proposed changes include the addition of Skyrizi® (risankizumab-rzaa) within the Immunomodulator Drugs clinical criteria, addition of new prior authorization criteria for Nurtec® ODT (rimegepant) for episodic migraines, addition of new prior authorization criteria for Gimoti® (metoclopramide), addition of new prior authorization criteria for Aduhelm® (aducanumab-avwa), and lastly updates to the Entresto® (sacabitril/valsartan) clinical criteria to reflect new FDA-approved age indication.

Entities Financially Affected: Providers who prescribe, dispense or administer this drug may be affected by this change, including but not limited to the following Provider Types (PTs): Outpatient Surgery (PT 10); Hospital, Inpatient (PT 11); Hospital, Outpatient (PT 12); Intermediate Care Facilities for Individuals with Intellectual Disabilities, Public (PT 16); Special Clinics (PT 17); Nursing Facility (PT 19); Physician/Osteopath (PT 20); Podiatrist (PT 21); Advanced Practice Registered Nurse (PT 24); Pharmacy (PT 28); Home Health Agency (PT 29); Ambulatory Surgical Centers, Freestanding (PT 46); Indian Health Programs and Tribal Clinics (PT 47); Indian Health Service Hospital, Inpatient (Tribal) (PT 51), Indian Health Service Hospital, Outpatient (Tribal) (PT 52); Transitional Rehabilitative Center, Outpatient (PT 55); Inpatient Rehabilitation and Long Term Acute Care (LTAC) Specialty Hospitals (PT 56); Hospice (PT 64); Hospice, Long Term Care (PT 65); Intermediate Care Facilities for Individuals with Intellectual Disabilities, Private (PT 68); Nurse Anesthetist (PT 72); Critical Access Hospital (CAH), Inpatient (PT 75); Audiologist (PT 76); Physician's Assistant (PT 77); Indian Health Service Hospital, Inpatient (Non-Tribal) (PT 78); Indian Health Service Hospital, Outpatient (Non-Tribal) (PT 79).

Financial impact on local government: No known financial impact of local government.

Effective date: February 28, 2022.

- a. Presentation of MSM Chapter 1200
- b. Public comment on proposed changes
- c. Adoption of proposed changes

- ~~3. **For possible action:** Discussion and adoption of changes to MSM Chapter 400 – Mental Health and Alcohol and Substance Abuse Services~~

~~Revisions to MSM Chapter 400—Mental Health and Alcohol and Substance Abuse Services are being proposed to ensure that crisis stabilization services provided at hospitals with a crisis stabilization center endorsement are covered and reimbursable services under Nevada Medicaid pursuant to Senate Bill 156 proposed during the 2021 legislative session. The goal of this legislation is to add a place to go as a critical element of the crisis continuum of care to support an array of crisis services critical in caring for individuals experiencing a behavioral health crisis. New proposed policy documentation includes scope of services for crisis stabilization centers, their primary objective, requirements, best practices, provider responsibilities, admission criteria and authorization process. Crisis stabilization centers best patient outcomes may include immediate care and a more positive behavioral health crisis response. Providers will be reimbursed a daily default rate and after an individual and complete fiscal year of providing services, will be allowed to complete a cost report, of which an individual rate will be calculated.~~

~~**Entities Financially Affected:** This proposed change affects all Medicaid enrolled providers delivering crisis stabilization services. Those provider types include but are not limited to: Provider Type(s) Hospital, Inpatient (PT 11), Hospital, Outpatient (PT 12) and Psychiatric Hospital, Inpatient (PT 13).~~

~~**Financial impact on government:** The estimated financial impact is anticipated to result in a savings of:~~

~~SFY 2022: (816,333)~~

~~SFY 2023: (\$12,122,807)~~

~~**Effective date:** February 23, 2022.~~

~~a. — Presentation of MSM Chapter 400—Mental Health and Alcohol and Substance Abuse Services~~

~~b. — Public comment on proposed changes~~

~~c. — Adoption of proposed changes~~

- 4.3. **For possible action:** Discussion and adoption of changes to MSM Chapter 400 – Mental Health and Substance Abuse Services. (Note: this change reverts policy in light of a withdrawn State Plan Amendment related to previous changes dated July 2021).

Revisions are being made to the Nevada Medicaid Services Manual (MSM) Chapter 400 – Mental Health and Alcohol and Substance Abuse Services to revert 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. After several months of discussion with CMS regarding the elimination of these services as a result of the approved DHCFP budget during the 2021 Legislative session, CMS determined that this elimination violated the maintenance of effort requirements (MOE) of Section 9817 of American Rescue Plan Act (ARPA) of 2021 and pursuing these eliminations now would jeopardize the state's ability to receive enhanced funding for Home and Community Based Services available under ARPA. Nevada will withdraw NV SPA 21-0009 and re-evaluate consideration of these services when the MOE requirements expire on March 4, 2024.

Entities Financially Affected: Including provider types, but 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).

Financial impact on local government: At this time, the fiscal impact is estimated to result in an approximate Federal fiscal year (FFY) share cost of:

FFY 2021: \$1,635,494
FFY 2022: \$7,699,117
FFY 2023: \$7,999,514
SFY 2022: \$28,024,136
SFY 2022: \$28,299,314

Effective date: ~~February 23, 2022~~ March 14, 2022.

- a. Presentation of MSM Chapter 400
- b. Public comment on proposed changes
- c. Adoption of proposed changes

5-4. For possible action: Discussion and adoption of changes to MSM Chapter 2900 – Federally Qualified Health Centers.

Revisions to MSM Chapter 2900 are being proposed to add a new reimbursable provider, Community Health Workers (CHWs), under the encounter.

Entities Financially Affected: Community Health Worker (PT 89); and Federally Qualified Health Centers(PT 17/181).

Financial impact on local government: An estimated decrease in annual aggregate expenditures for CHW services:

SFY 2022: (\$199,486)
SFY 2023: (\$839,241)

Effective date: February 23, 2022 pending CMS approval.

- a. Presentation of MSM Chapter 2900
- b. Public comment on proposed changes
- c. Adoption of proposed changes

5. Adjournment

NOTE: To use the long link to the meeting in the event there are issues with the URL shortener, please use the following complete link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDA5NTJjZGZtZDVlZS00TE2LTg5OWUtODcxMTIxMmlwZmY3%40thread.v2/0?context=%7b%22Ti d%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22cc4c7a00-e2be-4dda-a27b-3405a8271b9c%22%7d

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.

DHCFP is exempt from Chapter 233B according to NRS 233B.039 related to the above activity 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. This notice and agenda have been posted online at <http://dhcfp.nv.gov> and <http://notice.nv.gov>, as well as Carson City, Las Vegas, Elko, and Reno central offices for DHCFP. E-mail notice has been made to such individuals as have requested notice of meetings (to request notifications please contact jenifer.graham@dhcfp.nv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701.

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 you require a physical copy of supporting material for the public meeting, please contact jenifer.graham@dhcfp.nv.gov, or at 1100 East William Street, Suite 101, Carson City, Nevada 89701. Supporting material will also be posted online as referenced above.

Note: We are pleased to make reasonable accommodations for members of the public with a disability and wish to participate. If accommodated arrangements are necessary, notify DHCFP as soon as possible, by e-mail at jenifer.graham@dhcfp.nv.gov in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701.