
State of Mississippi

1.4 **State of Mississippi Medical Care Advisory Committee**

There is an advisory committee to the Mississippi Division of Medicaid on health and medical care services established in accordance with and meeting all the requirements of 42 C.F.R § 431.12.

Tribal Consultation Requirements

The Mississippi Division of Medicaid complies with Section 1902(a)(73) and Section 2107(e)(I) of the Social Security Act by seeking advice on a regular, ongoing basis from a designee of the Indian health programs concerning Medicaid and Children's Health Insurance Program (CHIP) matters having a direct impact on Indian health programs and urban Indian organizations. Mississippi has only one federally recognized Tribe and that is the Mississippi Band of Choctaw Indians (MBCI).

The Mississippi Division of Medicaid consults with the MBCI by notifying the MBCI's designee in writing with a description of the proposed change and direct impact, at least thirty (30) days prior to each submission by the State of any Medicaid State Plan Amendment (SPA), and at least sixty (60) days prior to each submission of any waiver proposals, waiver extensions, waiver amendments, waiver renewals and proposals for demonstration projects likely to have a direct impact on Indian health programs, Tribal organizations, or urban Indian organizations (I/T/U) by email. Direct impact is defined as any Medicaid or CHIP program changes that are more restrictive for eligibility determinations, changes that reduce payment rates or payment methodologies to I/T/U providers, reductions in covered services, changes in consultation policies, and proposals for demonstrations or waivers that may impact I/T/U providers. If no response is received from the MBCI within the notification time-frames listed above, the Division of Medicaid will proceed with the submission to the Centers for Medicare and Medicaid Services (CMS).

MBCI designees are the Choctaw Health Center's Deputy Health Director and Director of Financial Services.

If the Mississippi Division of Medicaid is not able to consult with the Tribe within the notification time-frames prior to a submission the Division of Medicaid must e-mail a copy of the proposed submission along with the reason for the urgency to the MBCI designee. The Tribe may waive this notification time-frame requirement in writing via e-mail. If requested, a conference call with the MBCI designee and/or other Tribal representatives will be held to review the submission and its impact on the Tribe. In the event of a conference call, the Division of Medicaid will then confirm the discussion via email and request a response from the designee to ensure agreement on the submission. This documentation will be provided as part of the submission information to CMS.

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The Mississippi Division of Medicaid consults with the ~~tribe~~ ~~MBCI~~ by notifying the ~~Mississippi Band of Choctaw Indians~~ ~~MBCI's~~ designee, in writing with a description of the proposed change and direct impact, at least ~~thirtysixty (360)~~ thirty (30) days prior to each submission by the State of any Medicaid State Plan Amendment (SPA), and at least sixty (60) days prior to each submission of any waiver proposals, waiver extensions, waiver amendments, waiver renewals and proposals for demonstration projects likely to have a direct ~~effect~~ impact on ~~Indians~~, Indian ~~h~~Health programs, Tribal organizations, or Urban Indian organizations (I/T/U) ~~at the address noted below~~ and by email. Direct impact is defined as any Medicaid or CHIP program changes that are more restrictive for eligibility determinations, changes that reduce payment rates or payment methodologies to ~~Indian Health Programs, Tribal Organizations, or Urban Indian Organization~~ I/T/U providers, reductions in covered services, changes in consultation policies, and proposals for demonstrations or waivers that may impact I/T/U providers. If no response is received from the ~~Tribe~~ MBCI within the notification time-frames listed above ~~thirty (30) days~~, the Division of Medicaid will proceed with the submission to the Centers for Medicare and Medicaid Services (CMS).

~~MS Band of Choctaw Indians~~ MBCI designees: are the Choctaw Health Center's Deputy Health Director and Director of Financial Services.

Donita R. Stephens, Director of Financial Services
Choctaw Health Center
210 Hospital Circle
Choctaw, MS 39350

If the Mississippi Division of Medicaid is not ~~be~~ able to consult with the Tribe within the notification time-frames ~~sixty (60) days~~ prior to a submission, the Division of Medicaid must e-mail a copy of the proposed submission along with the reason for the urgency ~~will be forwarded~~ to the MBCI designee. The Tribe may waive this notification time-frame requirement in writing via e-mail. If requested, A conference call with the MBCI designee and/or other ~~tribal~~ representatives will be ~~requested~~ held to review the submission and its impact on the ~~T~~tribe. In the event of a conference call, The Division of Medicaid will then confirm the discussion via email and request a response from the designee to ensure agreement on the submission. This documentation will be provided as part of the submission information to CMS.

~~Staff from the Division of Medicaid (Phyllis Williams, Deputy Administrator for Health Services for and Richard Roberson, Special Assistant to the Executive Director for the Division of Medicaid) first consulted with the Mississippi Band of Choctaw Indians in a meeting on June 28, 2010, at the Choctaw Health Center with Mr. Joshua Breedlove, Interim Health Director, Merry Irons, Medicare/Medicaid Billing Technician, and Darnene Farmer. The purpose of the meeting was to discuss the agency's proposed State Plan Amendment regarding a care coordination program and the new federal tribal consultation requirements.~~

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State of Mississippi

~~Mr. Breedlove noted he was aware of the federal requirements and when asked what method he preferred be used for the consultation he indicated a letter to him would be sufficient. On November 30, 2010, Mr. Breedlove was sent an email seeking input and comments on how best to work with the tribe on Medicaid and CHIP program consultations. There was no response from the email. On December 14, 2010, Phyllis Williams called to talk with Mr. Breedlove and was told he was no longer with the Choctaw Health Center and was referred to Mr. Gary Ben as the new Interim Health Director. The federal tribal consultation requirements were discussed and he advised that the Director of Financial Services had been selected as the tribe's designee to work with the Medicaid agency on these issues. The agency then contacted Donita R. Ms Stephens who acknowledged that a letter from the agency would be acceptable and we could email and /or mail it. The agency elected to do both.~~