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State/Territory Name: Nevada

State Plan Amendment (SPA) #: 21-0011

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
Center for Medicaid & CHIP Services
233 North Michigan Ave., Suite 600
Chicago, Illinois 60601



Financial Management Group

December 13, 2021

Suzanne Bierman, Administrator
Nevada Division of Health Care Financing and Policy
1210 S. Valley View, Suite 105
Las Vegas, NV 89702

RE: TN 21-0011

Dear Administrator Bierman:

We have reviewed the proposed Nevada State Plan Amendment (SPA) to Attachment 4.19-B NV-21-0011, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on September 29, 2021. This SPA updates the reimbursement methodology for Registered Behavior Technicians to increase the rate.

Based upon the information provided by the State, we have approved the amendment with an effective date of January 1, 2022. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

If you have any additional questions or need further assistance, please contact Blake Holt at 303-844-6218 or blake.holt@cms.hhs.gov.

Sincerely,

A solid black rectangular box used to redact the signature of Todd McMillion.

Todd McMillion
Director
Division of Reimbursement Review

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER
2 1 - 00 1 1

2. STATE
NEVADA

3. PROGRAM IDENTIFICATION:
TITLE XIX OF THE SSA (MEDICAID)

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
January 1, 2022

5. TYPE OF PLAN MATERIAL (Check One)

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION
State Plan Under Title XIX of the Social Security Act

7. FEDERAL BUDGET IMPACT
a. FFY 2022 \$ 1,120,449
b. FFY 2023 \$ 2,392,082

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT
Nevada Medicaid State Plan Attachment 4.19-B, pages
1b (continued)

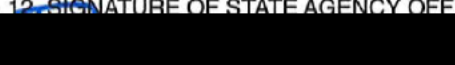
9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)
Nevada Medicaid State Plan Attachment 4.19-B,
pages 1b (continued)

10. SUBJECT OF AMENDMENT

The proposed amendment will adjust rates for Registered Behavior Technicians providing ABA services.

11. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL


13. TYPED NAME
RICHARD WHITLEY

14. TITLE
DIRECTOR, DHHS

15. DATE SUBMITTED

16. RETURN TO
Sandie Ruybalid, Deputy Administrator
DHCFP/Medicaid
1100 East William Street, Suite 101
Carson City, NV 89701

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED
September 29, 2021

18. DATE APPROVED
November 19, 2021

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL
January 1, 2022

20. SIGNATURE OF REGIONAL OFFICIAL


21. TYPED NAME
Todd McMillion

22. TITLE
Director, Division of Reimbursement Review

23. REMARKS

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Nevada

Attachment 4.19-B
Page 1b (Continued)

4. EPSDT and Family Planning (cont.)

- C. Applied Behavior Analysis (ABA) services as stated in Nevada State Plan Attachment 3.1-A, ABA

ABA Reimbursement Methodology

ABA Services described in Attachment 3.1-A, Pages 2i-2k of the Nevada State Plan and provided by an enrolled qualified medical professional according to ABA requirements listed in Attachment 3.1-A, Pages 2j and 2k, are reimbursed the lower of: a) billed charges; or b) a fixed fee schedule.

A fixed fee schedule: as indicated for specific services listed elsewhere in this attachment e.g., ABA. All rates are published on the agency's website:

<https://dhcfp.nv.gov/Resources/Rates/FeeSchedules/>

The Agency's rates are set as of January 1, 2016 and are effective for services on or after January 1, 2016.

Payments for services billed by ABA Qualified Medical Professionals will be reimbursed based on provider qualifications and procedure codes.

- i. Nevada Licensed Physician (MD/DO) or Board-Certified Behavior Analyst (BCBA) or Psychologist with a specialty in Behavior Intervention (PhD) will be reimbursed at 65% of Medicare rates as published in the Federal Register on July 14, 2014. 42 CFR 411, 412, 416, *et al.*
- ii. Board Certified Assistant Behavior Analyst (BCaBA) will be reimbursed at 60% of the ABA Physician rate as shown above in (i).
- iii. Registered Behavioral Technicians (RBT) rate methodology:
 - a. For services performed on or after January 1, 2022, the rates are based on several factors used to determine the cost associated with performing the applicable services. This model was developed to reflect provider requirements, operational service delivery, recruitment, credentialing, ongoing training/certification and administrative considerations. The following elements were used to determine the rates:
 1. Wage Information – The wage used to determine rates for Registered Behavior Technicians is \$30 per hour.