

**Testimony**  
**Senate Bill 2158 – Department of Human Services**  
**House Human Services Committee**  
**Representative Robin Weisz, Chairman**  
**March 3, 2009**

Chairman Weisz, members of the House Human Services Committee, I am Erik Elkins, Assistant Director of the Medical Services Division, for the Department of Human Services. The Department is not in support of this bill; however, I am here today to provide information regarding Senate Bill No. 2158.

This bill would require the North Dakota Medicaid program to exercise the state option and allow nurse practitioners to be primary care case managers for North Dakota Medicaid recipients. Should the bill pass, the Department would need to amend the Medicaid State Plan and secure approval from the Centers for Medicare and Medicaid Services (CMS). We do not expect any difficulty in securing this approval as the federal regulations (42 CFR 438.2) allow nurse practitioners to serve as primary care case managers:

- (42 CFR 438.2) Definitions: *Primary care case manager (PCCM)* means a physician, a physician group practice, an entity that employs or arranges with physicians to furnish primary care case management services or, at State option, any of the following:
- (1) A physician assistant.
  - (2) A nurse practitioner.
  - (3) A certified nurse-midwife.

In addition to securing the approval of CMS, the Department would need to modify the current Medicaid Management Information System (MMIS) to accommodate the selection of a nurse practitioner as a primary care case manager.

Therefore, in order to make the necessary system changes, inform and train county staff, inform Medicaid recipients, and secure the necessary CMS approval, the Department is requesting a delayed implementation of this bill. It is expected that the changes could be implemented by January 1, 2010.

I would be happy to address any questions that you may have.