



Native American Technical Advisory Committee (NATAC)

Minutes for March 11, 2023

Time: Start 1:05 pm **End:** 3:24 pm **Place:** Virtual meeting

Chair: Shelly Begay, Human Services Department (HSD) Native American Liaison

Committee Members Call In: Lorelei Kellogg, Acting Medicaid Director Medical Assistance Division (MAD); Elisa Walker-Moran, MAD Deputy Director; Shelly Begay, Tribal Liaison OOS; Theresa Belanger MAD Tribal Liaison; Colinda Vallo BHSD; Alanna Dancis, Medical Director MAD; Tribal Liaison; Harriet Zamora, Taos Pueblo; Lena Gachupin, Iris Reano and Anthony Yepa, Kewa Pueblo; Emily Haozous, Ft. Sill Apache; Toney Johnson, Indian Affairs Department (IAD); Leonard Montoya, Ohkay Owingeh; Racheal Pyne, Picuris Pueblo; Valyn Candelaria, San Felipe Pueblo; April Ruben, Laguna Pueblo; Rick Vigil, Tesuque Pueblo; Mary Marquez, Sandia Pueblo; Lonna Valdez, Jicarilla Apache Tribe

Guest speakers: Rebecca Larranaga HSD Fair Hearings Bureau; Debbie Garcia, Public Regulation Commission (PRC); Patricia Archuleta, Children Youth and Families Department (CYFD)

DISCUSSION ITEM	OUTCOME	FOLLOW-UP ACTION	RESPONSIBLE PERSON/ DEPARTMENT	EXPECTED OR REQUIRED COMPLETION DATE
I. Invocation/Introductions	Leonard Montoya from Ohkay Owingeh provided the opening prayer at the start of today's meeting. Introductions were completed. Shelly welcomed new members from the Navajo Nation, Picuris Pueblo and Mescalero.	Completed	All	Completed
II. Review/approval of December 19, 2022 minutes	Motion to approve minutes; minutes approved with no changes. Shelly acknowledged Ezra Bayles, NATAC rep from Taos Pueblo, who assisted with today's agenda. Prior to each NATAC, committee members are welcome to assist with developing the agenda. Theresa will send out an invite for any who want to participate.	Completed	All	Completed; next NATAC agenda developed by Committee
III. Billable Services for Tribes <ul style="list-style-type: none"> • Transportation-Public Reg. Comm. • Billing for Peer Support/Youth Peer Support 	Tribes have been interested in applying for Non-Emergency Medical Transportation (NEMT) services for their community. At the last NATAC MAD went over how to become a Medicaid provider by completing a Provider Participation Agreement (PPA) through Conduent. This meeting focused on the Public Regulation Commission (PRC) part of the NEMT application. Debbie Garcia went over the PRC application for a certificate or permit. Filling out a certificate for medical services <ul style="list-style-type: none"> • Get on to the PRC website and go under the application process/permit and it will give you the instructions and forms • If the Tribes are only doing this for their Tribe on Tribal land, you do not need a PRC number. But if Tribes are going outside of Tribal land, 	Completed	Debbie Garcia, PRC	Next NATAC


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	<p>you will need a PRC number. PRC has to have everything filled out completely.</p> <ul style="list-style-type: none"> • On page 4 and 5 you will need to follow the instructions for the Exhibits that apply to you. • Indicate if you are a corporation or limited liability company (through the Secretary of State). • You need a tax ID number through NM CRS (Code of Federal Regulations). • Include your Tribal Resolution or Letter of Support from the Tribe • Description of territory to be served – Statewide. • Application must be notarized by a notary public. <p>You are welcome to contact Debbie Garcia at 505-487-0867 debbie.garcia1@prc.nm.gov</p> <p>This process should take less than 60 days. If Debbie has fewer than 5 questions about the submitted application, she will reach out to applicant by email. If there are more than 5, she will send the application back.</p> <p>Once you get your PRC number, you can provide it to the MCOs.</p> <p>Patricia Archuleta Service Array Manager for CYFD Behavioral Health talked about Family Peer Support Services</p> <ul style="list-style-type: none"> • CYFD is expanding the family peer support services program. Family peer support services utilizes those primary caregivers who have that “lived experience” with the child protective services system (juvenile justice, CYFD, recovery, etc.) Her program is looking to train family peer support workers to work with families that are going through this for the first time. • NMSU provides the training for family peer support workers. If you know of someone that would be interested, please reach out to Patricia.Archuleta@cyfd.nm.gov 505-699-8788 <p>Patricia also works with the Youth Peer Support Program</p> <ul style="list-style-type: none"> • New program through CYFD • Youth must be over 18 with “lived experience” and have worked through the juvenile justice system, foster youth, etc. • The certification process is available through the NMSU. Patricia is the contact person for this program. Next training session starts in June. <p>Family peer support and youth peer support are reimbursable through NM Medicaid.</p>		Patricia Archuleta, CYFD Beh. Health	

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	CYFD is currently developing a supervision model for youth peer support through UNM.			
IV. Unwinding-Medicaid <ul style="list-style-type: none"> • Appeals Process • Communication from HSD 	<p>In Dec. 2023 Congress passed the Omnibus bill. The Maintenance of Effort (MOE) will end March 31, 2023. Closures will begin as early as April 2023. CMS requires that NM HSD report data on this process – renewals, closures, call center metrics, etc.</p> <ul style="list-style-type: none"> • Ex parte renewals can be done on some people by ISD checking their income through other data resources. Others we will need to provide income verification. The unwinding will be a year-long process. • When it is time to renew Medicaid, customers will receive a turquoise envelope reminding them it is time to renew. If people have changed their address and didn't notify ISD, they won't get this envelope. • Renew NM has posters that can be downloaded to display at providers' offices. The renewal packets will go out 45 days before the renewal is due. • The easiest way to renew is online, but not everyone can do it that way. They can return the application in the turquoise envelope by mail back to ISD. • Those that are financially ineligible, will be receiving letters that they are no longer eligible based on their income and will be referred to BeWellNM. • Individuals who are receiving Medicaid through Social Security programs won't be falling off Medicaid. <p>MAD wants to partner and assist Tribal partners with this process. Let us know how we can help.</p> <p>There will be communication sent out by t-v advertisements, newspapers, radio, billboards, and city bus wraps. YesNM also has tutorials on how to use the www.yes.state.nm.us link.</p> <p>There are about 31,000 Native Americans 31,000 from Cibola, San Juan and McKinley Counties on the MOE.</p> <p>Rebecca Larranaga from the Fair Hearings Bureau talked about the appeal process if individuals want to appeal the decision that HSD has made about their benefits.</p>	Completed	Theresa Belanger/Lorelei Kellogg	Next NATAAC



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	Send request via postal mail, fax, phone call, voice mail or email. They need the name, Aspen Case number, benefit category requesting a hearing on, and DOB. hsd-fairhearings@state.nm.us 505-476-6213			
V. Medicaid <ul style="list-style-type: none"> • 1115 Waiver • Combining State Offices – SB 16 Health Care Authority <ul style="list-style-type: none"> • Legislative update SB 16 (combining state offices) 	<ul style="list-style-type: none"> • 1115 Waiver status – We are due to have the current 1115 Waiver expire at the end of 2023. HSD submitted a renewal waiver to CMS at the end of 2022. The approval process will take about a year to complete. MAD will start negotiating the process with CMS in the next month or so. There are some programs that will include both FFS and MCO Native American members: • Establishing a budget for Tribal Medicaid members to use a specific dollar amount for culturally specific services. • Looking at provisions for social determinants of health ie. nutrition/food delivery and transitional housing (case management assistance in the housing program and medical respite for homeless individuals from a hospital stay). • Pre-release program for incarcerated individuals. We are trying to reinstate Medicaid for incarcerated individuals before they are released from incarceration. <p>Legislative update: 3 primary things:</p> <ul style="list-style-type: none"> • Budget to receive funding for provider rate increases • Health Care Authority Department – Create a new department called the Health Care Authority (HCA). a rebranding of HSD plus 3 additional agencies (DD Waiver, Division of Health Improvement, and a division that handles state employees’ insurance). A plan of transition will need to be submitted to the Governor by November 2023 for review. • Medicaid Forward Bill -legislation that asks for raising the FPL to 400%. Currently we use the 133% for Medicaid. This will need a study to be done with OSI and submitted in 2024. 	Completed	Lorelei Kellogg, Acting Medicaid Director	Next NATAAC
VI. Behavioral Health Services Division -BHSD	3 topic areas: Native American services RFA – released on February 1 st , 2023. RFA focuses on applicants who want to provide traditional healing (equine assisted therapy, talk therapy, sweat lodges, peacekeeper circles) to NA clients in NM. Provides funding beyond the Traditional Healing Benefit that	Completed	Colinda Vallo, Behavioral Health Services Division Tribal Liaison	Next NATAAC

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	<p>the MCOs provide to members through value added services. Due date May 1, 2023. The amount awarded depends on the number of approved RFAs.</p> <p>Mobile Crisis Team RFA – this RFA does not have final approval by BHSD leadership yet because of priority to the legislative session and being short staffed at HSD. If we get it released in the next few weeks, it will be released for FY 2024 which starts on July 1, 2024 so we don't lose funding.</p> <p>988 Outreach to Tribal Youth - Colinda has been working with Stephanie Poston & Assoc on 988 Tribal information materials. Her team has reached out to several youth councils to provide outreach material. Also, she is working with cartoonist Ricardo Cate on 988 – focusing on the male population and general population. Colinda is involved with the marketing team on upcoming events, social media, and veterans' events.</p>			
VII. Overview of CHR billing	<p>Alanna Dancis is our Medical Director at Medicaid. She is working on reimbursement to CHRs and CHWs. The Office of Community Health Workers keeps a database of CHRs and the services they provide. Currently we look to MCOs to hire CHR/CHWs. We would like to pay CHRs that are certified through Medicaid under a SPA. Another option is through a doctor's order to provide the services in the community. The state plan amendment would be effective 07/01/2023. Alanna is working with actuaries on the reimbursement amount as well as billing codes for CHRs. If CMS decides not to approve the SPA, then we will have to develop a back-up plan.</p>	<p>Ongoing</p>  <p>CHR quarterly mtg.pptx</p>	Alanna Dancis	Next NATAAC
VIII. Kevin S.	<p>Phillip Perez, Special Projects Coord with CYFD provided an update on the Kevin S. settlement. The Kevin S Settlement Agreement is an agreement that the CYFD and HSD entered into several years ago regarding children in state custody (14 plaintiffs; 1 was NA). The lawsuit stated the state failed to meet certain components of the Indian Child Welfare Act (ICWA). The federal ICWA is currently being held at the US Supreme Court awaiting further action because individuals stated it was unconstitutional because it was race based. All Federally Recognized Tribes have a political status with the US Government which is not race based.</p> <p>Under the settlement agreement, CYFD/HSD agreed to:</p> <ul style="list-style-type: none"> Enhance and expand BH providers 	Ongoing	Phillip Perez, CYFD	Next NATAAC

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	<ul style="list-style-type: none"> • Keep Native American children in NM for treatment • Build and support trauma responses to care and • Develop a crisis assessment tool <p>The entire settlement agreement is broken into 4 Appendices A, B, C, and D. Deliverables have been developed out into implementation targets and target outcomes. The state hasn't met the performance standards and now is in dispute resolution with the plaintiffs. "The agreements and timelines are very aggressive, and we didn't have the capacity to see it through." One round of mediation wound up in a MOU and the plaintiffs filed another mediation at the end of March. The mediation for Appendix C is a little different because it involves work with Tribes/Pueblos/Nations and it takes time. Challenges with Appendix C:</p> <ul style="list-style-type: none"> • The number of NA children in CYFD custody. The data system and CYFD don't have the same numbers. • Workers do their best to identify children that are NA which requires CYFD to reach out to the Tribal office. • Some workers are not familiar with how Tribal affiliation works. It is based on race, ethnicity, Tribal affiliation. <p>Once this is clarified it will probably lower the number of Native American kids in state custody.</p> <p>Another challenge – define what a cultural intervention/practice is. We are making arrangements for a facilitated discussion with Tribes on this to hear from them, <i>not the other way around</i>. Each Tribal leader may have a different answer for cultural connection with the Tribe. Each Tribe will determine if the child is a member. They also will work with the state on placement of child. A lot of work needs to be done, and IAD is building their capacity of staff to assist with this.</p> <p>The State has also made money available to cover the costs for Tribes to attend the National ICWA conference.</p>			
IX. Comments/questions/updates	<p>Theresa will be sending an email one month before next NATAC to develop agenda with committee members.</p> <p>Meeting cadence for NATAC for 2023</p> <ul style="list-style-type: none"> • June 26 (June 19 is a federal holiday) • September 18 • December 18 		Theresa Belanger MAD	Next NATAC

Respectfully submitted:

Theresa Belanger

May 3, 2023