

December 8, 2022

Dear Tribal Consultation Members:

This letter is regarding the Tribal Consultation between the North Dakota Department of Health and 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.

Medicaid Provider Rate Increases

Effective January 1, 2023, North Dakota Medicaid will be providing a one-fourth percent inflationary increase for all Nursing Facility services as authorized and appropriated by the 2021 Legislative Assembly. A 3.5% Skilled Nursing Facility Market Basket adjustment will also be applied for all Nursing Facility services.

Effective January 1, 2023, North Dakota Medicaid will be providing a one-fourth percent inflationary increase for all Psychiatric Residential Treatment Facility services as authorized by the 2021 Legislative Assembly.

Effective on or after January 1, 2023, North Dakota Medicaid will be increasing the maximum per diem rate for an individual or agency provider of personal care services. The per diem rate will be calculated based on the amount of personal care services needed. The current maximum per diem rate is the highest rate for a congregate setting.

QSP Enrollment

Effective on or after April 1, 2023, North Dakota Medicaid will be updating the length of time that a qualified service provider (QSP) document of competency is valid to 60 months for agencies and 30 months for individuals. Full revalidation of enrollment will occur at least every 60 months. The updated length of enrollment applies to new applications approved and revalidations completed after April 1, 2023. Also, the child abuse and neglect check will be removed.

Dental Oral Examinations

Effective for dates of service on or after January 1, 2023, the limits for dental oral examinations will be increased to two examinations per calendar year for adults. The limits for prophylaxis, in combination with periodontal exams, will be increased to two per calendar year for adults.

Pharmacy Value-Based Agreements

Effective on or after January 1, 2023, North Dakota Medicaid is proposing to expand their current supplemental drug rebate agreements to include value-based agreements. This will allow ND Medicaid to negotiate total drug rebate payments based on the success of the drugs in treating the conditions. The goal is to not pay full price when a medication ends up not being as effective. With

MEDICAL SERVICES

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medications progressing to up-front costs of \$3.5 million for a single individual, ND Medicaid wants to protect our risk for when those hyper-expensive medications end up failing / not curing a member.

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 polices 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,



Krista Fremming, Interim Director
Medical Services Division