



Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

05.07.25 - NE Tribal/Medicaid Monthly Call Agenda

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

Access Code- **2495 538 5383**

Present: Jacob Kawamoto (MLTC Policy), Kendra Wiebe (MLTC, Policy), Celia Wightman (MLTC Communications), Jeshena Walker (MLTC Plan Management), Bethany Nelson (MLTC Health Services), Aaron Reece (MLTC Health Services), Jackie Orth (MLTC Eligibility Operations)

Becky Crase (Ponca), Crystal Appleton (Omaha), Tashina Provost (Omaha), Val Holli Merrick (Omaha), Brenda Worrell (Omaha), Glorine Lovejoy (Omaha), Nancy Mackey (Santee), James Ridgeway (Winnebago),

Tuesday Kuhlman (NTC), Tim Easton (NTC), Adam Proctor (NTC), Qiana Brown (Molina), Angi Tran (Molina), Gelisha Palma (Molina), Janine Fitzpatrick (Molina), Jesse Clement (Molina), Cynthia Goslin (UHC), Paula Kies (Molina), Tracy Nelson (UHC), Jonathan Rich, DMD (Centene), Julie Sheppard (Optum/UHC)

SPA/Waiver Updates

- SPA
 - o NE 25-0009: IHS Four Walls Rule
 - This SPA would implement new provisions surrounding the applicability of the "four walls" rule under the Medicaid clinic services benefit for tribal health providers as required under 42 C.F.R. § 440.90(c). Effective January 1, 2025, Medicaid will allow for coverage of clinic services provided by the Indian Health Service (IHS) and tribal clinics to beneficiaries in settings outside their clinic locations. This SPA will allow for qualifying services provided outside of IHS and tribal clinics to be reimbursed at the IHS all-inclusive rate. This change will impact the Tribes and Indian health programs, but will not affect health care facilities operated by Urban Indian Organizations.
 - o NE 25-0011: Developmental Disability (DD) Targeted Case Management (TCM)
 - This SPA would limit the type of provider who can deliver DD TCM services to the Department of Health and Human Services (DHHS) DD service coordinators (DD-SCs). However, there is no change in how American Indian and Alaska Native beneficiaries can receive TCM services.
- Waiver Authority
 - o None

Additional Items

- May Medicaid Tribal Consultation Meeting – UPDATE
 - o This meeting is still scheduled for the afternoon of Thursday, May 22, but due to scheduling conflicts, it will no longer be hosted by Santee (Santee plans to host the August Medicaid Tribal Consultation Meeting).

- If anyone would like to host the May Consultation Meeting, reach out to MLTC's Tribal liaison: jacob.kawamoto@nebraska.gov
 - Otherwise, NE Medicaid will plan to host the meeting on May 22.
- DEA Certification
 - From the [IHS 'Who May Prescribe'](#) webpage:
 - "The Indian Health Service requires that prescribing practitioners have Drug Enforcement Administration licenses, unless they are prescribing under the auspices of institutions that have DEA licenses or they are members of the Public Health Service. However, even if you're a prescribing practitioner working under an "umbrella" DEA license, it's recommended that you get your own DEA license."
 - From the DEA's [clarification regarding locum tenens registration](#) letter:
 - "Practitioners may only administer, dispense, or prescribe a controlled substance in a state if they [first] hold a DEA registration in that state, and are complying with all federal and state laws and regulations. Locum tenens have the following options regarding their DEA registration when planning to legally handle controlled substances in multiple states:
 - A practitioner can apply for a separate DEA registration in each state where they plan to administer, dispense, or prescribe controlled substances;
 - As an alternative, if the practitioner will be working solely in a hospital/clinic setting, they may use the hospital's DEA registration instead of registering independently with DEA if the hospital agrees and the situation warrants, as outlined in 21 C.F.R. §1301.22(c);
 - Alternately, under 21 C.F.R. §1301.51, the practitioner may transfer their existing DEA registration from one state to another as needed by contacting ODR, or requesting the change online at www.DEADIVERSION.USDOJ.GOV. DEA will investigate these modifications of registration as if they were new applications. DEA will issue a new DEA certificate with the appropriate changes if DEA approves the modification."
- Billing for Services Delivered Outside of the 4 Walls and MCO System Updates
 - MLTC has drafted final updates to the Guidance Document to clarify the following:
 - Servicing Location billing requirements
 - The address of service is not required on claims since it is not easily adjustable. A Place of Service code and documentation are required.
 - Telehealth billing requirements
 - These draft updates were sent out via email for the group's review on 04.15.25
 - Dental billing requirements
 - Updated to clarify that the 'SE' modifier is not needed when billing for dental services using the ADA claim form
 - MLTC will continue working with the MCOs to ensure that systems are updated to appropriately process claims for services provided outside of the 4 Walls. Payments would then be allowed retroactively back to 1.1.25 (the effective date of the final rule) once the system updates are completed.
- 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
- Data Sharing Agreements

- The Data Sharing Agreements were approved by DHHS and sent out to the Tribes on 01.30.25 for review and approval. MLTC is working on developing the next steps and processes for sharing the data with the Tribes that have signed the agreement.
- 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 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
 - Winnebago and Omaha reported that they have received the contract/agreement to review that would allow them to become contracted with the MCO subcontactors to provide NEMT.
 - **Winnebago:** Revied the agreement to provide these services. They are discussing and negotiating with the MCOs and transportation subcontractors to figure out the current logistics and expectations. Currently, Tribal members call in the day-of to receive transportation services from the Tribe, and so the Tribe is working to figure out how to implement and provide services in this way while still complying with guidelines and requirements from the transportation subcontractors.
 - **QUESTION (MLTC):** Are the MCO Tribal Liaisons involved in these conversations?
 - **ANSWER (Winnebago and Omaha):** Yes, they have been involved and helping to facilitate these conversations