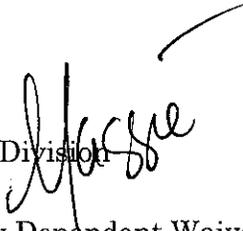




Jack Dalrymple, Governor  
Maggie D. Anderson, Interim Executive Director

Date: April 19, 2013

To: Tribal Chairman  
Tribal Health Directors  
Indian Health Service Representatives

From: Maggie D. Anderson, Director, Medical Services Division 

Re: Tribal Consultation on North Dakota Technology Dependent Waiver  
Amendment

This letter is regarding the Tribal Consultation Policy established between the North Dakota Department of Human Services (Department) and the North Dakota Indian Tribes. This consultation process was established to ensure Tribal governments are included in the decision making process when changes in the Medicaid or Children's Health Insurance Program (s) will affect items such as cost sharing, coverage or other 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 is expected to directly impact the North Dakota Tribes and/or their Tribal members.

The Department's Medical Services Division, the Medicaid administering agency, intends to submit a 1915 (c) waiver amendment to the Centers for Medicare and Medicaid (CMS) to the Technology Dependent Waiver. The purpose of the amendment is to add specialized equipment as an allowable service that will be available to waiver recipients.

- Specialized equipment provides equipment, supplies, and, or safety devices that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live.

The Technology Dependent Medicaid waiver provides service options for individuals who are ventilator dependent for a minimum of 20 hours per day to assist them to stay in their own homes and communities. Services through the HCBS and Technology Dependent Medicaid waiver are provided by agencies and individuals enrolled with the Department as Qualified Service Providers.

Adding specialized equipment as an allowable waiver service will help recipients who need this type of care to stay in their own home and communities. Therefore, the Department does not anticipate any adverse impact to Tribal members.

The Department is required to provide tribal entities with a notice of our intent to submit a waiver amendment 30 days before the estimated submission date.

If you have any comments, questions, or concerns, please contact Nancy Maier, Program Administrator at [nmaier@nd.gov](mailto:nmaier@nd.gov), mailing a written response to 600 East Boulevard Ave, Department 325, Bismarck, ND 58505 or by calling 701.328.4631. **Please provide all input by May 20, 2013.**

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."