

**Testimony**  
**Interim Tribal and State Relations Committee**  
**Senator David O'Connell, Chairman**  
**September 26, 2011**

Chairman O'Connell, members of the Interim Tribal and State Relations Committee, I am Maggie Anderson, Director of the Medical Services Division in the Department of Human Services. I appear before you to provide information on the Medicaid expansion and Medicaid Tribal Consultation.

Health Care Reform

The Patient Protection and Affordable Care Act (ACA) was enacted in March 2010. As part of the ACA, each state is required to expand Medicaid coverage for all individuals under the age of 65 to 138 percent of the federal poverty level. The expansion will primarily cover non-disabled individuals who do not have children. The expansion must be implemented by January 1, 2014.

Currently, North Dakota Medicaid uses Net Income for making eligibility determinations. The ACA will require that Medicaid use Modified Adjusted Gross Income (MAGI) for the expansion population as well as most of the current eligibility groups (exception for some groups, such as aged, blind, and disabled).

North Dakota Medicaid provides coverage to over 64,000 individuals today. The Department is estimating that Medicaid enrollment could increase by as much as fifty percent with the implementation of the ACA.

Individuals seeking Medicaid coverage will be able to use the Health Benefit Exchange (HBE), or will be allowed to use other, traditional methods of application. The Department remains involved in a variety of meetings about the HBE and the Medicaid expansion to ensure that the needs of the Medicaid population are considered and being met.

#### Tribal Consultation

The Department previously drafted and distributed a Medicaid and Children's Health Insurance Program (CHIP) [Tribal Consultation Policy](#). Recently, during a meeting with Standing Rock representatives, the Department received feedback that there was a preference for more face-to-face consultation as part of the policy. Based on this feedback, the Tribal Consultation Policy has been updated and is attached.

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