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DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

## 06.11.25 - NE Tribal/Medicaid Monthly Call Notes

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

Access Code- **2495 538 5383**

**Attendees:** Jacob Kawamoto (MLTC Policy), Kendra Wiebe (MLTC, Policy), Kelsi Rodriguez-Cangas (MLTC Policy), Celia Wightman (MLTC Communications), Jeshena Walker (MLTC Plan Management), Travis Beck (MLTC Health Services), Bethany Nelson (MLTC Health Services), Aaron Reece (MLTC Health Services), Jackie Orth (MLTC Eligibility Operations), Rachel Metry (Tribal Liaison - Div. of Developmental Disabilities), Josie Rodriguez (Div. of Developmental Disabilities), Jacob Harlan (Tribal Liaison - Div. of Public Health)

RickyAnn Fletcher (Ponca), Becky Crase (Ponca), Sylvia Allen-Lopez (Ponca), Michelle Runyan (Ponca), Andrea Burbach (Ponca), Crystal Appleton (Omaha), Tashina Provost (Omaha), Val Holli Merrick (Omaha), Donna Morris (Omaha), Glorine Lovejoy (Omaha), Lisa Miller (Omaha), Nancy Mackey (Santee), Vietta Swalley (Santee), James Ridgeway (Winnebago), Stacey Steiner (CMS)

Tuesday Kuhlman (NTC), Qiana Brown (Molina), Angi Tran (Molina), Gelisha Palma (Molina), Bethany Stech (Molina), Janine Fitzpatrick (Molina), Cynthia Goslin (UHC), Tracy Nelson (UHC), Mary McHale (UHC), Jonathan Rich, DMD (Centene)

2 callers joined via telephone call-in

### SPA/Waiver Updates

- SPA
  - o NE 25-0018: Outpatient Provider Reimbursement
    - The changes aim to improve access to care through increasing rates across a broad range of outpatient physical health services provided by non-hospital providers, with an emphasis on evaluation and management services, labor and delivery services, and rural services. The proposed SPA would not impact Tribal/IHS facility rates, nor the scope of services available to Tribal beneficiaries or the way in which they would receive them. This may impact urban Tribes, and questions can be sent to Jacob regarding this.
  - o NE 25-0019: 1902(r)(2) Disregard for MAC/BAC Members
    - This SPA would implement a 1902(r)(2) disregard for non-modified adjusted gross income (MAGI) Medicaid Advisory Committee (MAC) and Beneficiary Advisory Committee (BAC) members. Any income or resources that non-MAGI members receive from MAC/BAC compensation will be disregarded from their income. This SPA will impact the Tribes because if a Tribal beneficiary is a non-MAGI MAC/BAC member, compensation from the MAC/BAC will be disregarded when income is calculated.
  - o NE 25-0004: School-Based Services

- This SPA would allow NE Medicaid to reimburse Medicaid-covered services provided in schools on additional plans of care beyond individualized education plans (IEPs) and individualized family support plans. This SPA will impact the Tribes. Indian healthcare providers will be able to provide Medicaid services in the schools as long as they are registered as a Medicaid provider with the school district. Tribal youth enrolled in Medicaid will also have greater access to services provided in schools as this will enable them to receive services in the school where there is documented medical necessity.
- **QUESTION:** In an email outside of this meeting, a representative from the Omaha Tribe asked what it means that the Tribes need to be registered with the school district to provide services in the schools.
  - **ANSWER:** If the Tribal facility is providing and billing for the service(s) in a school that does not participate in the Medicaid in Public Schools (MIPS) program, the service(s) would be reimbursed to the Tribal facility like normal. It is also MLTC's understanding that none of the Tribal schools currently participate in the MIPS program.
  - However, for schools that do participate in the MIPS program and that are enrolled with Maximus, the Tribal facility still has to ensure that the specific individual provider providing services has a Maximus number and is grouped under the school in order to provide reimbursable services. The individual provider providing services would also take part in the Random Moment Time Study for the school which is done through the State's school-based services vendor, and in this case reimbursement would be made under the MIPS program to the school.
- NE 25-0017: Psychiatric Resident Treatment Facility (PRTF) Levels of Care
  - This SPA would consolidate PRTF levels of care, remove the specialty service rate, and increase rate reimbursement for the community-based level of care. This SPA will not impact the Tribes. The proposed changes aren't affecting the reimbursement of Tribal providers or changing the way that Tribal members access or receive these services.
- Waiver Authority
  - None

## Additional Items

- Billing for Services Delivered Outside of the 4 Walls and MCO System Updates
  - MLTC has submitted the finalized draft updates to the IHS and Tribal 638 Provider Bulletin to DHHS Legal for review/approval. Once approved, it will be updated on the DHHS public website.
    - 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.
- 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.
  - **QUESTION:** Will this report be sent monthly?

- **ANSWER:** The report will be sent annually by secure email to the identified Data Recipient for each Tribe. The report was generated in May 2025 and sent in June 2025, and shows the applicable renewal month for the coming year (June 2025 – May 2026) for every individual that received services from each Tribal facility in Nebraska for the past year (June 2024 – May 2025).
- CMS / IHS Training Recap
  - Thanks to Vietta Swalley, Crystal Appleton, and Becky Crase for participating in the panel discussion at the CMS / IHS Regional Training!
  - CMS and the National Indian Health Board (NIHB) offered to assist NE Tribe with cases where individuals are dual enrolled with Medicaid and the Marketplace. CMS and NIHB will coordinate with the national vendor who oversees the coordination of enrollment and related IT systems.
    - For these cases, the Tribes should compile a list containing the names and case numbers of dually enrolled individuals and send this list to MLTC's Tribal liaison ([jacob.kawamoto@nebraska.gov](mailto:jacob.kawamoto@nebraska.gov)). The Tribal liaison will then send these lists to CMS and NIHB.
    - It should be noted that it is not regulatory that dual membership is not prohibited. It was also noted that dual eligibility can cause tax reporting and operations issues.
  - Coordination of Benefits (CoB) with Medicare Advantage Plans
    - NE MLTC and the Tribes from NE asked CMS about CoB with Medicare Advantage Plans, and whether Tribal facilities are to be reimbursed up to the Medicaid AIR for dual eligible beneficiaries enrolled in Marketplace plans. CMS is taking the question back for review.
      - NTC agrees that CoB and reimbursement for Medicare Advantage dual enrollees would be the same as CoB and reimbursement for traditional Medicare.
        - **QUESTION:** Does this also apply to pharmacy?
          - **ANSWER:** Yes, understanding is that it should apply to both (pharmacy and medical claims).
    - Note: There is not a federal regulatory prohibition for individuals to have both Medicaid and Marketplace coverage. However, there needs to be careful consideration with tax credits received under Marketplace plans and how this is impacted by Medicaid coverage.
      - The MCOs in NE are now required to have dual eligible special needs plans (DSNP).
      - NTC has given their full support for Navigators to not sign American Indian/Alaska Native beneficiaries for Marketplace if they are already Medicaid eligible.
  - Other items of note from the Training
    - Winnebago gained helpful tools to communicate the importance of Medicaid enrollment from the Training.
    - Jacob stated that he and MLTC are grateful for the collaboration the MCOs and Tribes have in Nebraska and that it is a special dynamic.
    - The National Resource Center on Native American Aging presented, and MLTC saw much potential for Nebraska and reimbursement.
- 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.

- MLTC spoke with the PSC, brought more information to the November 2023 Tribal Consultation, and sent a follow-up email to each Tribe. 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](mailto:PSC.motorfilings@nebraska.gov)
- **QUESTION:** Ponca asked about specific dental billing codes (4910 and 4346) – the MCOs won't cover these services if Medicaid didn't cover the initial scaling/root planning. Ponca requested that the professional fees for these services (4910 and 4346) in this situation be covered.
  - **ANSWER (Centene):** This stipulation is outlined in Nebraska Medicaid's state regulations (471 NAC 6). But if providers submit this as a professional fee and code the work they do, it will be reimbursed.
    - Ponca had asked for the lower rate (professional fees) and it was denied. Dr. Rich from Centene asked for Ponca to send the denied claims to him for review.
- **QUESTION:** Santee asked about a pharmacy notice from CVS that Santee will be paid daily beginning July 2<sup>nd</sup> and that they need to sign up through ACH to receive electronic EOBs. Santee currently receives paper checks and EOBs. How will they get EOBs going forward? To receive payment, they will need to sign up through ACH. They asked how to receive EOBs electronically.
  - **ANSWER:** Molina noted that they would work with the Pharmacy Director to review and determine this.
- Santee reminded everyone about the Santee Clinic Health Fair on June 27<sup>th</sup> and the Isantee Pow Wow happening on June 24, 25, and 26.