

# 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

Components of the 1135 Waiver	Any disaster SPA, Appendix K, State Codes to address?	Order of work (1 will happen first)
Fair Hearings	Yes, State Codes	3
Tribal Consultation	No	3
Provider Enrollment	Yes, but only for QSPs.  For QSPs we still need to address State Codes, SPA, and Appendix K	1
Prior Authorization	No	2
PASSR	No	1

# DISASTER STATE PLAN AMENDMENT (SPA) - SUBMITTED APRIL 1, 2020

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.

# DISASTER SPA - SUBMITTED APRIL 1, 2020

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.

# DISASTER SPA - SUBMITTED APRIL 1, 2020

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>.
- **Temporary DME Policy:** <http://www.nd.gov/dhs/info/covid-19/docs/covid-19-faq-temporary-dme-policy.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.
  - <https://www.cms.gov/files/document/covid19-emergency-declaration-health-care-providers-fact-sheet.pdf>
  - <https://www.cms.gov/files/document/summary-covid-19-emergency-declaration-waivers.pdf>
- 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?