

August 12, 2021

Mr. Nathan 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.

1915i Services

Effective for dates of service on or after October 1, 2021, ND Medicaid will be submitting a State Plan Amendment to the 1915i State Plan for Home and Community-Based Behavioral Health Services. In response to stakeholder input we have received since the original 1915i SPA approval in December of 2020, the SPA will contain the following updates focused on enhancing 1915i SPA services:

- Lower the World Health Organizations Disability Assessment Schedule (WHODAS) needs based eligibility score requirement from 50 to 25. The WHODAS is an instrument used to measure an individual's functioning and disability in major life domains. Lowering the required score will allow individuals with lesser needs to access 1915(i) services.
- Clarify that 1915(i) WHODAS Administrators must review the Department issued 1915(i) policy and trainings to meet the requirements of an "independent, trained, & qualified 1915(i) WHODAS administrator.
- Simplify the completion of the SFN 741 1915(i) Eligibility form by allowing an attached medical record to replace the required signature of the diagnosing clinician and allow the Human Service Center Electronic Health Record be substituted for the WHODAS score sheet.
- Expand on the number of acceptable ICD-10 diagnoses used for determining 1915(i) eligibility.
- Enhance the process used to verify compliance with the Federal Home and Community-based Settings Rule by expanding the use of Person-Centered Planning.
- Update the language to accurately reflect the Family Training and Support for Unpaid Caregivers and Community Transition Services limit increases due to a recent rate increase.

MEDICAL SERVICES

- Clarify the provider qualifications for the Respite Care service.
- Expand the options for group and individual provider qualifications of the Prevocational Training, Supported Education, and Supported Employment services to increase the number of providers able to enroll as Medicaid providers.

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,



Caprice Knapp, Director
Medical Services Division