

Department of Human Services



Tribal Consultation Meeting

October 1, 2013

1:30 PM-3:00 PM

Barbara Roberts Human Services Building

500 Summer St. NE, Room 352

Salem, OR 97301

Meeting Summary

Attendees

x	Caroline Cruz	x	Iliana Kazmierczak		Jackie Mercer	x	Jim Roberts
x	Dennis Eberhardt		Mark Johnston	x	Tresa Mercier	x	Sharon Stanphill
	Tim Gilbert	x	Allyson Lecatsas		Eric Metcalf		Twila Teeman
	Bruce Goldberg	x	Kelle Little		Judy Mohr Peterson		Diana Woods (notes)
	Leroy Jackson, Jr.		Mike Marcotte		Judy Muschamp		

Guests

Richanne Jennings, Trudy Simpson, Deb Jackson, Jim Wallace, Don Ross, Shane Lopez Johnson, Linda Fanning, Michelle Benson, Vicky (From Coos), Angie (From Yellow Hawk)

Agenda Item

Welcoming Remarks / Context

Don Ross on behalf of Judy Mohr Peterson welcomed everyone to the meeting and introductions were made.

Federal Government Shutdown and DMAP

- Received confirmation from Dr. Goldberg, no immediate impact to Medicaid, as it is considered an essential service. No immediate impact to the delivery of or payment for Medicaid Service.
- Grant funded programs- need to check with agency and your point of contact as to whether there are any impacts to the grant funded programs

Uncompensated Care Update

The Uncompensated Care payment program has been submitted to CMS, a proposed standard terms and conditions have been received from CMS. Two conference calls have been conducted.

There are two sticking points:

1. Benefit plans: The language that was in the original terms and conditions limited the benefit plans that are currently on the healthcare services prioritized list, which excluded a lot of the services that we wanted to have included. There was supposed to be a call with CMS earlier today (10/1), but due to the government shut down the call did not take place, and is postponed indefinitely.
2. Certified public expenditure model for the people who would be seen for uncompensated care services that are not tribal but would be seen in a tribal clinic. Those services would not be federally matched at 100%. Tribes would be responsible for making up the difference.

Dennis: Everything is looking pretty good on the uncompensated care program it is just taking a long time to complete. We may get authorized in October with a November 1 start date, and ends on December 31. CMS is encouraging an extension request. Questions to why this should be done? Dennis believes it is worthwhile and that extensions can be obtained.

Flexible Services Update

- Allows tribal health programs for non-traditional services. The tribal best practices committee has been working on this. We are trying to morph the tribal best practices into a flexible service reimbursement; this is a slow going process. Dennis is encouraged that there is enough momentum and interest to get this finished and will likely take a waiver amendment.
- Linda Fanning and Dana Peterson are helping the tribal best practices committee to create a matrix which describes programs and how those programs match the codes.
- Caroline: Want to make sure that the tribes get reimbursement for tribal based treatments. Need to include physical health in addition to mental health. Caroline will send everyone a copy of the matrix.
- Flexible funding needs to be better defined per Dennis
- Caroline: Most tribes cannot sustain themselves with just base amounts, totally dependent on grants and Medicaid programs. Medicaid is a source of income. Tribes are missing out on opportunities to bill for services, need to be able to bill.
- Dennis: Intent of this is to allow billing for items that are more culturally oriented and beneficial to the population. Group will meet to discuss further.
- Caroline: Next meeting is December 2 at Grand Ronde. Dana Peterson and Linda Fanning will be attending to provide assistance.

CCO Contracts Update

- Dennis: Jim Roberts has sent out a Medicaid addendum for managed care to tribal health directors. Dennis has been getting a lot of interest from the CCO's in terms of contracting. Waiting for the comment period on the addendum to pass. Would it be beneficial to have a seminar on CCO contracting for tribal health directors and staff?
- Group believes that a seminar would be beneficial. Dennis is willing to facilitate this.
- Dennis is concerned that there may be some practical issues to CCO's that tribes aren't aware of along with other issues that may arise, and training would help cover these issues, preparing them for CCO talks and things that are not in the contract. He would like to utilize the expertise of the tribal billing departments.
- Jim Roberts: Draft version of the addendum going to Judy this week along with a request for an administrative process or requirement through Judy that CCO's use the tribal addendum when contracting with tribal programs. Jim agrees with the need for a seminar, and suggests that the seminar be similar to the one conducted for qualified health plans. Would be beneficial to go through the differences with the insurance exchange side.
- Kelle: What is the comment period for the addendum? Jim: There is an internal deadline.

Timely Filing of FFS Claims

- Dennis: All claims for services must be submitted within four months of the date of service. A majority of claims will be due within the four months of service. Rule-making comment period is open now with an open hearing on October 15. Dennis is willing to forward any responses on, and encourages participation in the hearing.
- Caroline: Due to the Affordable Care Act there is going to be more work, and with this rule, less time to get the work done.
- Jim: How are the claims submission timelines for CCO's determined or developed?
- Don Ross: They are in the managed care rules and managed care contracts. Contracts transformation waiver negotiations measurable quality and growth at a fixed rate. CMS asked to establish a time limit on that data.
- Jim: This will effect a lot of people who go to tribal clinics
- Caroline: Suggested that this should be done in increments. It's too drastic to go from one year to four months.
- Dennis: This is proposed to go into effect on November 1, 2013.
- Where did this come from?
Don: This came out of the OHA director's office and finance. Asked for this fee for service can be aligned with the managed care side, and with finance not wanting to have a lag time in between.
- Jim: Looks like most tribes will be able to accommodate this, suggests exceptions on a case by case basis.
- Don: Doesn't want to see a large number of tribal clinic appeals by having a timely filing deadline that makes sense for everyone.
- Jim: Cited CMS recognition of the limitations of the information technology systems used to file claims due by Indian Health Systems. May not ask for some exemption from the process but may ask for some exceptions based on special circumstances once they occur.
- Dennis: Asked that Jim or someone on his staff put together a comment letter on behalf of the tribes.
- Caroline: Questioned when this notification was made? Doesn't believe the tribes were given sufficient notification based on rule 07.70, and weren't given sufficient time to provide feedback. Asked Jim to relay these concerns in their letter.
- Don: Depending on what the feedback is, the rule may need changed and refilled which would push the effective date out. Wants to make sure that the group has time to provide feedback. There will not be any compliance issues come November 1.
- Kelle: Doesn't have a problem with the rule but she understands Caroline's feedback.
- Richanne: Wanted to remind the group that ICD-10 is coming in one year, and the four month rule may cause additional problems.
- Caroline: Statute needs to be reviewed.

Other Questions / Updates / Agenda Items

Kelle: How is OHP Fee-for-Service dental pulled into CCO?

Don asked Linda Fanning to send out a list of which CCO's have incorporated with dental.

Allyson: Asked for demographics for HNA, who are enrolled in open card. Asked for how many in and how many out, by gender, age, and zip code. Will send request with specifics to Dennis Eberhardt.

Next Tribal Consultation Meeting is scheduled for Jan 7, 2014. Caroline asked that meeting invites for next year be sent out to the group ASAP, so she and others can get travel authorization ahead of time.

Next Tribal Consultation Meeting: January 7, 2014 at 1:30 p.m. in HSB-352.

Contact Information:

Bruce Goldberg, Director, OHA
503-947-2340 / bruce.goldberg@state.or.us

Judy Mohr Peterson, Administrator, DMAP
503-945-5768 / judy.mohr-peterson@state.or.us

Dennis Eberhardt, Tribal Contracting Liaison
503-945-7002 / dennis.eberhardt@state.or.us

Diana Woods, Executive Assistant
503-945-6843 / diana.woods@state.or.us