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State/Territory Name: North Dakota

State Plan Amendment (SPA) #: 18-0010

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) 179
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Denver Regional Office
1961 Stout Street, Room 08-148
Denver, CO 80294



REGION VIII - DENVER

August 28, 2018

Maggie Anderson, Medicaid Director
Division of Medical Services
North Dakota Department of Human Services
600 East Boulevard Avenue, Dept. 325
Bismarck, ND 58505-0250

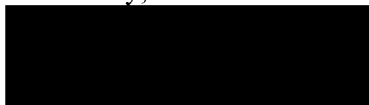
Dear Ms. Anderson:

We have reviewed the proposed State Plan Amendment (SPA) submitted under transmittal number (TN) 18-0010. This amendment enables the North Dakota Medicaid program to enroll Registered Nurses to provide nursing services in the school setting. These nurses must be contracted with or employed through a school to provide nursing services to children with complex medical needs. These services must be included in an approved Individualized Education Program.

Please be informed that this State Plan Amendment was approved today, with an effective date of June 1, 2018. We are enclosing the CMS-179 and the amended plan page(s).



If you have any questions concerning this amendment, please contact Kirstin Michel at (303) 844-7036.

Sincerely,



Mary Marchioni
Acting Associate Regional Administrator
Division for Medicaid & Children's Health Operations

cc: Melissa Rosales

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL		1. TRANSMITTAL NUMBER: 18-0010	2. STATE North Dakota
FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE AND MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE June 1, 2018	
5. TYPE OF PLAN MATERIAL (Check One): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: 42 CFR 440.80		7. FEDERAL BUDGET IMPACT: a. FFY 2018 \$15,712 b. FFY 2019 \$47,136	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment to Page 3 of Attachment 3.1-A Attachment to Page 3 of Attachment 3.1-B Attachment 4.19-B, Page 3		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment to Page 3 of Attachment 3.1-A Attachment to Page 3 of Attachment 3.1-B Attachment 4.19-B, Page 3	
10. SUBJECT OF AMENDMENT: Amends the State Plan to enroll Registered Nurses to provide nursing services to Medicaid-eligible children who have an approved Individual Education Program (IEP) that recommends nursing services.			
11. GOVERNOR'S REVIEW (Check One): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <u>Maggie D. Anderson, Director,</u> <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL <u>Medical Services Division</u>			
12. SIGNATURE: 	16. RETURN TO: Maggie D. Anderson, Director Division of Medical Services ND Department of Human Services 600 East Boulevard Avenue Dept 325 Bismarck ND 58505-0250		
13. TYPED NAME: Maggie D. Anderson			
14. TITLE: Director, Division of Medical Services			
15. DATE SUBMITTED: 8/27/18			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: August 27, 2018	18. DATE APPROVED: August 28, 2018		
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: June 1, 2018	20. SIGNATURE OF REGIONAL OFFICIAL: 		
21. TYPED NAME: Mary Marchioni	22. TITLE: Acting ARA, DMCHO		
23. REMARKS:			

LIMITATIONS ON AMOUNT, DURATION AND SCOPE

6.d. (Continued)

Medication Therapy Management (MTM) Services Performed by a Licensed Pharmacist

MTM services are a voluntary benefit provided by a licensed pharmacist to a recipient to optimize the therapeutic outcomes of the recipient's medications and prevent medication-related problems.

Pharmacists must have completed continuing education credits approved by the American Council of Pharmaceutical Education as follows: two hours on the delivery of MTM including MTM documentation, two hours on medication adherence, and four hours on the medical condition treated by the medications for which they will be providing MTM services.

MTM services may be provided via tele-pharmacy. Tele-pharmacy services are subject to the same requirements as services that are provided to a recipient in person.

Coverage is limited to one initial encounter and up to five subsequent encounters per recipient per 365-day period. When the treatment duration of a medication is less than six months, coverage is limited to one encounter per month of treatment.

Nursing Services provided in a School to Children with Complex Medical Needs and provided by a Registered Nurse

Effective June 1, 2018, the North Dakota Medicaid program will enroll Registered Nurses to provide nursing services to Medicaid-eligible children (under the age of 21) who have complex medical needs and an approved Individualized Education Program that documents medical necessity for nursing services that support the child's needs to access free appropriate public education. The Registered Nurses must be either employed by or under contract through a school and the school shall bill North Dakota Medicaid for the nursing services rendered by the Registered Nurses.

LIMITATIONS ON AMOUNT, DURATION AND SCOPE

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METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES - OTHER TYPES OF CARE:

18. Covered outpatient drugs submitted on a professional claim form will be reimbursed at the lower of the fee schedule established by the state agency or the estimated acquisition cost for the national drug code as outlined on item 32 on pages 6 and 6a of Attachment 4.19-B.
19. Nurse Practitioners are paid at the lower of billed charges or 75% of the professional services fee schedule. North Dakota Medicaid providers will receive a three percent inflationary increase in reimbursement effective for dates of service July 1, 2015, for services reimbursed from the Professional Services Fee Schedule, as authorized and appropriated by the 2015 Legislative Assembly.
20. Other Practitioner Services, unless otherwise specified, are paid at the lower of billed charges or 75% of the professional services fee schedule. North Dakota Medicaid providers will receive a three percent inflationary increase in reimbursement effective for dates of service on or after July 1, 2015, for services reimbursed from the Professional Services Fee Schedule. The fee schedule was last updated on July 1, 2015 and is effective for dates of service on or after that date.
21. Registered Nurses who are either employed by or under contract through a school for nursing services provided to Medicaid eligible children (under age 21) who have an approved Individualized Education Program that documents medical necessity for nursing services that support the child's need to access free appropriate public education are paid at the lower of the billed charges or the fee schedule established by the state agency. The fee schedule was set as of June 1, 2018 and is effective for services provided on or after that date.
22. Vacated
23. Personal Care Services
 - a. Authorized personal care services provided to an individual who receives personal care services from a provider on less than a 24-hour-a-day-seven-day-a-week basis shall be paid based on a maximum 15-minute unit rate established by the department. Rates will be established for individual and agency providers.

North Dakota Medicaid providers will receive a three percent inflationary increase in reimbursement effective for dates of service July 1, 2015, as authorized and appropriated by the 2015 Legislative Assembly. Providers who travel at least twenty-one miles round-trip to provide personal care services to individuals in rural areas, will receive a rate adjustment effective for dates of service January 1, 2015.
 - b. Authorized personal care service provided to an individual by a provider who provides personal care services on a 24-hour-a-day-seven-day-a-week basis shall be paid using a prospective per diem rate for each day personal care services are provided.
 - 1) The maximum per diem rate for an individual or agency provider shall be established using the provider's allowable hourly rate established under paragraph a. multiplied times the number of hours per month authorized in the individual's care plan times twelve and divided by 365. The provider may bill only for days in which at least 15 minutes of personal care service are provided to the individual. The maximum per diem rate for an individual or agency may not exceed the maximum per diem rate for a residential provider as established in subparagraph 2.