

This document is archived and is maintained for historical, research or recordkeeping purposes only.

# Meeting Minutes

## Medicaid Medical Advisory Committee Meeting (MMAC)

November 14, 2023, 3-5pm CT

Meeting began at 3:02pm.

Members in attendance: Matuor Alier, Shannon Bacon, Brenda Bergsrud, Melissa Bingham, Tim Blasl, Dr. Joan Connell, Donene Feist, Trina Gress, Amy Hornbacher, Courtney Koebele, Beth Larson Steckler, Senator Judy Lee, Senator Tim Mathern, Brad Peterson, Jacob Sutton, Dr. Nizar Wehbi, Bobbie Will.

MMAC welcomed new members:

- Shannon Bacon representing the Community Healthcare Association of the Dakotas (CHAD)
- Brad Peterson, Legal Director, representing the Protection and Advocacy Project (P&A)
- Jacob Sutton, Director of Health and Wellness, United Tribes Technical College (UTTC)

### Follow-up Items

- Update on [CMS MAC Proposed rule change](#) – was open for public comment until 7.3.23. Waiting to hear whether rule will be modified and/or approved
- [MMAC website](#) update - MMAC Charter update has been finalized and posted on MMAC website along with more information on MMAC and how to apply for membership.

### New MMAC Member Onboarding and Regular Surveys

- Assign MMAC member terms under updated Charter – not all MMAC members completed the survey. Members will be sorted into categories of representation per the MMAC Charter so members can see the distribution of current members and whether they are providers, legislators, members, etc. Another survey will be sent out asking members if they'd like to volunteer to take a 1-year, 2-year, or 3-year term keeping in mind the need to have diverse perspectives represented within the MMAC. Members discussed certain areas of healthcare/members not represented within the MMAC such as foster care and dental.
- MMAC onboarding materials and exit survey workgroup - came up with a list of items for MMAC onboarding. These include:
  - Reviewing the MMAC Charter
  - Reviewing the most recent year of MMAC meeting materials

- Reviewing the Medicaid Provider (last four) and Member newsletters (last two)
- Meeting with the MMAC facilitator

MMAC members discussed and rejected an additional proposal for new members to visit with a person on Medicaid and a health care provider who works with Medicaid members. The suggestion was rejected due to the burden it could put on a potential Medicaid beneficiary to be sought out for their lived experience and not reimbursed for their time in addition to a beneficiary member having to schedule unpaid time with a Medicaid provider to visit with them.

- MMAC members approved doing the following survey questions twice a year to commence in early 2024.

## Annual member survey

### Proposed Questions

How would you rate the overall effectiveness of MMAC meetings?	Scale 1-5 with 1 being very ineffective and 5 being very effective.
What aspects of our meetings are effective?	List of answers (can choose more than 1): Online format, clear agenda, detailed minutes, active participation, education topics, meeting facilitation, subcommittees/working committees, other.
What aspects of our meetings could be improved? How would you suggest to improve them?	List of answers (can choose more than 1): Online meeting format, meeting length, active participation, agendas, minutes, education topics, meeting facilitation, subcommittees/working committees, other.
Do you participate in MMAC subcommittees or workgroups?	Yes or no answer. If not, what barriers prevent you from participating? List of answers (can choose more than 1): lack of time, lack of expertise, lack of interest, unclear objective, unclear time commitment, other.
What recommendations do you have for improving the overall effectiveness of the MMAC?	Free text answer.

### 2024 Meeting Schedule

- Survey results were shared showing 11 responses with 10 indicating that the current time and date of the 3<sup>rd</sup> Tuesday of the month from 3-5pm was preferred. One respondent indicated a barrier in attending meetings at that time of day and indicated a preference for a different meeting time.
- Members discussed the possibility of changing the meeting time and decided to keep the 3<sup>rd</sup> Tuesday of the month on a quarterly basis with the 2024 meetings to be held from 3-5pm CT virtually on:
  - February 20<sup>th</sup>, May 21<sup>st</sup>, August 20<sup>th</sup>, and November 19<sup>th</sup>.
  - Mandy will send Microsoft Teams meeting invites to MMAC members.
- Members discussed and rejected the option of an in-person meeting due to scheduling and travel complications which may affect attendance. Members expressed that the virtual format works well and no desire to change at this time.

### Medical Services Division Updates

**Unwinding of ND Medicaid continuous enrollment Update.** Continuous enrollment ended March 31, 2023. Renewals began April 1<sup>st</sup> – Krista Fremming, *Assistant Medicaid Director*

- [Medicaid Renewals Dashboard](#)
- We are now over halfway through the unwinding initiations and determinations.
- 132,722 individuals are up for Medicaid renewals. 71,228 have been completed as of October 31<sup>st</sup>. 358 are pending and 61,136 are upcoming.
- Members who have not been renewed for Medicaid may have become eligible for healthcare coverage through an employer or eligible to receive coverage through the Marketplace.
- North Dakota has taken advantage of nine flexibilities that the Centers for Medicare and Medicaid (CMS) have offered states to assist with renewals. We are using texts and emails to contact members about renewals, as well as website updates & FAQs, radio ads (including tribal radio), a digital media campaign and social media.

**End of the Primary Care Case Management Program (PCCM) on December 31, 2023 –** What this means for Providers and Members – Jane Stokke, *PCCM Administrator*

- [PCCM Program webpage](#)
- What this means for Providers – you will no longer need to write referrals for specialists or diagnostic tests under Medicaid. The \$2/member/month payments for being a primary care provider (PCP) under the PCCM program will stop effective 12/31/23.
- What this means for Members – you will not lose your coverage. You will be automatically enrolled in Medicaid’s traditional benefit plan called Fee-for-Service (FFS) effective January 1, 2024. You will be able to see any enrolled Medicaid provider without a referral from a primary care provider. You may still need an order to see certain provider types. These changes do not impact policies for out-of-state services.
- Letters regarding these changes were sent out to providers on 10/16/23 and members on 11/13/23. There have been articles in the Medicaid Provider and Member newsletters as well.
- ND Medicaid will still maintain a list of PCPs on its website. Members without internet access may receive assistance by calling ND Medicaid and for help finding PCPs for youth the Health Tracks Member Outreach team can assist by phone.

### **State Plan Amendments**

- We will be pursuing a state plan amendment in the future for coverage of community emergency paramedics.

**1915(i) State Plan Amendment (SPA)** – Melissa Klocke-Joyce, *1915(i) Administrator*

- The 1915(i) State Plan option provides home and community-based services (HCBS) for people with behavioral health conditions. These services are available to people of all ages with a behavioral health diagnosis who are enrolled in traditional Medicaid or Expansion.
- 1915(i) eligibility requirements currently require a score of 25+ on the WHODAS assessment and the individual to have income less than 150% of the federal poverty level (FPL).
- There are twelve different supports and services offered, including care coordination.
- A SPA is submitted to CMS requesting addition of another needs-based assessment that can be used instead of the WHODAS. The additional assessment is the Daily Living Assessment (DLA) and it is proposed to require a score of 5 or lower. Data estimates indicate 730 individuals will qualify for the 1915(i) with a DLA score of 5 or lower.

- The SPA also contains revisions to provider qualifications for various services and revisions to eligibility requirements in an effort to serve more Medicaid members, and removal of remote and annual service limits, among other changes aimed at enhancing utilization and provision of these services.

**Waiver Updates – [ND current Medicaid 1915\(c\) HCBS Waivers page](#)**

- **Home and Community Based Services (HCBS) Waiver – Nancy Nikolas Maier**  
*Aging & Aging Services Director*
  - The purpose of the pending amendment to this waiver is to implement changes in services and programming approved during the 2023 legislative session and update language changes related to internal processes.
  - The amendment would implement the new service of Waiver Personal Care, update the rate methodology for Family Personal Care to comply with the Fair Labor Standards Act (FLSA), update rate methodology for Adult Foster Care, and add retainer payments for Residential Habilitation and Community Support. The amendment would also update internal processes related to the state’s unwinding activities, a result of the COVID-19, public health emergency (PHE), allow for use of electronic signatures and visits by virtual means for the services of Case Management and Extended Personal Care, update language under Homemaker services and Home Delivered Meals, and update reference of the Department of Human Services (DHS) to the Department of Health and Human Services (DHHS).
- **Traditional Individual with Intellectual Disabilities and Developmental Disabilities (IID/DD) HCBS Waiver – Tina Bay, *Developmental Disability Director***
  - Public comment for the renewal closed on October 19<sup>th</sup>. Based on feedback received, there were changes made to the draft waiver. These changes include increasing the equipment and supply annual amount from \$4,000-5,000 and expanding the settings where eligible individuals can receive environmental modifications.
  - The waiver will be submitted to CMS on November 15<sup>th</sup> and CMS will have 90 days to review it. The current waiver expires 3/31/24.
- Katherine Barchenger, *Autism Services Coordinator*
  - **Medically Fragile HCBS waiver**
    - There are currently 25 families enrolled and 8 more are being enrolled as 25 new slots were added.
  - **Autism Spectrum Disorder (ASD) waiver**
    - Submitted amendment has a 90-day extension to further discuss GPS tracking services. The 90-day extension will not affect the November 1, 2023, effective date.
    - Individuals on the waiting list are being enrolled for the new 195 slots added to the waiver.

**Did you Know?**

**Autism**

- Per legislative changes, the Autism Task Force sunset on 7/1/23 and the Autism Voucher is sunsetting 12/31/23. Notices have gone out to families participating in the Voucher and many have or are moving over to the Autism Waiver.
- Last year the Autism Spectrum Disorder Task Force conducted a broad survey (2022 Autism Spectrum Disorder Survey) to learn more about different things like how long it takes to get an autism diagnosis, distances people are travelling to get diagnoses and/or services, service availability, and more. The survey was aimed at different stakeholders:
  - Respondents answering on Behalf of Someone Diagnosed with ASD, Someone Diagnosed with ASD, Education Professionals, Medical or Behavioral Health Professionals, Justice System Personnel, and Government Systems Personnel
  - [2022 ASD Survey results](#) are available under the Resources section of the Autism Services page at <https://www.hhs.nd.gov/cfs/autism-services>.

**Cross Disability Advisory Council (CDAC) - CDAC Facilitators Kevin and Kathy Miiler**

- [CDAC website](#)
- Senate Bill 2276 established the CDAC and requires an independent third-party facilitator to appoint Council members, establish the length of member terms as well as the Council structure. The facilitator serves as the Council's presiding officer.
  - The Council will be made up of 15 voting members, a majority of whom are family members of individuals with disabilities or individuals with disabilities who receive Medicaid HCBS services.
  - The Council will be made up of geographically diverse members with a broad range of disabilities.
  - Meetings will be held at least quarterly. The Council can appoint subcommittees.
- CDAC members are entitled to reimbursement for their travel and lodging to attend meetings at the same rate as state employees and officers.
- The Council's primary duty is to implement, plan, and design the cross-disability children's waiver and additionally it will look at level of care reform for the comprehensive DD HCBS waiver as well as provide feedback on an option to allow payment through the waivers for extraordinary care services provided by legally responsible individuals.
- Deadline to apply for membership was November 13<sup>th</sup>. First meeting is December 13<sup>th</sup> at 9:30am CT in the Pioneer Room at the State Capitol.

## Discussion

**Provider Town Halls & Provider Ad hoc committees – Mandy Dendy, Coverage Policy Director**

- Providers are encouraged to reach out to Mandy Dendy, [mrdendy@nd.gov](mailto:mrdendy@nd.gov), if they are interested in participating in Provider Town Halls or serving on a Provider Ad hoc committee to assist with policy review, development, and/or revision.

## Education Topic:

**ND Medicaid Member Engagement Committee and Member E-News**

– [Jen Sheppard](#), Member Engagement Coordinator

- ND Medicaid just sent out its annual newsletter to all Members via US Mail. Members, for the first time ever, can now subscribe to get Member E-News and have Member-specific content delivered to their inbox on a regular basis.
  - News, including Member areas of the Medicaid website, will be written in clear, easy-to-understand language written primarily at an eighth-grade reading level.
- There is now a Medicaid Member Handbook online which summarizes member services in one place.
- Medicaid is currently seeking members for the new [Medicaid Member Engagement Committee \(MMEC\)](#). The MMEC will be made up of current and former Medicaid beneficiaries. Applications are being accepted through December 15<sup>th</sup>.
  - Members will help review notices to the public, the Medicaid Member Handbook, and website navigation and readability
  - Members can offer suggestions to influence Medicaid
  - Sharing lived experiences as a Medicaid member
  - Sharing meeting minutes and suggestions from the MMEC with the MMAC
- Contact Jen to learn more at [jshppard@nd.gov](mailto:jshppard@nd.gov).

**Public Comment:** There was no public comment.

**Next meeting date:**

February 20, 2024, 3-5pm CT via Microsoft Teams.

Meeting was adjourned at 4:52pm.

Date Posted: November 22, 2023

Date Revised: