



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ROBERT GORDON
DIRECTOR

November 2, 2020

NAME
TITLE
ADDRESS
CITY STATE ZIP

Dear Tribal Chair and Health Director:

RE: Michigan Department of Health and Human Services (MDHHS) Response to Address COVID-19 Public Health Emergency – Fall 2020

This letter, in compliance with Section 1902(a)(73) and Section 2107(e)(1)(C) of the Social Security Act, serves as notice to all Tribal Chairs and Health Directors of the intent by MDHHS to submit Medicaid Disaster Relief State Plan Amendment (SPA) requests to the Centers for Medicare & Medicaid Services (CMS).

The purpose of the SPA requests is to obtain the authority to utilize flexibilities in connection with the COVID-19 public health emergency. These flexibilities will allow MDHHS the ability to fully address the health needs of Medicaid beneficiaries during this public health emergency.

SPAs for Disaster Relief of COVID-19

The Disaster Relief SPAs allow MDHHS to request temporary flexibility in addressing health care needs and support for Medicaid beneficiaries during COVID-19. The requested flexibilities during COVID-19 are:

- Allow COVID-19 laboratory specimen collection to be reimbursed when provided by a licensed Pharmacist or Pharmacy Technician under the supervision of a Pharmacist as authorized by the State within their scope of practice.
- Allow Federally Qualified Health Centers (FQHCs) and Rural Health Clinics (RHCs) to be reimbursed for COVID-19 specimen collection through an Alternative Payment Methodology (APM) separate from the Prospective Payment System when no other eligible qualifying clinic visit is provided on the same date of service.

- Allow Tribal Health Centers (THCs) to be reimbursed for COVID-19 specimen collection through an APM separate from the All-Inclusive Rate reimbursement methodology when no other eligible qualifying clinic visit is provided on the same date of service.
- Allow Tribal FQHCs to be reimbursed for COVID-19 specimen collection through an APM separate from the All-Inclusive Rate reimbursement methodology when no other eligible qualifying clinic visit is provided on the same date of service.
- Allow for a temporary premium payment of \$2.00 per hour to be paid to self-employed providers of personal care services and behavioral health treatment behavior technician services for in-person care, as well as for in-person care provided by registered nurses, licensed practical nurses, competency-evaluated nursing assistants, and respiratory therapists employed by Medicaid-certified nursing facilities. Also, allow for a temporary supplemental payment of \$2.24 per hour to be paid for agency employed providers of personal care services and behavioral health treatment behavior technician services for in-person care. These changes are effective October 1, 2020 through December 31, 2020.

The approval by CMS for these flexibilities will continue until the public health emergency is over unless otherwise stated above. MDHHS expects these changes to increase access to COVID-19 testing and services for Native American beneficiaries.

The anticipated effective date of these temporary changes is March 10, 2020, unless otherwise stated above.

Due to the public health emergency, the Tribal consultation timeline requirements identified in the State Plan have been modified per the approved Section 1135 Waiver. There is no public hearing scheduled for these submissions. Input is highly encouraged, and comments regarding this notice of intent may be submitted to Lorna Elliott-Egan, MDHHS Liaison to the Michigan tribes. Lorna can be reached at 517-512-4146, or via email at Elliott-EganL@michigan.gov. **Please provide all input by December 17, 2020.**

In addition, MDHHS provided an overview of these changes during the Tribal Health Directors Quarterly Meeting Call on October 14, 2020, had a group consultation call to discuss the specimen collection changes on October 7, 2020, and is offering to set up group or individual consultation meetings to further discuss the Disaster Relief SPAs, according to the tribes' preference. Consultation meetings allow tribes the opportunity to address any concerns and voice any suggestions, revisions, or objections to be relayed to the author of the proposal. If you would like additional information or wish to schedule a consultation meeting, please contact Lorna Elliott-Egan at the telephone number or email address provided above.

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MDHHS appreciates the continued opportunity to work collaboratively with you to care for the residents of our state.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Massey', with a long horizontal flourish extending to the right.

Kate Massey, Director
Medical Services Administration

CC: Keri Toback, CMS
Nancy Grano, CMS
Chasity Dial, CEO, American Indian Health and Family Services of Southeastern Michigan
Daniel Frye, Director, Indian Health Service - Bemidji Area Office
Lorna Elliott-Egan, MDHHS

**Distribution List for L 20-69
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Mr. Bryan Newland, Tribal Chairman, Bay Mills Indian Community
Ms. Audrey Breakie, Health Director, Bay Mills (Ellen Marshall Memorial Center)
Mr. David M. Arroyo, Chairman, Grand Traverse Band Ottawa & Chippewa Indians
Mr. Soumit Pendharkar, Health Director, Grand Traverse Band Ottawa/Chippewa
Mr. Kenneth Meshigaud, Tribal Chairman, Hannahville Indian Community
Ms. G. Susie Meshigaud, Health Director, Hannahville Health Center
Mr. Warren C. Swartz, Jr., President, Keweenaw Bay Indian Community
Ms. Kathy Mayo, Interim Health Director, Keweenaw Bay Indian Community - Donald Lapointe Health/Educ Facility
Mr. James Williams, Jr., Tribal Chairman, Lac Vieux Desert Band of Lake Superior Chippewa Indians
Ms. Sadie Valliere, Health & Human Services Director, Lac Vieux Desert Band
Mr. Larry Romanelli, Ogema, Little River Band of Ottawa Indians
Mr. Daryl Wever, Health Director, Little River Band of Ottawa Indians
Ms. Regina Gasco-Bentley, Tribal Chairman, Little Traverse Bay Band of Odawa Indians
Ms. Jodi Werner, Health Director, Little Traverse Bay Band of Odawa
Mr. Bob Peters, Chairman, Match-E-Be-Nash-She-Wish Potawatomi Indians (Gun Lake Band)
Ms. Kelly Wesaw, Health Director, Match-E-Be-Nash-She-Wish Potawatomi
Mr. Jamie Stuck, Tribal Chairman, Nottawaseppi Huron Band of Potawatomi Indians
Ms. Rosalind Johnston, Health Director, Huron Potawatomi Inc.- Tribal Health Department
Mr. Matthew Wesaw, Tribal Chairman, Pokagon Band of Potawatomi Indians
Ms. Priscilla Gatties, Interim Health Director, Pokagon Potawatomi Health Services
Mr. Tim Davis, Tribal Chief, Saginaw Chippewa Indian Tribe
Mrs. Karmen Fox, Executive Health Director, Nimkee Memorial Wellness Center
Mr. Aaron Payment, Tribal Chairman, Sault Ste. Marie Tribe of Chippewa Indians
Mr. Leonid Chugunov, Health Director, Sault Ste. Marie Tribe of Chippewa Indians - Health Center

CC: Keri Toback, CMS
Nancy Grano, CMS
Chasity Dial, CEO, American Indian Health and Family Services of Southeastern Michigan
Daniel Frye, Director, Indian Health Service - Bemidji Area Office
Lorna Elliott-Egan, MDHHS