



Medical Services
(701) 328-2321
Toll Free 1-800-755-2604
Fax (701) 328-1544
ND Relay TTY 1-800-366-6888
Provider Relations (701) 328-4030

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

September 28, 2012

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

Dear Mr. Davis:

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

The Medical Services Division will be submitting two amendments to the Medicaid State Plan: (1) effective November 1, 2012, to include services received by Medicaid recipients in a birthing center and (2) effective January 1, 2013 to remove coverage of barbiturates for indications covered by Medicare Part D and remove coverage of benzodiazepines. These changes impact dual eligible recipients. Dual eligibility means that the recipient is eligible for both Medicaid and Medicare. This coverage for barbiturates select indications is only for one year. On January 1, 2014 Medicaid coverage for barbiturates for any indication for dual eligible will end. Coverage will be provided by Medicare Part D for all indications.

The Medical Services Division expects that these State Plan Amendments may directly impact the North Dakota Tribes or Tribal Programs.

If you have questions about either of these State Plan Amendments, or if you have input for our office to consider as we finalize the amendments, please contact Cindy Sheldon, Deputy Director of Medical Services at cmseldon@nd.gov, mailing a written response to 600 East Boulevard Avenue, Department 325, Bismarck, ND 58505 or by calling 701.328.4626. Please provide all input by October 31, 2012.

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."

Sincerely,


Maggie D. Anderson, Director
Medical Services Division

Enclosures