

November 17, 2021

Mr. Nathan Davis
600 E Boulevard Ave
Bismarck, ND 58505

Dear Mr. Davis:

This letter is regarding the Tribal Consultation between the North Dakota Department of Human Services and the North Dakota Indian Tribes. The consultation process was established to ensure Tribal governments are included in the decision-making processes when proposed changes in the Medicaid or Children's Health Insurance Program(s) will directly impact the North Dakota Tribes and/or their Tribal members.

Medicaid Provider Rate Increases

Effective January 1, 2022, North Dakota Medicaid will be providing a 2.0% inflationary increase for all Nursing Facility services as authorized and appropriated by the 2021 Legislative Assembly. A 2.5% Skilled Nursing Facility Market Basket adjustment will also be applied for all Nursing Facility services.

Effective January 1, 2022, North Dakota Medicaid will be providing a 2.0% inflationary increase for all Psychiatric Residential Treatment Facility services as authorized by the 2021 Legislative Assembly.

Mental Health Parity

On January 1, 2022, the Medicaid Expansion members who are ages 19 and 20 will receive coverage through the state plan which is administered by the Department of Human Services. Due to this change, starting January 1, 2022, the North Dakota Medicaid State Plan must comply with the Mental Health Parity and Addiction Equity Act of 2008. Service limits for certain behavioral health services will be eliminated, including limits for substance use disorder treatment services, psychiatric hospitalization, and psychological services.

Also, on January 1, 2022, the Medicaid state plan must align with the alternative benefit plan for Medicaid Expansion, to ensure that the 19- and 20-year-old Medicaid Expansion members receive all services they are entitled to. As a result, the limits for chiropractic care, occupational therapy and physical therapy will be increased.

Primary Care Case Management

Effective on or after January 1, 2022 North Dakota Medicaid will be submitting a State Plan

MEDICAL SERVICES

Amendment to make it easier for members to change their primary care provider. Members will no longer need a 'good cause' reason to change their primary care provider.

Medical Transportation Updates

ND Medicaid will be amending the State Plan to specify the requirements for transportation providers who provide non-emergency transportation to medically necessary services. Providers must not be 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. Providers must have a process to address any violation of a state drug law and have a process in place to disclose to ND Medicaid the driving history of each individual driver employed. Providers must also have a valid driver's license.

Correct Coding Initiative

North Dakota Medicaid follows the National Correct Coding Initiative (NCCI) Edits. These edits were developed by the Centers for Medicare and Medicaid Services (CMCS) based on coding conventions defined in the American Medical Association's Correct Procedure Terminology Manual, national and local policies and edits, coding guidelines developed by national societies, analysis of standard medical and surgical practices and a review of current coding practices. CMS annually updates the Medicaid NCCI Policy Manual and the Medicaid NCCI Technical Guidance Manual. For more information go to <https://www.medicaid.gov/medicaid/program-integrity/national-correct-coding-initiative-medicaid/index.html>

Please send comments, questions or concerns about the proposed State Plan Amendments or waivers to Medical Services, Attention: Tribal Consultation; 600 East Boulevard Avenue, Department 325, Bismarck, ND 58505. You may also send information via e-mail to ndmedicaid@nd.gov.

The Department appreciates the continued opportunity to work collaboratively with you to achieve the Department's mission, which is, "To provide quality, efficient, and effective human services, which improve the lives of people."

Sincerely,



Caprice Knapp, Director
Medical Services Division