

March 27, 2020

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

Dear Mr. Davis:

This letter is regarding the Tribal Consultation between the North Dakota Department of Human Services and the North Dakota Indian Tribes. The consultation process was established to ensure Tribal governments are included in the decision-making processes when proposed changes in the Medicaid or Children's Health Insurance Program(s) will directly impact the North Dakota Tribes and/or their Tribal members.

Intermediate Care Facility (ICF) Services

Effective for dates of service on or after April 1, 2020, ND Medicaid will be submitting a state plan amendment to remove the ICF provider requested vacancy rate add on and replace it with a vacancy factor that will be a component to the rate, intended to cover costs when a client is no longer in the setting and has no intent to return.

Medical Nutrition Therapy Services

Effective for dates of service on or after April 1, 2020, ND Medicaid will be submitting a state plan amendment to clarify medical nutrition therapy services. The clarification will update language used to refer to limits for medical nutrition therapy. Per Current Procedure Terminology (CPT), the codes for medical nutrition therapy are based on time rather than number of units; therefore, the amendment will clarify that Medicaid members may receive four hours of medical nutrition therapy per calendar year. Services in excess of the limit may be authorized if medically necessary. Medical nutrition therapy is allowed as an outpatient visit for Indian Health Service (IHS) and Tribal 638 clinics. The amendment will not impact IHS or Tribal 638 clinics ability to bill ND Medicaid for medical nutrition therapy services provided to ND Medicaid members.

Flood Outlook

The Department of Human Services is monitoring flood forecast reports from the National Weather Service, and should there be flooding in North Dakota in 2020, the ND Medicaid program may submit state plan amendments and/or 1915c waiver amendments to ensure ND Medicaid members continue to receive Medicaid covered services.

MEDICAL SERVICES

600 E Boulevard Ave Dept 325 | Bismarck ND 58505-0250

Other Proposed Changes

Effective for dates of service on or after April 1, 2020, ND Medicaid will cover HIV screening. Medicaid expenditures for these services are expected to increase \$12,000 for a 12-month period.

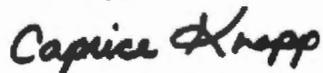
Correct Coding Initiative

North Dakota Medicaid follows the National Correct Coding Initiative (NCCI) Edits. These edits were developed by the Centers for Medicare and Medicaid Services (CMCS) based on coding conventions defined in the American Medical Association's Correct Procedure Terminology Manual, national and local policies and edits, coding guidelines developed by national societies, analysis of standard medical and surgical practices and a review of current coding practices. CMS annually updates the Medicaid NCCI Policy Manual and the Medicaid NCCI Technical Guidance Manual. For more information go to <https://www.medicaid.gov/medicaid/program-integrity/national-correct-coding-initiative-medicaid/index.html>

Please send comments, questions or concerns about the proposed State Plan Amendments or waivers to Medical Services, Attention: Tribal Consultation; 600 East Boulevard Avenue, Department 325, Bismarck, ND 58505. You may also send information via e-mail to ndmedicaid@nd.gov.

The Department appreciates the continued 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,



Caprice Knapp, Director
Medical Services Division