COVID-19 UPDATE

North Dakota Medicaid
April 3, 2020
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT)
Signed into law March 27, 2020

Some Provisions Affecting Medicaid

2104 Emergency Increase in Unemployment Compensation Benefits
3708 Improving Care Planning for Medicare Home Health Services
3715 Providing Home and Community-Based Services in Acute Care Hospitals
3716 Clarification Regarding Uninsured Individuals
3717 Clarification Regarding Coverage of COVID-19 Testing Products
3720 Delaying Requirements for Enhanced FMAP to Enable State Legislation
3811 Extension of the Money Follows the Person Rebalancing Demonstration
3813 Delay of DSH Reductions
## UPDATE ON 1135 WAIVER

<table>
<thead>
<tr>
<th>Components of the 1135 Waiver</th>
<th>Any disaster SPA, Appendix K, State Codes to address?</th>
<th>Order of work (1 will happen first)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair Hearings</td>
<td>Yes, State Codes</td>
<td>3</td>
</tr>
<tr>
<td>Tribal Consultation</td>
<td>No</td>
<td>3</td>
</tr>
<tr>
<td>Provider Enrollment</td>
<td>Yes, but only for QSPs. For QSPs we still need to address State Codes, SPA, and Appendix K</td>
<td>1</td>
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<tr>
<td>Prior Authorization</td>
<td>No</td>
<td>2</td>
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<tr>
<td>PASSR</td>
<td>No</td>
<td>1</td>
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</tbody>
</table>
The following amendments were requested during the national emergency period:

**Regulatory**
- Modification of the requirement to submit the SPA by March 31, 2020, to obtain an effective date during the first calendar quarter of 2020, pursuant to 42 CFR 430.20.
- Waiver of public notice requirements that would otherwise be apply to this SPA submission.
- ND Medicaid State plan allows for expedited consultation in certain circumstances. North Dakota will be issuing written consultation within two weeks of submitting the SPA.
- Modification of provider qualifications which may include suspending competency and state criteria.
- Waive the 12-month requirement for a continued stay review for a resident of an ICF/IID.
The following amendments were requested during the national emergency period:

Services

- Modification to the 34-day supply limit for medications, ND Medicaid may allow a one-time 90-day fill to decrease the need for office visits for ND Medicaid members.
- Expansion of prior authorization for medications by automatic renewal without clinical review, or time/quantity extensions.
- Make exceptions to the published Preferred Drug List if drug shortages occur. This would include options for covering a brand name drug product that is a multi-source drug if a generic drug option is not available.
- Waive the 15-day limit for payment for bed hold for an inpatient hospitalization for a resident of a nursing facility or intermediate care facility for individuals with an intellectual disability if the hospital stay is due to a diagnosis of COVID-19.
The following amendments were requested during the national emergency period:

**Timelines**
- Waive the requirement that the nursing facility established rate cannot exceed the limit rate for allowable unforeseeable expenses.
- Waive the timelines for nursing facility rate reconsiderations and appeals.

**For Members**
- Suspend premiums for individuals eligible under the Workers with Disabilities or Children with Disabilities groups.
COVID-19 RELATED GUIDANCE AND POLICIES

• Changes to member eligibility during the national emergency are outlined here: http://www.nd.gov/dhs/info/covid-19/docs/covid-19-faq-temporary-fmap.pdf

• Changes to provider enrollment, for providers who are enrolling to provide COVID-19 related services during the national emergency, are outlined here: http://www.nd.gov/dhs/info/covid-19/docs/covid-19-faq-temporary-provider-enrollment-process.pdf.


• **FAQs for Nursing Facilities:** http://www.nd.gov/dhs/info/covid-19/docs/covid-19-faq-nursing-facilities.pdf

• **FAQs for Pharmacy:** http://www.nd.gov/dhs/info/covid-19/docs/covid-19-faq-medicaid-pharmacy.pdf

• **Temporary Telemedicine Policy:** http://www.nd.gov/dhs/info/covid-19/docs/policy-medicaid-temporary-telehealth.pdf

• Additional provider Q&A documents can be found at http://www.nd.gov/dhs/info/covid-19/provider-q-a.html
NEXT STEPS

After obtaining all the flexibilities (Appendix K and disaster SPAs) we can we will then focus on 1) impending surge and 2) provider experiences.

• For **surge**, Medicare has allowed for a blanket waiver of hospital capacity. We will work with DOH and with our operations to determine how providers can bill if these methods are used.

• For example, hospitals may use rehabilitation or inpatient psychiatric units for acute care. Hospitals may use unlicensed facilities for care to COVID-19 patients. Critical access hospitals may waive the bed and length of stay limit. We are working on billing and coding guidance for potential surge.

• For **provider experiences**, we want to keep in close contact with you about on the ground experiences. We ask you to complete a quick provider survey about how COVID-19 is affecting your service delivery: [https://www.surveymonkey.com/r/NDMedicaid_COVID19](https://www.surveymonkey.com/r/NDMedicaid_COVID19).
COVID-19 RESOURCES AVAILABLE ONLINE

DHS landing page for COVID-19 resources: http://www.nd.gov/dhs/info/covid-19/index.html

- Contains information on program/policy changes, provider Q&A, resources for individuals and families and much more
- COVID-19 health information is available on the Department of Health’s website at https://www.health.nd.gov/diseases-conditions/coronavirus
QUESTIONS?