



Tribal and Indian Health Representative Webinar

Department of Health Care Services (DHCS)
March 5, 2021



Overview

- **Covid Flexibilities**
- **Indian Health Clinic & Enrollment**
- **Legislation**
- **Tribal Emergency Preparedness and American Indian Maternal Support Services Programs Update**



What is Medi-Cal?

- **Medi-Cal** is California's Medicaid program. It is a public health insurance program which provides needed health care services for low-income individuals, blind, and disabled. Medi-cal is funding jointly with Federal & State dollars
- Medi-Cal is administered by DHCS, which serves as the "Medicaid Single State Agency" and is responsible for ensuring the program is administered in accordance with applicable federal and state statutes, regulations and policies
- **State Plan** - the official contract between the state and federal government by which a state ensures compliance with federal Medicaid requirements to be eligible for federal funding and it describes the nature and scope of Medicaid programs and gives assurances that it will be administered in accordance with federal law
- **Medicaid Waivers** - allow States to apply to the federal Secretary of Health and Human Services to obtain an exemption (i.e. "waive") from particular Medicaid statutes. Waivers allow:
 - Flexibility and encourage innovation in administering its Medicaid program to meet the health care needs of its populations
 - Ability to provide medical coverage to individuals who may not otherwise be eligible and/or provide services that may not otherwise be allowed under the regular Medicaid rules



COVID & 2020

- Flexibilities: Continuous eligibility, telehealth expansion to include payment for telephone and all telehealth services originating from patients' home, services outside clinic 4 walls, payment for associate mental health providers. Awaiting federal approval of SPA for payment of vaccine-only visits. Reminder: please hold vaccine-only claims pending SPA approval and DHCS instruction.
- January 15, 2021- CMS extended it's policy to suspend enforcement of the "four walls" requirement under 42 C.F.R. § 440.90 for IHS and Tribal facilities (to extend the grace period previously granted to IHS and Tribal facilities) to October 31, 2021.
- DHCS COVID-19 response activities updated regularly at the following webpage:
<https://www.dhcs.ca.gov/Pages/DHCS-COVID%E2%80%91Response.aspx>

2020 Clinic Services Update:

- Preliminary 2020 claims data review indicates decline in visits and reimbursements for Indian health clinics compared to 2019. Final analysis to be completed in Fall, 2021.

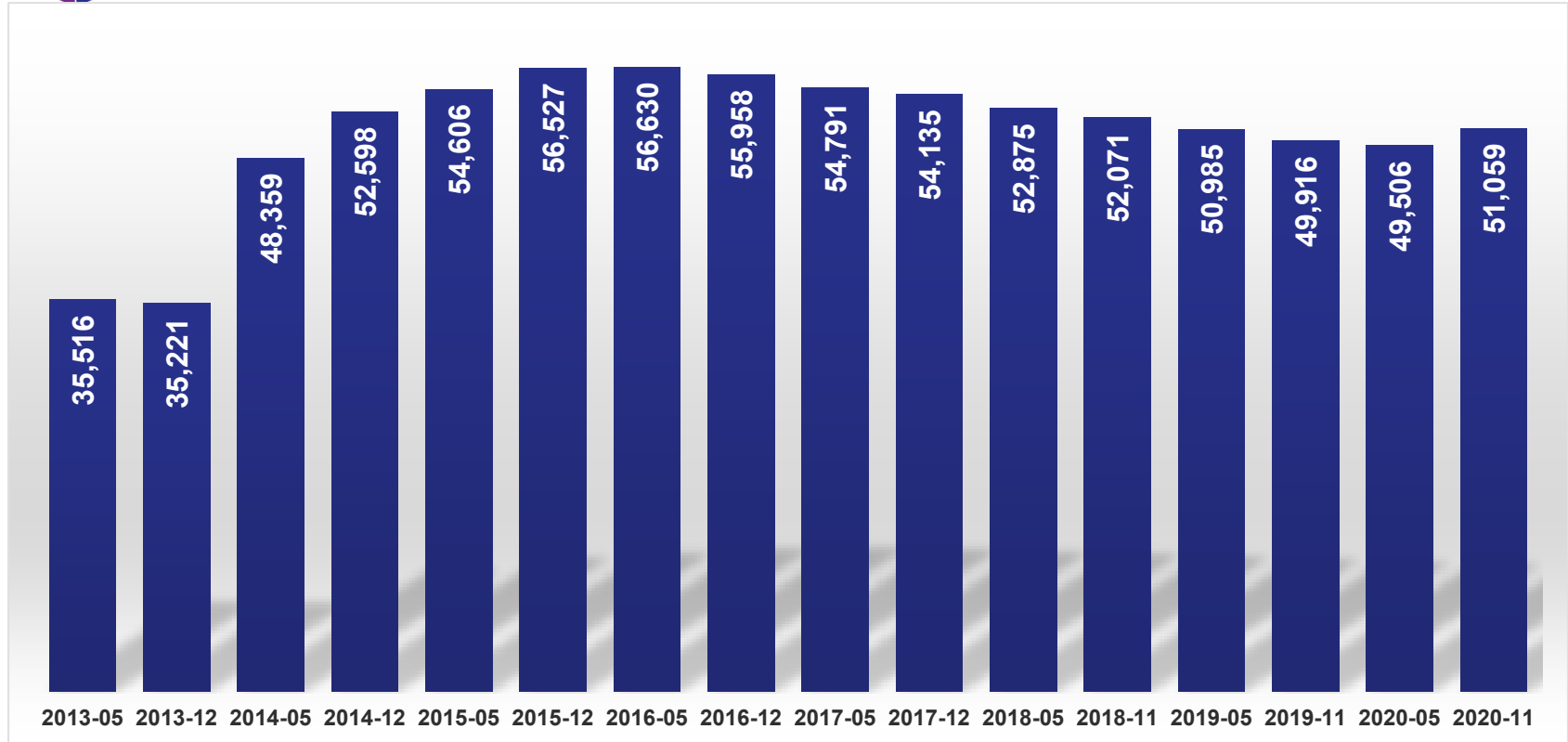
2020 Clinic status Update:

There are a total of 108 American Indian Primary care clinic sites in California

- 95 Indian Health Service Memorandum of Agreement(IHS/MOA)
 - One more clinic site was added in 2020
- 13 Urban Indian Federally Qualified Health Center Clinic sites



AI/AN Medi-Cal Certified Enrollees, Calendar Year (CY)2013 – 2020



Over the past seven years:

- The number of Medi-Cal enrollees self-identified as AI/AN was 51,059 in November 2020;
- In CY 2016, the highest monthly number of AI/AN Medi-Cal enrollees was 56,630 in June;
- In CY 2013, the highest monthly number of AI/AN Medi-Cal enrollees was 35,516 in June.



2021 Legislative Bills

Note: The legislature has modified the budget and policy bill hearing calendar due to Covid-19 pandemic considerations.

- **AB 32: Aguiar-Curry-Telehealth.** This bill amends several state codes and regulations to allow telehealth health care services furnished by an enrolled clinic to be reimbursed by Medi-Cal on the same basis, to the same extent, and at the same payment rate as those services furnished in person.
- **AB 457: Santigo- Telehealth Patient Bill of Rights.** This bill amends existing law to ensure that patients receiving health care services via telehealth also have the right to be seen by a health care provider with a physical presence within a reasonable distance from the patient’s home. Other cost sharing exemptions for the patient are included in this bill.
- **AB 627: Waldron. Recognition of tribal court orders: rights in retirement plans or deferred compensation. This bill** amends existing law by which superior courts of the state recognize and enter tribal court money judgments of any federally recognized Indian tribe.
- **AB:873: Ramos-Child welfare services: Indian tribes.** This bill is amended to ensure that administrative costs for legal representation for children in foster care shall not require a matching share of administrative costs, if legal representation is provided by tribal, tribal consortium, or tribal organization attorneys.
- **AB 923: Ramos-Tribal Consultation:** This bill would require designated state officials to consult on a government-to-government basis with tribal officials and respond to requests to consult within 60 days. Each agency director must consider the need for tribal consultation in their policymaking. The designated state officials must be trained on government-to-government consultation by January 1, 2023, and all future agency officials to complete training within six months of their appointment.
- **AB 988: Bauer-Kahan-Statewide 988 Mental Health and Suicide Prevention Hotline and mobile crisis teams:** This bill directs the Office of Emergency Services, in collaboration of local counties, to implement a “988” call center for the purpose of connecting individuals experiencing a mental health crisis with crisis counselors, mobile support teams, and/or other stabilization services. Counties shall consult with California Indian tribes, to ensure mental health crisis services support are accessible to tribes. This may include regional coordination with tribal governments and capacity building efforts.
- **AB 1050: Gray- Prescription Drugs.** This bill amends current law to allow FQHCs and RHCs to be reimbursed for pharmaceuticals not purchase through the 340B drug program.
- **SB 316: Eggman- Medical and Mental Health Visit.** This bill amends current law to allow a FQHC and RHC to provide two reimbursable visits on the same day at a single location, if a patient has a medical visit and a mental health visit or a dental visit.
- **SB 365: Cabellero – E-consult Services.** Electronic consultation (E-consult) services shall be reimbursable for enrolled providers, including FQHCs and RHCs.



State Plan Amendments (SPAs), Waivers and Demonstration Projects

2021 Proposals	Notice Sent	Status
<p>Supplemental payment program for qualifying non-hospital 340B community clinics, SPA 21-0015: The supplemental payments will support clinics who apply and certify that they are providing additional level of engagement to integrate, coordinate health care and manage the array of beneficiary health complexities. The proposed effective date of the SPA is April 1, 2021</p>	2/5/2021	Pending



Tribal Emergency Preparedness and American Indian Maternal Support Services Program Update

- DHCS continues to administer the American Indian Maternal Support Services (AIMSS) grants in Fresno, Humboldt, Placer, and Shasta counties. AIMSS grantees provide perinatal case management and home visitation services to American Indian mothers and their infants.
- DHCS Tribal Emergency Preparedness and Response Program (TEPRP) will distribute mental health resource materials to support the development of crisis mental health response programs this month. Additionally, the TEPRP continues to work with Tribes and clinics in development and update of emergency operations plans. For further information, please contact:

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