

December 2, 2024

Dear Tribal Partners:

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, 2025, a 3% Skilled Nursing Facility Market Basket adjustment will be applied for all Nursing Facility services. The expected impact to providers is a higher reimbursement rate for services based on a 3% inflation rate.

Effective January 1, 2025, North Dakota Medicaid will be providing a 3% inflationary increase for all Psychiatric Residential Treatment Facility services as authorized by the 2023 Legislative Assembly. The expected impact to providers is a higher reimbursement rate for services based on a 3% inflation rate.

Psychiatric Residential Treatment Facilities (PRTF)

Effective January 1, 2025, North Dakota Medicaid will be submitting a State Plan Amendment to reimburse hospital leave days for individuals in a PRTF. Hospital leave days are when the resident is not in the facility but is admitted to an acute hospital. ND Medicaid will reimburse for up to fifteen days per hospital stay. PRTF providers will now be reimbursed for hospital leave days.

SMI/SED Targeted Case Management

Effective January 1, 2025, North Dakota Medicaid will be submitting a State Plan Amendment for updates to targeted case management services for individuals with a serious mental illness (SMI) or serious emotional disturbance (SED). This amendment would expand individuals who are able to access targeted case management services for

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behavioral health conditions by including individuals who have a diagnosis of a substance use disorder (SUD) only. Prior to this change, individuals with an SUD needed to have another cooccurring mental disorder in addition to the SUD to qualify to receive the services. Individuals must still demonstrate functional impairment to qualify to receive the services. This amendment would also modify agency and individual provider qualifications, to require that supervisors of case managers have experience with case management but allow for individual case managers who have a bachelor's degree to provide the service, even if they do not have case management experience.

Long-Term Care Targeted Case Management

Effective January 1, 2025, North Dakota Medicaid will be submitting a State Plan Amendment for updates to targeted case management services for individuals. The changes expand provider qualifications to include allowing a wider scope of educational backgrounds and lived experiences for Community Health Representatives (CHR) who provide Targeted Case Management in Tribal Communities. The intent of the changes is to improve access for Tribal members to receive culturally appropriate case management.

High Cost Prescribed Drugs

Effective January 1, 2025, North Dakota Medicaid will be submitting a State Plan Amendment for updates to clarify existing pricing methodology for prescribed drugs for certain providers and certain situations. With the advent of pricing for individual drugs now exceeding millions of dollars, ND Medicaid is clarifying that they will pay no more than the invoice price of those high cost prescribed drugs. Also, existing pricing methodology for FQHCs and out-of-state providers will now be included in the state plan. There is no change in reimbursement for tribal providers. Non-tribal providers may see increased reimbursement to cover the high cost drugs.

Quality Measure Sets

North Dakota Medicaid will be submitted a State Plan Amendment to assure that North Dakota is submitting annually the required child and adult core sets. There is no change to reimbursement for this reporting.

Services for Incarcerated Youth

On January 1, 2025, ND Medicaid will cover certain services for youth and young adults who are incarcerated and post-adjudication. This applies to youth and young adults who are under age twenty-one and in any Medicaid eligibility group and individuals in the eligibility group of former foster care children ages 18 to 26. ND Medicaid will cover targeted case management services and screenings and diagnostic services, as determined by the state, in accordance with the Early and Periodic Screening, Diagnostic and Treatment requirements. The services may be provided to individuals who are within 30 days before and after their release date from the correctional facility. Tribal providers may see reimbursement for services for these youth.

Medicaid Expansion / Fee for Services for 19-20 Year Old's Only

The Affordable Care Act amended Section 1937 of the Social Security Act, to require that Alternative Benefit Plans (ABP) coverage meet Essential Health Benefit Standards. Regulatory changes to the EHB standards that impact Medicaid ABPs require States to update existing ABPs to reflect these changes. Effective on or after January 1, 2025, North Dakota Medicaid will be submitting an amendment to the North Dakota Medicaid Expansion Alternative Benefit Plan (ABP) to clarify language for existing benefits. The amendment will align the ABP with the changes to traditional Medicaid described in other sections of this letter.

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 policies 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:

North Dakota Department of Health and Human Services
Attn: Monique Runnels
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Input will be accepted through 12 PM, Central Time, Thursday, January 2, 2024.

The Department appreciates the continued opportunity to work collaboratively with tribal partners to support health and advance the foundations of well-being for North Dakota Medicaid members.

Sincerely,



Sarah Aker

Executive Director
Medical Services Division
North Dakota Department of Health and Human Services