

Meeting Minutes

ND HHS Tribal Consultation

June 27, 2024

8:30-10:30am CT

Topic and Speaker	Meeting Notes
Smudge Welcome & Introductions	
Public Health Division Updates Krissie Guerard <i>Community Engagement Director</i>	<ul style="list-style-type: none"> • Systems and Performance are merging with the Community Engagement Unit <ul style="list-style-type: none"> ○ This will increase alignment with tribal health liaisons and programs ○ Sonya Abe now supervises the other Tribal Health Liaisons • A multi-partner health collaborative has been initiated with the Foundation for a Healthy North Dakota <ul style="list-style-type: none"> ○ Steering committee is being selected ○ Recruiting in September for group goals
Indian Affairs Updates Anthony Bauer <i>Deputy Director, Indian Affairs</i>	<ul style="list-style-type: none"> • Continuing to work to create more tribal liaison positions within all state programs. • Assisting with UND Repatriation of tribal artifacts <ul style="list-style-type: none"> ○ Seeking funding for state to address artifacts to be returned • Working with workforce to identify major barriers in Tribal areas <ul style="list-style-type: none"> ○ Working with Job Service ○ Seeking \$6 million to assist in workforce efforts to get students working ○ Exploring offering CTE programs in tribal high schools • Second round of funding will take place for building the White Stone monument • Hall of Fame recipients currently being selected. Areas represented include leadership, sports, medical, etc. • Seeking to add a communications specialist within Indian Affairs • Collaboration for data sharing and CO2 capturing
State Plan Amendment (SPA) & Waiver updates	
<ul style="list-style-type: none"> • Upcoming SPAs 	<ul style="list-style-type: none"> • April 24, 2024 Tribal Consultation Letter <ul style="list-style-type: none"> ○ Changes were submitted and go into effect July 1, 2024
<ul style="list-style-type: none"> • Current SPAs Melissa Klocke-Joyce, 1915(i) Administrator	<ul style="list-style-type: none"> • A 1915(i) State Plan Amendment was submitted to clarify that a conflict of interest exemption may be applied if a provider is the only willing and qualified provider “in the county where the member resides”.

<ul style="list-style-type: none"> ○ 1915(i) State Plan Amendment 	<ul style="list-style-type: none"> ○ The conflict-free care coordination rules must be followed to ensure that if a provider is seeking to offer both care coordination and services, there is documentation that the provider is the “only willing and qualified” provider to do so. ○ There are currently two exemptions granted in ND. One involves identified healthcare shortage areas and one is a cultural exemption for common language or cultural background. ○ Exemption requests are handled on a case-by-case basis, where the Care Coordination provider must submit documentation verifying there are no other willing and qualified provider options in the person’s county of residence who can meet their cultural or language needs. ○ A list of providers can be found here. ○ Providers must rely on the provider list to see if there are other providers who may be “willing and qualified” to serve the member and must document referral denials to show they are the only willing and qualified member prior to serving the member as both care coordinator and service provider (those functions must still be separated within the provider group). ○ any other area providers must deny, then organization providing care coordination can be authorized to providing the services. ○ Expect a two-day turnaround for referral response, if nothing received, can document this as a denial. See Conflict of Interest Procedure Guide for more information. ● The other modification includes the removal of the qualifying diagnosis list. Qualifying diagnoses will be maintained in policy guidance rather than the state plan. This will make the process of adding diagnosis easier.
<ul style="list-style-type: none"> ● Waivers Nancy Nikolas Maier, <i>Adults & Aging Services Director</i> ○ Home and Community Based Services (HCBS) 	<ul style="list-style-type: none"> ● Plan to submit a waiver amendment with an effective date no later than January 1, 2025 ○ Public Comment Period TBD but no later than September 1, 2024 ○ Update waiver to allow some case management duties to be administratively claimed to receive federal Medicaid match. ○ Change allowable tasks for case management services in the waiver and broaden the provider qualifications to increase access and promote health equity. ○ Update allowable tasks under extended personal-care to include providing a ride and an escort to medical appointments because of communication or other impairments. ○ Change rate methodology for agency nurse education, adult day care, emergency response system (ERS) from rates based on cost to a set fee for service rate ○ Administrative language clean up regarding the nursing facility level of care assessment duties.

	<ul style="list-style-type: none"> ○ Developing language with Tribal experts for culturally competent services and submitting amendment. Meetings are held the 2nd Wednesday of every month with tribal partners. Email Monique Runnels for meeting invite.
<p>Monique Runnels, Tribal <i>Medicaid Liaison</i></p> <ul style="list-style-type: none"> ○ Autism ○ Medically Fragile ○ Children’s Hospice 	<p>Reviewed the children’s waivers and new approvals for the Autism (ASD) Waiver, Medically Fragile waiver (MFW) and Children’s Hospice waiver.</p> <ul style="list-style-type: none"> ● Nothing pending, no updates
<p>Monique Runnels, <i>ND Medicaid Tribal Liaison</i></p> <ul style="list-style-type: none"> ○ Traditional Individuals with Intellectual Disabilities and Developmental Disabilities (IID/DD) HCBS 	<ul style="list-style-type: none"> ● Reviewed the Traditional Individuals with Intellectual Disabilities and Developmental Disabilities (IID/DD) HCBS waiver. ● Nothing pending, no updates
<p>Tribal Consultation</p>	
<p>1915(i): Tribes shares concerns with the conflict of interest exemptions as they apply to tribes. Those questions were answered and shared in the bulleted list in that section. Medical Services continue to work on this issue with CMS and will continue to provide information and guidance.</p> <p>Waivers: Tribal partners suggested adding how to enroll and the eligibility process for the waivers. This was added to our Tribal Medicaid 101 Presentation. A request was made to have questions on eligibility applications that could screen people for waiver eligibility. This suggestion was taken back to Medical Services.</p>	
<p>Unwinding & Policy Updates</p>	
<p>Krista Fremming, Assistant Medicaid Director</p> <ul style="list-style-type: none"> ○ Unwinding of ND Medicaid continuous enrollment 	<ul style="list-style-type: none"> ● North Dakota Timeline for Unwinding <ul style="list-style-type: none"> ○ March 31, 2023 end of Continuous Eligibility ○ April 2023 initiate first unwinding renewals ○ March 2024 last month for ND to initiate unwinding activities ○ April 2024 Last month to complete all unwinding related renewals. ● We have completed 133,761 reviews since April 2023. ● The Medicaid Renewals Dashboard allows you to see monthly progress and review status. <ul style="list-style-type: none"> ○ Over 60% of people remain enrolled in ND Medicaid.

	<ul style="list-style-type: none"> ○ Primary reasons for not retaining coverage are individuals no longer meeting eligibility requirements and not returning renewal paperwork. ○ You can see how many reviews were completed by those who identified as American Indian. ○ You can view our other dashboards here. ● There are several new strategies we adopted during the unwinding process and plan to continue: <ul style="list-style-type: none"> ○ Partner with managed care plans and PACE organizations to update member contact information ○ Allow managed care plans to assist their members in completing the Medicaid renewal process ○ Use updated address information from the USPS National Change of Address database and USPS returned mail without additional confirmation from the member ○ Renew Medicaid eligibility based on findings from SNAP ○ Text/email members to remind them that we need additional info for their renewal ○ Tribes should email Krista for reports with tribal members due for renewals.
<p>Mandy Dendy, <i>Coverage Policy Director</i></p> <ul style="list-style-type: none"> ○ Policy Updates 	<ul style="list-style-type: none"> ● SUD policy will be updated 7/1/24 to clarify that ASAM 3.1 which must be delivered concurrently with ASAM 2.5 or 2.1 qualifies for only one SUD encounter billing. ● Preventive Services and Chronic Disease Management policy update 7/1/24 clarifies that SBIRT is a service included in the encounter rate. ● Invite to suggest changes. Please contact Mandy Dendy, Policy Director, at mrdendy@nd.gov to request a Microsoft Word version of the policy to suggest changes. We are exploring on how to better get review/input of our policies and finding success in this process. ● Seeking interest in policy/ad hoc committee for policy change. Please reach out to Wendy Schmidt, Policy Analyst, schmidtwendy@nd.gov if interested.

<p>Joyce Johnson, Eligibility Policy Director</p> <ul style="list-style-type: none"> ○ Eligibility Rule Finalization Upcoming changes 	<ul style="list-style-type: none"> ● Effective Date: June 3, 2024 ● The final rule intends to: <ul style="list-style-type: none"> ○ Simplify the process for eligible people to enroll in Medicaid coverage and keep their coverage ○ Remove unnecessary barriers to enrollment ○ Simplifies the eligibility process ○ Streamline the information that applicants must submit to verify income and assets ● We are still reviewing this review which will result in several changes. We will continue to provide information in future meetings. ● A high-level overview of requirements shows many changes with varying compliance dates. Changes include: <ul style="list-style-type: none"> ○ Time frames within an eligibility reconsideration period ○ using electronic verification and systems to get information ○ and eliminating the requirement to apply for other benefits at the time of application.
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Q&A Session

Questions were asked about data capturing data dashboards gathering ethnicity. See page 3 here. Tribes shared concerns about assisting members with applications. An SSP training will be held to help address this issue. Krista Fremming will follow up on how to get members back into the portal if they are locked out. Tribes raised concerns for counting tribal income in relation to applying for Medicaid. Medical Services has identified this as an area for policy update and will continue to work with the tribes.

<p>Wendy Schmidt, <i>Policy Analyst</i></p> <ul style="list-style-type: none"> ○ Meet Wendy 	<ul style="list-style-type: none"> ● Introduction <ul style="list-style-type: none"> ○ Worked in healthcare for 20 years ○ Most recent work on CHW legislation and task force. ● Wendy's current work includes: <ul style="list-style-type: none"> ○ Quarterly provider policy updates, edits, changes ○ New policy creation ○ Provider Ad hoc committees ○ Assisting with evaluating new/changed service coverage (SFN 905s)
<p>Tribal Liaison Report Out Items Monique Runnels, <i>Tribal Medicaid Liaison</i></p>	<ul style="list-style-type: none"> ● Care Coordination Update <ul style="list-style-type: none"> ○ Medical Services met with representatives from ND Hospitals to discuss Tribal Care Coordination.

- Sanford representative shared background information and their process for identifying claims and tribal care coordination.
- CHI, Altru, and Essentia representatives shared interest and contacts were shared with tribal and IHS partners.
- Barrier identified by at least one representative: “nothing in it for the provider.”
- IHS wants to ensure full support of both Direct Service Tribes, before proceeding with signing any more CCAs in North Dakota.
- Medicaid Expansion follow-Up
 - Meeting held in June to discuss expansion concerns and possible partnership with ARKOS. All questions were answered within 1 week.
- Tribal Medicaid 101 Presentation
 - [Presentation](#) was finalized and published.
 - Please review the presentation and [email](#) any additions or changes you would like us to make.
- Data Dashboard
 - Added denial reasons and submission methods to the dashboard
 - Suggested other changes to make the dashboard more user-friendly
 - No other updates at this time
- Eligibility Questions & Health Coverage Day takeaways
 - Earned rights benefit requirement will end by June 2025 as part of the final rule
 - When addressing member Medicaid issues please use this [list of phone numbers](#). Should you be unable to resolve the issue, send a [detailed encrypted email](#) with pertinent information to assist in our inquiry.
 - ND Medicaid is updating policies and providing additional training to address tribal specific eligibility issues.
 - A report on the Self Service Portal (SSP) testing was completed. The report identified pain-points and suggestions to resolve them. A team is working to address the suggestions.
 - MHA Health Coverage Day had good participation from agencies and organizations. More community involvement is needed to make a bigger impact. Please [email](#) us with more opportunities to engage your communities.
- Transportation (NEMT) Policy recently update
 - Expanded who can be a NEMT provider
 - Simplified process for enrolling as an individual provider
 - Tribal offices do not need a prior authorization for instate NEMT.
 - New [fee schedule](#) posted 7/1/2024

Q&A Session

Follow Up Items: Monique to set up meeting with Standing Rock to follow up on Tribal Care Coordination.

Tribes found the Medicaid Expansion meeting helpful. Monique will set meetings up quarterly to address expansion questions and concerns.

Tribes expressed interest in receiving training regarding the Self Service Portal and assisting members with applications as trusted partners and authorized representatives. We will set this training up prior to next consultation.

The offer was made to have an informational meeting to discuss NEMT. Tribes would like this. Monique will work with Medical Service staff and the tribes to set this up.

Traditional Healing 1115 Waiver

Monique Runnels, *Tribal Medicaid Liaison*

- Background information for a potential Traditional Healing 1115 Waiver was provided.
 - [All Tribes Consultation Webinar on Medicaid Coverage of Traditional Health Care Practices](#)
 - CMS is working on a proposed framework with the 4 states who have submitted [traditional healing waivers](#).
 - CMS expects a multi-state approval and framework for a traditional healing waiver by the end of 2024
- We will [meet virtually](#) on July 15, 2024, from 3-4:30 pm to discuss the areas below.
 - Traditional Healing Services
 - What services are you currently providing in this area? And/or
 - What services would you like to provide in this area?
 - Unmet Needs
 - What need/needs are we addressing?
 - Explain how these services differ from what is currently billable under Medicaid?
 - Qualifications for service providers
 - Who within each agency would determine who is a qualified provider and their scope of practice?
 - Do you have any thoughts on a standard process for this?
 - Requirements for service delivery
 - How do we envision these services being delivered?
 - Will there be a care plan?
 - How often would those care plans be updated?
 - Expected service utilization
 - How often and in what frequency would you expect someone to get these services? Monthly, weekly, etc.

- Efficacy/expected outcomes
 - How would covering traditional healing practices improve the health and wellness of tribal members?
 - What is the expected value (or outcome) of these services?
 - How would you like to measure efficacy?
- Billing for Services
 - How do you propose these services would be billed, as fee-for-service, or as eligible for an encounter rate separate from the other types of eligible encounters
- Deciding Next Steps
 - Is this something the tribes want to pursue?
 - How would you propose putting together a plan for a waiver proposal if we pursue this?

Tribal Consultation

The tribes do want to begin the process of discussing the potential for a Traditional Healing 1115 Waiver. Tribes want to have a meeting in between consultations to allow for more time to go into more depth with these discussions. Monique Runnels, ND Tribal Medicaid Liaison will set the meeting up and send out the notice.

Upcoming Engagement Opportunities to help draft policies.

[CHW Task Force Meetings](#)

- July 15, 1-2:30 p.m. CT via Zoom
- August 19, 1-2:30 p.m. CT via Zoom
- September 16, 1-2:30 p.m. CT via Zoom

[Medicaid Medical Advisory Committee \(MMAC\)](#)

- Tuesday, Aug. 20 - 3 to 5 p.m. CT - Virtually via Microsoft Teams
- Want to assist in reviewing the Access Rule requirements and MMAC Charter? Mandy Dendy is looking for volunteers to meet throughout the summer. Please [email](#) if you are interested.

[Engaging Native American Community for Public Input- Home and Community Based Services \(HCBS\)](#)

- 2nd Wednesday of every month
- Contact [Monique Runnels](#) for the meeting link.

Date Posted: 7/10/2024

Date Revised: