NEBRASKA
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DEPT. OF HEALTH AND HUMAN SERVICES

Jim Pillen, Governor

02.04.26 - NE Tribal/Medicaid Monthly Call Agenda

Conference Access Number **+1-408-418-9388**

Access Code- **2495 538 5383**

Present: Andrea Herrera, Becky Crase, Bethany Stech, Chasity Davis, Crystal Appleton, Cynthis, Cynthis Gillaspie, Glorine Lovejoy, Jacob Harlan, Scott Hawley, Jacquelyn Urban, Janine, Jonathan W Rich DMD, Jacob Kawamoto, Catherine Kearney, Aaron Kilgore, Colin Large, Michelle/Ponca, Nancy Mackey, Bethany Nelson, Tracy Nelson, Jackie Orth, Paula Kies, Rachel Metry, Aaron Reece, Bailey Reigle, RickyAnn Fletcher, Josie Rodriguez, Tashina Provost, Theresa, Tim Easton, Tuesday Kuhlman, Val Holli Merrick, Jeshena Walker, Kendra Wiebe, Celia Wightman, Anita Wisecup, Vietta Swalley

SPA/Waiver Updates

- SPA
    - None
- Waiver Authority
    - Second Public Comment Period – AD and TBI Waivers
        - Based on feedback given in the previous public comment period, changes have been made to the proposed waiver. Changes include
            - Removing language regarding the individual cost limit. An expectation review will take place for individuals spending over $138,000. The individual can be approved for additional funds if determined to be needed.
            - Updated limits on the amount, frequency, and duration of some services. The previous update added limits for everyone. The updates would allow for services to be provided on a needs-based basis and limited based on the individuals service needs assessment (SNA).
            - Removed fingerprint-based Criminal Background Checks from some agency provider requirements for certain services. Providers will be required to complete standard Nebraska background checks.
        - The 30 day public comment period is from February 2 to March 4. A presentation of the changes will be held February 5 from 11:00am-12:00pm via Zoom.
        - Upon approval from CMS, these waiver amendments will go into effect July 1, 2026
    - CDD and DDAD Waivers Public Comment
        - The 30 day public comment period is January 26 through February 25. Presentations regarding the changes took place on
            - January 27 – 9:30am-10:15am
            - January 28 – 1:30pm-2:15pm
            - February 4 – 4:30pm-5:15pm
            - February 6 – 1:00pm-2:15 pm - Zoom Link

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        - Changes include
            - Removing the consultative assessment service since members can receive this service through the state plan.
            - Removing the requirement of functional behavioral assessment for behavioral support plans unless the individual is on a high risk plan.
            - Taking out the semi-annual meeting with participants. Annual meetings, monthly check-ins, and quarterly in-person service reviews will still occur.
            - Changing the polices and procedures regarding psychotropic medication for hospice patients
        - Upon approval from CMS, these waiver amendments will go into effect July 1, 2026

Additional Items

- February 18th - Medicaid Quarterly Tribal Consultation Meeting
    - 1:00pm-4:00pm at Ponca Health Services – Lincoln - 1600 Windhoek Dr, Lincoln, NE 68512
        - Webex Link
    - A full agenda will be sent before the meeting. Topics that will be discussed include
        - Medicaid Work Requirements
            - Native Americans are exempt from these requirements. The discussion will focus on how the state will identify Tribal members to ensure that they are being exempt.
        - Rural Health Transformation Program
        - Traditional Healing Practices – Division of Behavioral Health
        - DSNPs

    Data Sharing Agreements
    - The reports generated for the Data Sharing Agreements were finalized and sent out to the specified point of contact with each of the Tribes on 06.09.25. MLTC is available for any support and partnership related to these efforts going forward.
    - We will resign the Data Sharing Agreements in May of 2026. The only change will be ensuring that the mailing address of the individual is pulled rather than the physical address.
    - Please let MLTC know if the point of contact to sign the agreement has changed.
    - **QUESTION:** Ponca asked if the data sharing agreements will only be sent out on an annual basis?
        - **ANSWER:** As of right now, yes. MLTC is open to feedback on if a more regular cadence would be better. The One Big Beautiful Bill Act requires individuals in the expansion Medicaid group to complete renewals every 6 months starting January 2027 so it may be beneficial to send out twice a year. MLTC will coordinate with the data team and bring a more formalized plan to an upcoming meeting.
- Medicare Crossover Claims – Update
    - MLTC has received and is reviewing the final Crossover Claims from the period of 07.01.17 – 06.30.19 from Omaha
- NEMT
    - At the August 2022 Quarterly Consultation meeting, it was agreed that the MCOs and Tribes would discuss how to improve access to transportation services for Tribal beneficiaries.
        - Jacob spoke with the PSC, brought more information to the November 2023 Tribal Consultation, and sent a follow up email to each of the Tribes. The Tribes should submit

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an exemption request to the PSC. If granted the exception, the Tribe will then need to enroll with Maximus as a PSC-exempt NEMT provider and can then provide the approval from the PSC to Maximus to complete this enrollment.

- PSC contact: PSC.motorfilings@nebraska.gov

- 2026 Federal Encounter Rate
  - CMS has released the encounter rate for 2026. The rate is $826.
  - The MCOs are beginning to make updates to their system
- Open Discussion
  - **QUESTION**: Ponca asked if other Tribes are receiving termination notices due to credentialing issues from United Health Care?
    - **ANSWER**: Santee is also seeing these come through. UHC's Tribal Liaison said that they are aware of the situation and are working on finding a solution.
  - **COMMENT**: Santee has been having discussion with the Division of Behavioral Health regarding the traditional healing practices. MLTC can reach out to Vietta before the consultation to receive more information.
  - **QUESTION**: Santee asked - can we get a list of services that the 4 states with approved 1115 waivers are offering?
    - **ANSWER**: MLTC has been reviewing other states and can bring information about their services to the next meeting. LB1016 was introduced in the legislature that would require MLTC to submit an 1115 Traditional Healing Practices Waiver.

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