



**Medical Services**  
(701) 328-2321  
Toll Free 1-800-755-2604  
Fax (701) 328-1544  
ND Relay TTY 1-800-366-6888  
Provider Relations (701) 328-4030

Jack Dalrymple, Governor  
Maggie D. Anderson, Interim Executive Director

November 29, 2012

Mr. Scott Davis, Commissioner  
ND Indian Affairs Commission  
600 E Boulevard Avenue  
Bismarck ND 58505

Dear Mr. *Scott* Davis

This letter is regarding the Tribal Consultation Policy 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. The North Dakota Department of Human Services engages Tribal consultation when a State Plan Amendment, waiver proposal or amendment, or demonstration project proposal directly impacts the North Dakota Tribes and/or their Tribal members.

Effective January 1, 2013, the Department will increase vaccine administration fees and amend the Medicaid State Plan, per the requirements of the Affordable Care Act (ACA). This increase will be the lesser of the 2013 and 2014 Medicare rates or the maximum regional Vaccines for Children amount in those years. The provisions of the ACA state that this increase is to be provided to qualifying providers who administer vaccines to the Medicaid population. The Department is analyzing the requirements of the ACA to determine if a fee change and State Plan change is needed to ensure qualifying Nurse Practitioners and Physician Assistants are reimbursed at or above the Medicare fee schedule.

Effective January 1, 2013, to ensure compliance with the Health Insurance Portability and Accountability Act, the Department will be implementing all Code of Procedural Terminology (CPT) and Healthcare Common Procedure Coding System (HCPCS) code changes effective January 1, 2013. The Department expects to submit a State Plan

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Amendment to ensure the State Plan is compliant with the required changes. All North Dakota Medicaid providers must submit claims with current valid CPT, HCPCS and ICD-9 diagnosis codes for dates of service January 1, 2013 and thereafter. Providers should be aware of the significant changes in the psychiatry (behavioral health) section of the CPT.

If you have any comments, questions or concerns, please contact Cindy Sheldon, Deputy Director of Medical Services at [cmssheldon@nd.gov](mailto:cmssheldon@nd.gov), mailing a written response to 600 East Boulevard Avenue, Department 325, Bismarck, ND 58505 or by calling 701.328.4626. Please provide all input by December 31, 2012.

The Department appreciates the continuing 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,



Maggie D. Anderson, Director  
Medical Services Division

CMS/mlt