

## **Table of Contents**

**State/Territory Name: ND**

**State Plan Amendment (SPA) #: 23-0022**

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/ Division of Reimbursement Review**

August 7, 2023

Krista Fremming, Interim Director  
Medical Services Division  
North Dakota Department of Human Services  
600 E. Boulevard Avenue, Dept. 325  
Bismarck, ND 58505-0250

RE: North Dakota State Plan Amendment TN: 23-0022

Dear Director Fremming:

We have reviewed the proposed North Dakota State Plan Amendment (SPA) 23-0022, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on July 19, 2023. This state plan amendment implements a 3% inflationary increase for North Dakota Medicaid Providers providing 1915i services.

Based upon the information provided by the State, we have approved the amendment with an effective date of July 1, 2023. We are enclosing the approved CMS-179 and a copy of the plan pages.

If you have any additional questions or need further assistance, please contact Matthew Klein at 214-767-4625 or [matthew.klein@cms.hhs.gov](mailto:matthew.klein@cms.hhs.gov)

Sincerely,

A solid black rectangular box redacting the signature of Todd McMillion.

Todd McMillion  
Director

Enclosures

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

1. TRANSMITTAL NUMBER

2 3 — 0 0 2 2

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, 2023

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR 447.204

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2023 \$ 2,578b. FFY 2024 \$ 8,073

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 4.19-B pages 13-16

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION  
OR ATTACHMENT (If Applicable)

Attachment 4.19-B pages 13-16 (TN 23-0007)

9. SUBJECT OF AMENDMENT

Amends the State Plan to implement an increase of three percent for 1915(i) Services.

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  
Krista Fremming13. TITLE  
Interim Medical Services Director14. DATE SUBMITTED  
July 19, 2023

15. RETURN TO

Krista Fremming, Interim 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  
07/19/202317. DATE APPROVED  
August 7, 2023**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL  
Todd McMillion21. TITLE OF APPROVING OFFICIAL  
Director, Division of Reimbursement and Review

22. REMARKS

## Methods and Standards for Establishing Payment Rates

**1. Services Provided Under Section 1915(i) of the Social Security Act.** For each optional service, describe the methods and standards used to set the associated payment rate. *(Check each that applies, and describe methods and standards to set rates):*

North Dakota Medicaid providers will receive a three percent inflationary increase in reimbursement effective July 1, 2023 as authorized and appropriated by the 2023 Legislative Assembly. The agency's fee schedule rates for all the following services will be set as of July 1, 2023 and will be effective for services provided on or after that date. The rates will be published at the State's website,

[Medicaid Provider Fee Schedules | Health and Human Services North Dakota](#)

<input checked="" type="checkbox"/>	HCBS 1915i Case Management
	Care Coordination is a 15-minute unit rate.
	The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.
	Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.
	Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.
<input type="checkbox"/>	HCBS Homemaker
<input type="checkbox"/>	HCBS Home Health Aide
<input type="checkbox"/>	HCBS Personal Care
<input type="checkbox"/>	HCBS Adult Day Health
	HCBS Habilitation
<input checked="" type="checkbox"/>	HCBS Respite Care
	The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.
	Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.
	Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data

	submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.
	Other Services (specify below)
	<p>Peer Support - The rates were established by comparing the services to similar covered Medicaid services. The peer support rate will be the same as the rate for benefits planning, supported education, prevocational training, supported employment, and housing supports. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Housing Supports - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Supported Employment - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>

	<p>Training and Supports for Unpaid Caregivers - The rates were established by comparing the services to similar covered Medicaid services and the State's parent aide service which are very similar. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>There are two parts to this service and a separate rate for each. Provision of this service is available as:</p> <ol style="list-style-type: none"><li>1) Rate #1: A service based on a unit rate for one-on-one or group training and support by an approved service provider, i.e. parent aide, mental health technician, etc., as identified in the Provider Qualifications below, and: and</li><li>2) Rate #2: A service that reimburses for the costs of registration/conference training fees, books and supplies associated with the training and support needs.</li></ol> <p>Note: The daily maximum applicable to the unit service rate #1 above is not applicable to this non-hourly, reimbursement of cost of training service rate #2. For example, the unpaid caregiver may be approved to attend a conference to receive training on how to address her child's behaviors. It does not matter if the conference is 12 hours per day and exceeds the maximum hours limit of rate #1, as only the cost of the actual training is reimbursed to the care giver for their attendance at the training.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Non-Medical Transportation - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Rate: Unit Rate – Driver with Vehicle – This service is a per 15-minute unit rate. The unit rate is based on the average paid to a driver providing transportation using their person vehicle in ND, according to the US Bureau of Labor and Statistics.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>



	<p>Community Transition Services - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Supported Education - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Pre-Vocational Training - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>
	<p>Benefits Planning - The rates were established by comparing the services to similar covered Medicaid services. Medicaid will pay the lower of billed charges or fee schedule established by the state agency.</p> <p>Payment to private and non-state governmental providers will be based on the lower of billed charges or the fee schedule established by the state agency.</p> <p>Payment to state government providers will be based on the cost of delivery of the services on a prospective basis as determined by the single state agency from cost data submitted annually by state government providers. Allowable costs will be determined in accordance with the Medicare Provider Reimbursement Manual.</p>