

June 23, 2021

Mr. Nathan Davis
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.

Medicaid Provider Rate Increases

Most Medicaid-covered services will receive a 2 percent inflationary increase effective for dates of services on or after July 1, 2021 as authorized and appropriated by the 2021 Legislative Assembly.

There will be no change to the Tribal 638 programs Indian Health Services all-inclusive rate as a result of these increases. Services reimbursed outside of the all-inclusive rate (e.g. non-emergency medical transportation) will receive the inflationary increase of 2 percent, as authorized by the 2021 Legislative Assembly.

Continuous Glucose Monitoring

Effective on or after July 1, 2021, ND Medicaid will cover continuous glucose monitoring devices through pharmacy providers.

Interpreter Services

Effective on or after July 1, 2021, ND Medicaid will establish coverage for sign and oral language interpreter services for Medicaid eligible members with limited English proficiency or who have hearing loss and need interpretation services.

Advance Directives

Effective on or after July 1, 2021, ND Medicaid is amending the State Plan related to requirements for Advance Directives. This section of the State Plan requires States to provide a written description of the law of the State concerning advance directives to include applicable definitions, witness requirements, special State limitations on declarations, proxy designation, process information and State forms, and identify whether

State law allows for a health care provider or agent of the provider to object to the implementation of advance directives on the basis of conscience. The language summarized

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in the State Plan amendment is consistent with the requirements under ND Century Code 23-06.5.

Other Proposed Changes

In accordance with state plan authority, effective for dates of service on or after July 1, 2021, the rate paid for non-commercial, passenger vehicle non-emergency medical transportation mileage will be adjusted to reflect limits established by the North Dakota Legislature.

In accordance with state plan authority, effective for dates of service on or after July 1, 2021, the rate paid for meals will be increased to an amount that will not exceed the limits established by the North Dakota Legislature.

In accordance with state plan authority, effective for dates of service on or after August 1, 2021, the Medicaid Fee Schedule for vaccines will be updated will account for annual adjustments to the Average Sales Price or Wholesale Acquisition Cost.

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