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State/Territory Name: North Dakota

State Plan Amendment (SPA) #: 24-0016

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
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

December 2, 2024

Sarah Aker
Director
Medical Services Division
ND Department of Health and Human Services
600 East Boulevard Avenue Dept 325
Bismarck ND 58505-0250

Re: North Dakota State Plan Amendment (SPA) ND-24-0016

Dear Director Aker:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) ND-24-0016. This amendment proposes to update the plan to broaden coverage of nursing services in schools by removing the requirement that nursing services be listed in an Individualized Education Program (IEP), as well as amend the tobacco cessation counseling services to include that these services must be provided by a licensed practitioner.

We conducted our review of your submittal according to statutory requirements in 42 CFR 440.60. This letter informs you that North Dakota's Medicaid SPA ND-24-0016 was approved on November 26, 2024, with an effective date of July 1, 2024.

Enclosed are copies of Form CMS-179 and approved SPA pages to be incorporated into the North Dakota State Plan.

If you have any questions, please contact Ashli Clark at (410) 786-5602 or via email at ashli.clark@cms.hhs.gov.

Sincerely,

A black rectangular redaction box covers the signature of James G. Scott. A blue ink scribble is visible to the right of the redaction.

Digitally signed by James
G. Scott -S
Date: 2024.12.02 11:39:27
-06'00'

James G. Scott, Director
Division of Program Operations

Enclosures

cc: LeeAnn Thiel

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

1. TRANSMITTAL NUMBER

2 4 — 0 0 1 6

2. STATE

ND3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL
SECURITY ACT

XIX



XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

July 1, 2024

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR 440.60

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2024 \$ 25,127b. FFY 2025 \$ 31,729

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment to page 3 of Attachment 3.1-A and
Attachment to page 3 of Attachment 3.1-B8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)Attachment to page 3 of Attachment 3.1-A and
Attachment to page 3 of Attachment 3.1-B (TN 22-0008)

9. SUBJECT OF AMENDMENT

Amends the State Plan to update the qualifying criteria for Nursing Services provided in a school.

10. GOVERNOR'S REVIEW (Check One)



GOVERNOR'S OFFICE REPORTED NO COMMENT



COMMENTS OF GOVERNOR'S OFFICE ENCLOSED



NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL



OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME
Sarah Aker13. TITLE
Medical Services Director14. DATE SUBMITTED
June 5, 2024

15. RETURN TO

Sarah Aker, Executive Director
Medical Services Division
ND Department of Health and Human Services
600 East Boulevard Avenue Dept 325
Bismarck ND 58505-0250**FOR CMS USE ONLY**16. DATE RECEIVED
June 5, 202417. DATE APPROVED
November 26, 2024**PLAN APPROVED - ONE COPY ATTACHED**18. EFFECTIVE DATE OF APPROVED MATERIAL
July 1, 202419. SIGNATURE OF APPROVING OFFICIAL
Digitally signed by James G. Scott -S
Date: 2024.12.02 11:39:57 -06'00'20. TYPED NAME OF APPROVING OFFICIAL
James G. Scott21. TITLE OF APPROVING OFFICIAL
Director, Division of Program Operations

22. REMARKS

LIMITATIONS ON AMOUNT, DURATION AND SCOPE

6.d. (Continued)

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 licensed Registered Nurses to provide nursing services to Medicaid-eligible children (under the age of 21) who have complex medical needs and a plan that documents medical necessity for nursing services to 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.

Services Provided by Licensed Addiction Counselors

Licensed addiction counselor includes licensed clinical addiction counselors, licensed master addiction counselors and practitioners possessing a similar license in a border state and operating within their scope of practice in that state. Licensed addiction counselors may enroll to furnish services within their scope of practice according to State Law.

Medical Nutrition Therapy Services provided by Licensed Registered Dietitians

Medical nutrition therapy services are an evidence-based medical approach to treating certain chronic conditions through the use of an individually-tailored nutrition plan.

Coverage is limited to four hours per calendar year. Additional services may be authorized if determined to be medically necessary.

Tobacco Cessation Counseling Services provided by Licensed Practitioners

Coverage is limited to two quit attempts per year; each quit attempt is limited to no more than four counseling sessions. Additional services may be approved if they are medically necessary and the provider requests and receives prior authorization from the department. The service must be provided by a licensed practitioner, such as a nurse practitioner or physician assistant, within their scope of practice according to State law.

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