

July 22, 2025

Dear Tribal Partners,

This letter is regarding Tribal Consultation established between the North Dakota Department of Human Services and the North Dakota Indian Tribes. This consultation process was established to ensure Tribal governments are included in the decision-making processes when changes in the Medicaid or Children's Health Insurance Program(s) will affect items such as cost or reductions and additions to the program.

North Dakota Medicaid Adult and Aging Services proposes to amend the 1915(c) Medicaid waiver. The purpose of the amendment is to implement changes in services and programming to improve access to home and community-based services and update language changes related to internal processes. These changes may impact American Indian and Alaska Native providers and members who access services through the waiver. The anticipated effective date of the proposed renewal is expected to be January 1, 2026.

The amendment includes the following updates.

- **Incorporate rate changes approved in the 2025 ND Legislative Session**
Expected Impact: Tribal Medicaid providers may see an **increase in reimbursement rates for some waived services**, which could help strengthen staffing, expand service availability, and improve provider sustainability in Tribal communities.
- **Update the rate methodology for Adult Residential Care by rebasing rates using updated cost reports in 2026 and 2027**
Expected Impact: If actual service costs are higher, this **may result in increased rates** for Tribal providers offering Adult Residential Care. This could help Tribal facilities cover rising costs and support higher-quality care for residents.
- **Update service limits under Family Personal Care, Supervision, and Waiver Personal Care to further clarify provider qualifications**
Expected Impact: This change will help **clarify qualifications of providers for these services**. Tribal providers may need to review updated staff qualifications to ensure employees meet updated standards.
- **Update limits under HCBS Care Coordination to avoid duplication of other waiver services**
Expected Impact: Care Coordination services will not be authorized for providers who are

MEDICAL SERVICES

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also delivering Adult Residential Services, Residential Habilitation, Community Support, Transition Coordination, or Transitional Living services. This is because Care Coordination is already considered a part of these services.

Update language to allow quarterly monitoring visits by state-employed case managers to be completed via telephone

- **Expected Impact:** Tribal members living in rural or remote areas may benefit from **increased flexibility**, as phone visits will now be allowed unless a face-to-face visit is needed. This could make it easier to stay connected with case managers.

The 1915 (c) amended application is available on the North Dakota Medicaid website at the following link: <https://www.hhs.nd.gov/waivers>. If you are unable to access these documents via the web, a copy can be mailed to you.

Please be aware that the posted amendment is a draft. The final document will be posted on our website when approved by CMS.

Please send comments, questions or concerns about the proposed State Plan Amendments or waivers to:

North Dakota Department of Health and Human Services
Attn: Monique Runnels
Medical Services Division
600 East Boulevard Avenue, Department 325
Bismarck, ND 58505
Fax: 701-328-1544
E-mail: mrunnel@nd.gov

Comments and public input on the proposed changes will be accepted until 5pm CST August 21st, 2025.

We appreciate the continued opportunity to work collaboratively with tribal partners to support health and advance the foundations of well-being for North Dakota Medicaid members.

Sincerely



Sarah Aker
Executive Director
Medical Services Division
North Dakota Department of Health and Human Services