

Joe Lombardo
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.



Stacie Weeks,
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NOTICE OF MEETING TO SOLICIT PUBLIC COMMENTS AND INTENT TO ACT UPON AMENDMENTS TO THE NEVADA MEDICAID SERVICES MANUAL (MSM)

REVISED AGENDA

Date of Publication:

November 22, 2023

Date of Revision

December 19, 2023

Date and Time of Meeting:

December 26, 2023, at 10:05 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
Second Floor Conference Room
Carson City, Nevada 89701

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 documentcontrol@dhcftp.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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HAVING SIDE CONVERSATIONS DURING THE MEETING OR THOSE MAY BE HEARD BY OTHERS AND RECORDED**

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your participation in this meeting.**

AGENDA

1. General Public Comments (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. To provide public comment telephonically, you may join the meeting by dialing (775) 321-6111 and when prompted to provide the Meeting ID, enter 934 453 822#. You may then press *5 to raise your hand during the public comment periods to provide your comment. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments).

2. **For possible action:** Discussion and adoption of changes to MSM Chapter 200 – Hospital Services

Revisions to MSM Chapter 200 are being proposed to add language regarding Emergency Rural Hospitals.

Entities Financially Affected: No entities are financially affected.

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

Effective date: ~~December 27, 2023~~ January 1, 2024.

- a. Presentation of MSM Chapter 206.1
- b. Public comment on proposed changes
- c. Adoption of proposed changes

3. **For possible action:** Discussion and adoption of changes to MSM Chapter 1200 – Prescribed Drugs

Revisions to MSM Chapter 1200 are being proposed to reflect recommendations approved on July 27, 2023, by the Drug Utilization Review (DUR) Board Meeting. The addition of Remicade® biosimilars Avolsa® (infliximab-axxq) and Ixifi® (infliximab-dyyb) and update Inflectra® infliximab) to Inflectra® infliximab-qbtx) and Renflexis® (infliximab) to Renflexis® (infliximab-abda) under Immunomodulator Drugs. The addition of Myfembree® under Gonadotropin Releasing Hormone Receptor (GnRH) Antagonist and Combinations). Also added were Strensiq® (asfotase alfa) for therapeutic class “Hypophosphatasia (HPP) Agents” and Tzield® (teplizumab-mzww) for therapeutic class “Disease Modifying Agents for Type 1 Diabetes.”

Entities Financially Affected: No entities are financially affected.

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

Effective date: January 2, 2024.

- a. Presentation of MSM Chapter 1200
 - b. Public comment on proposed changes
 - c. Adoption of proposed changes
4. **For possible action:** Discussion and adoption of changes to MSM Chapter 1800 – Home and Community Based State Plan Option Adult Day Health Care and Habilitation Service

Revisions to MSM Chapter 1800 – 1915(i) Home and Community Based State Plan Option Adult Day Health Care and Habilitation Services are being proposed to add references regarding the Home and Community Based Services (HCBS) Final Regulation to the Authority and Provider Responsibility section. Other major changes include deletion of the provider Service Plan (SP), additional staffing and training requirements for Day Habilitation and Residential Habilitation Services, and updates to Denial and Termination reasons.

Entities Financially Affected: Adult Day Health Care provider type (PT 39) and Day and Residential Habilitation Services (PT 55).

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

Effective date: January 01, 2024.

- a. Presentation of MSM Chapter 1800
 - b. Public comment on proposed changes
 - c. Adoption of proposed changes
5. **For possible action:** Discussion and adoption of changes to MSM Chapters 900, 1400, 2200, 2300, 2600, and 3500 related to the 21st Century Cures Act mandatory implementation of an Electronic Visit Verification (EVV) system.

To assure compliance with the 21st Century Cures Act and the implementation of an EVV system, DHCFP is proposing to add EVV requirements to MSM Chapters 900 - Private Duty Nursing and 1400 – Home Health Agency. Updates to the EVV language are also being proposed to MSM Chapter 2200 – Home and Community Based Services (HCBS) Waiver for the Frail Elderly (FE), Chapter 2300 – HCBS Waiver for Persons with Physical Disabilities (PD), Chapter 2600 - Intermediary Service Organization (ISO) and Chapter 3500 - Personal Care Services (PCS) Program.

Entities Financially Affected: These proposed changes affect all Medicaid-enrolled providers delivering Personal Care services, certain Waiver services, and Home Health and Private Duty Nursing services. Those PTs include Home Health and Private Duty Nursing (PT 29), Personal Care Services (PT 30), FE Waiver (PT 48 Specialty Codes: 039-Homemaker, 191-Respite, 199-Chore Services, 208-Adult Companion Service), PD Waiver (PT 58 Specialty Codes: 039-Homemaker, 189-Attendant services, 191-Respite Care, 199-Chore) and ISO (PT 83). This is an opportunity to call this regulation to the attention of providers which may be affected, even if we presume that there will be no financial impact.

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

Effective date: January 1, 2024.

- a. Presentation of MSM Chapter 900, 1400, 2200, 2300, 2600, 3500.

- b. Public comment on proposed changes
 - c. Adoption of proposed changes
6. **For possible action:** Discussion and adoption of Addendum B outlining the authority, scope, and system requirements of an Electronic Visit Verification (EVV).

The DHCFP is proposing adding MSM Addendum B which outlines the authority, scope, and system requirements regarding the implementation of an Electronic Visit Verification (EVV) system to ensure compliance with the 21st Century Cures Act. Additionally, the Addendum B details provider and recipient responsibilities in regard to utilization of an EVV system.

Entities Financially Affected: These proposed changes affect all Medicaid-enrolled providers delivering Personal Care services, certain Waiver services, and Home Health and Private Duty Nursing services. Those provider PTs include Home Health and Private Duty Nursing (PT 29), Personal Care Services (PT 30), FE Waiver (PT 48 Specialty Codes: 39-Homemaker, 191-Respite, 199-Chore Services, 208-Adult Companion Service), PD Waiver (PT 58 Specialty Codes: 039-Homemaker, 189-Attendant services, 191-Respite Care, 199-Chore) and ISO (PT 83). This is an opportunity to call this regulation to the attention of providers which may be affected, even if we presume that there will be no financial impact.

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

Effective date: January 1, 2024.

- a. Presentation of Addendum B.
 - b. Public Comment on proposed changes
 - c. Adoption of proposed changes
7. **For possible action:** Discussion and adoption of changes to MSM Chapter 1000– Dental

Revisions to MSM Chapter 1000 - Dental are being proposed to add language for a new specialty type of dental hygienist that has limited prescribing rights, pursuant to the passage of Nevada Senate Bill (SB) 310 during the 82nd 2023 Legislative Session.

Entities Financially Affected: This proposed change affects all Medicaid-enrolled providers delivering dental hygienist services. Those provider types (PT) include but are not limited to Dental Hygienist under Dentists (PT 22).

Financial impact on local government: Unknown at this time.

Effective date: January 1, 2024.

- a. Presentation of MSM Chapter 1000- Dental
 - b. Public comment on proposed changes
 - c. Adoption of proposed changes
8. **For possible action:** Discussion and adoption of changes to MSM Chapter 1100 – Ocular Services

Revisions to MSM Chapter 1100 are being proposed to remove language regarding polycarbonate lenses.

Entities Financially Affected: None.

Financial impact on local government: No financial impact.

Effective date: ~~12/27/2023~~ January 1, 2024.

- a. Presentation of MSM Chapter 1100 – Ocular Services
- b. Public comment on proposed changes
- c. Adoption of proposed changes

9. 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_OWIONGMzNTYtNDZhZi00NTA5LTIINzktNDMxNTczNjl2Y2Mz%40thread.v2/0?context=%7b%22Tid%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 will 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.

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 documentcontrol@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

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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 in advance of the meeting, by e-mail at documentcontrol@dhcfp.nv.gov in writing, at 1100 East William Street, Suite 101, Carson City, Nevada 89701.