

## **Table of Contents**

**State/Territory Name: Nevada**

**State Plan Amendment (SPA) #: 23-0028**

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

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February 7, 2024

Stacie Weeks, Administrator  
Department of Health and Human  
Services  
Division of Healthcare Financing  
and Policy  
1100 East Williams Street, Suite 101  
Carson City, NV 89701

Re: Nevada State Plan Amendment (SPA) NV-23-0028

Dear Administrator Weeks:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number NV-23-0028. This amendment proposes to update the allowable providers who may supervise Community Health Workers (CHW).

We have conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act. This letter is to inform you that Nevada Medicaid SPA NV-23-0028 was approved on February 6, 2024, with an effective date of July 01, 2023.

If you have any questions, please contact Cecilia Williams at 667-414-0674 or via email at [Cecilia.Williams@cms.hhs.gov](mailto:Cecilia.Williams@cms.hhs.gov)

Sincerely,

A black rectangular redaction box covers the signature of James G. Scott.

Digitally signed by James G.  
Scott -S  
Date: 2024.02.07 12:14:00  
-06'00'

James G. Scott, Director  
Division of Program Operations

cc: Casey Angres  
Jenifer Graham

<p><b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b></p> <p><b>FOR: CENTERS FOR MEDICARE &amp; MEDICAID SERVICES</b></p>	<p>1. TRANSMITTAL NUMBER <u>2 3 — 0 0 2 8</u></p> <p>2. STATE <u>NV</u></p>
<p>TO: CENTER DIRECTOR CENTERS FOR MEDICAID &amp; CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES</p>	<p>3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT <input checked="" type="radio"/> XIX <input type="radio"/> XXI</p>
<p>5. FEDERAL STATUTE/REGULATION CITATION <del>State Plan, Title XIX of the SSA: 42 CFR 440.120</del></p>	<p>4. PROPOSED EFFECTIVE DATE <b>July 1, 2023</b></p>
<p>7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT <b>Attachment 3.1-A page 3a and 3a cont.</b>  Attachment 4.19 B Page 3a &amp; 3a (continued) Attachment 3.1 A Page 6a (Continued) and Page 6a (Continued 1).</p>	<p>6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a FFY <u>2023</u> \$ <u>0</u> b FFY <u>2024</u> \$ <u>0</u></p>
<p>9. SUBJECT OF AMENDMENT</p>	<p>8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) <b>Attachment 3.1-A page 3a and 3a cont.</b>  Attachment 4.19-B Page 3a &amp; 3a (continued) Attachment 3.1 A Page 6a (Continued)</p>

Revision to update the allowable providers who may supervise Community Health Workers (CHW). Additional providers are to include Dentist, Licensed Clinical Social Worker, Licensed Marriage and Family Therapist, Clinical Professional as a result of the passage of Senate Bill 117 during the 82nd Legislative session (2023).

10. 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

<p>11. SIGNATURE OF STATE AGENCY OFFICIAL </p>	<p>15. RETURN TO Sandie Ruybalid, Deputy Administrator DHCFF/Medicaid 1100 East William Street, Suite 101 Carson City, NV 89701</p>
<p>12. TYPED NAME RICHARD WHITI FY</p>	
<p>13. TITLE DIRECTOR, DHHS</p>	
<p>14. DATE SUBMITTED September 27, 2023</p>	

**FOR CMS USE ONLY**

<p>16. DATE RECEIVED September 27, 2023</p>	<p>17. DATE APPROVED February 6, 2024</p>
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**PLAN APPROVED - ONE COPY ATTACHED**

<p>18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2023</p>	<p>19. SIGNATURE OF APPROVING OFFICIAL  Digitally signed by James G. Scott -S Date: 2024.02.07 12:15:26 -06'00'</p>
<p>20. TYPED NAME OF APPROVING OFFICIAL James G. Scott</p>	<p>21. TITLE OF APPROVING OFFICIAL Director, Division of Program Operations</p>

22. REMARKS

- On 01/24/24, Nevada requested the Pen and Ink changes via email.
- Box 5: Please update to read "Title XIX of the SSA."
- Box 7: Please add Attach 4.19-B Page 3a & 3a (cont.).
- Box 8: Please add Attach 4.19-B Page 3a & 3a (cont.).
- 01/29/24: NV requested the Pen and Ink changes
- Box 7: Add Attachment 3.1 A Page 6a (Continued) and Page 6a (Continued 1).
- Box 8: Add Attachment 3.1 A Page 6a (Continued)
- On 01/26/24, Nevada requested a Pen and Ink change via email.
- Box 7: Remove Attach 3.1 A page 3 c and 3 c (cont.)
- Box 8: Remove Attach 3.1 A page 3 c and 3 c (cont.)

**Doula Services:**

A doula is a non-medically trained professional who provides education, emotional and physical support during pregnancy, labor/delivery, and postpartum period.

Services:

The following doula services are covered beginning April 1, 2022:

- a. Emotional support, including bereavement support
- b. Physical comfort measures during peripartum (i.e. labor and delivery)
- c. Facilitates access to resources to improve health and birth-related outcomes
- d. Advocacy in informed decision making
- e. Evidence-based education and guidance

Service Limitations:

Pursuant to 42 CFR Section 440.130(c), doula services are preventive services and must be recommended by a physician or other licensed practitioner of the healing arts within their scope of practice under state law. Referral or prior authorization is not required.

Any services requiring medical or clinical licensure are not covered.

Provider Qualifications:

Approved certification from the Nevada Certification Board as a doula must be obtained prior to rendering services.

**Community Health Worker (CHW) Services:**

Community Health Workers live in or otherwise have a connection to the community in which they provide services. They are trained by a provider of health care to provide certain services which do not require the CHW to be licensed. They provide services at the direction of a licensed provider of health care which may include outreach and the coordination of health care. All rendered services must be documented in a recipient's medical record.

Services:

The following CHW services are covered:

- a. Guidance in attaining health care services.
- b. Identify recipient needs and provide education from preventive health services to chronic disease
- c. Providing information on health and community resources, including making referrals to appropriate health care services.
- d. Connect recipients to preventive health services or community services to improve health outcomes.
- e. Provide education including but not limited to, medication adherence, tobacco cessation, and nutrition.
- f. Promote health literacy, including oral health.

Service Limitations:

CHW services are recommended by a physician or other licensed practitioner of the healing arts within their scope of practice in accordance with state law. Services provided by a CHW are limited to four units (30 minutes per unit) in a 24-hour period, not to exceed 24 units per calendar month per recipient without prior authorization. If medically necessary, prior authorization can be requested for additional services.

Provider Qualifications:

Approved certification from the Nevada Certification Board as a CHW must be obtained prior to rendering services.

A. Rehabilitative Services:

1. Mental Health Rehabilitation Services

Mental health rehabilitation assists individuals to restore and/or retain psychiatric stability, social integration skills, personal adjustment and/or independent living competencies in order to experience success and satisfaction in environments of their choice and to function as independently as possible. Interventions occur concurrently with clinical treatment and begin as soon as clinically appropriate.

The services must be recommended by a physician or other licensed practitioner of the healing arts, within their scope of practice and prescribed on an individualized treatment plan to achieve maximum reduction of a mental disability and restore the recipient to their optimal level of functioning.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Nevada

Attachment 4.19-B  
Page 3a

12. a. Dentures: lower of a) billed charge, or b) fixed fee per unit value. See also 10.
- b. Prosthetic devices: (1) hearing aids: wholesale cost plus fixed fee; (2) all others: retail charge less negotiated discount.
- c. Eyeglasses: (1) frames: wholesale cost to a fixed maximum; (2) lenses: laboratory invoice cost; (3) material services: lower of a) billed charge, or b) fixed fee per Medicaid assigned unit value.

**Assurance:** State developed fee schedule rates are the same for both public and private providers for dentures, prosthetic devices and eyeglasses. The Agency's fee schedule rates were set as of January 1, 2017 and are effective for services provided on or after that date. All rates are published on the Agency's website at:

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

13. a. Other diagnostic services: lower of a) billed charges, or b) fixed fee per unit value.
  - b. Other screening services: lower of a) billed charges, or b) fixed fee per unit value.
  - c. Other preventive services: lower of a) billed charges, or b) fixed fee per unit value.
1. Medical Nutrition Therapy  
Payment for medical nutrition therapy services billed by a Licensed and Registered Dietician will be calculated using the January 1, 2014 unit values for the Nevada specific resource based relative value scale (RBRVS) and the 2014 Medicare Physicians Fee Schedule conversion factor. Payment for Medicine Codes 90000 – 99199 will be reimbursed the lower of billed charges or 63% of the Medicare non-facility rate.
  2. Doula  
Effective for dates of service on or after April 1, 2022, doula services provided during labor and delivery (includes antepartum and postpartum period) are reimbursed at the lower of billed charges or the amounts specified below:
    - i. Codes 59409, 59514, 59612 and 59620; \$150.00
    - ii. Code S9445; \$50.00
  3. Community Health Worker (CHW):  
Effective for dates of service on or after July 1, 2023, payment for services will be calculated using the January 1, 2014 unit values for the Nevada-specific RBRVS and the 2014 Medicare Physician Fee Schedule conversion factor or the first year the applicable code appears on the Medicare fee schedule, whichever is later. Payment will be the lower of billed charges, or the amounts specified below:
    - a. Medicine Codes 90000 – 99199 will be reimbursed at 60% of the Medicare non-facility rate.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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Attachment 4.19-B  
Page 3a (Continued)

d. Other rehabilitative services: PROVIDED WITH LIMITATIONS

Assurance: State developed fee schedule rates are the same for both public and private providers for other diagnostic, screening, Medical Nutrition Therapy (MNT) services, Doula services and rehabilitative services. The Agency's fee schedule rates for MNT services were set as of January 1, 2018 and are effective for services provided on or after that date. The Agency's fee schedule rates for Doula services rates were set as of April 1, 2022 and are effective for services provided on or after that date. Community Health Worker rates were set as of July 1, 2023 and are effective for services provided on or after those dates. All rates are published on the Agency's website at:

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