



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ELIZABETH HERTEL
DIRECTOR

March 21, 2023

NAME
TITLE
ADDRESS
CITY STATE ZIP

Dear Tribal Chair and Health Director:

RE: Notice of Intent to Amend Section 1915(b)/(c) MI Health Link Waivers

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 the Michigan Department of Health and Human Services (MDHHS) to submit waiver amendment applications for the Sections 1915(b)/(c) MI Health Link Waivers to the Centers for Medicare & Medicaid Services (CMS).

The following changes will be made to the applications:

1. Changed references to the Medical Services Administration (MSA) to Behavioral and Physical Health and Aging Services Administration (BPHASA) throughout.
2. Updated to reflect the Integrated Care Organizations (ICOs) currently participating in the demonstration.
3. Updated Mandatory External Quality Review (EQR) activities to include validation of network adequacy.
4. Revisions to reflect a transition from the Waiver Support Application (WSA) to the Community Health Automated Medicaid Processing System (CHAMPS) for waiver enrollment throughout narrative and performance measures.
5. Revisions to reflect a shift to MDHHS reviewing a sample of waiver enrollments versus 100% of waiver enrollments.
6. Revisions to the Expanded Community Living Supports (ECLS) service definition to:
 - Add clarification about money management
 - Allow ECLS services that only require verbal cueing to be provided via HIPAA compliant virtual method (video only) in lieu of in-person during the quarantine or isolation period only if the enrollee has an exposure or condition for which a federal, state, or local public health or government official(s) has released applicable quarantine or isolation guidelines.

- Allow transportation on behalf of the enrollee during the quarantine or isolation period if the enrollee has an exposure or condition for which a federal, state, or local public health or government official(s) has released applicable quarantine or isolation guidelines. Plans may use this service to authorize MI Health Link HCBS funds to reimburse individuals (ECLS providers) to run errands for enrollees when the enrollee does not accompany the driver of the vehicle during only an applicable quarantine or isolation period.
7. Addition of a definition of a critical incident and two new critical incident types: suicide and suicide attempts.
 8. Clarify which providers are required to sign the Individual Integrated Care and Supports Plan (IICSP).
 9. Clarify the criteria for medication errors that qualify as critical incidents throughout narrative and related performance measure.
 10. Clarify the entities that must be notified by the ICO when theft occurs.
 11. Clarify the process when there is non-compliance with the corrective action plan (CAP) process during the quality assurance reviews.
 12. Revisions in narrative and performance measures to reflect an incremental increase in the required sample size of 2.5% in each future waiver year for ICO provider monitoring reviews.
 13. Allow electronic signatures in lieu of wet signature on required documents like the IICSP.
 14. Addition of Goods and Services as a self-directed waiver service.
 15. Revisions to Home Delivered Meals (HDM) service definition to:
 - Allow HDMs to be left at the enrollee's door in lieu of in person during the quarantine or isolation period only if the enrollee has an exposure or condition for which a federal, state, or local public health or government official(s) has released applicable quarantine or isolation guidelines.
 - Allow meal delivery kits such as Hello Fresh, Blue Apron, etc., as an option under the HDM service.
 16. Allow care coordination contacts and activities to be made via Health Insurance Portability and Affordability Act of 1996 (HIPAA)-compliant virtual method (video only) in lieu of in person during the quarantine or isolation period only if the enrollee has an exposure or condition for which a federal, state, or local public health or government official(s) has released applicable quarantine or isolation guidelines. If assessments are completed via virtual method (video only) during quarantine/isolation, any sections of the assessment(s) related to physical function that normally require in person observation by the assessor must be reviewed at the next in person visit to ensure accuracy.
 17. Updates to guidance related to contractual changes between some ICOs and Michigan's Behavioral Health Prepaid Inpatient Health Plans (PIHPs).
 18. Revisions to the quality strategy performance measures (PM) as follows:
 - Deleted PM related to level of care from Appendix A (level of care measure remains in Appendix B).
 - Addition of PM in Appendix A to evaluate whether IICSPs support paid services (encounters).

MDHHS expects these changes to have no impact on Native American beneficiaries that qualify and choose to utilize the waiver services. The anticipated effective date of this waiver amendment is September 1, 2023.

The Section 1915(b)/(c) MI Health Link Waiver amendment applications can be found online under the 'spotlight' link at www.michigan.gov/mdhhs >> Doing Business with MDHHS >> Health Care Providers >> MI Health Link. The documents are drafts and will be updated as needed until submitted for approval by May 22, 2023. At that time, the final version of the application will be posted online.

There is no public hearing scheduled for these waiver amendments. Input regarding these waiver amendments 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 May 5, 2023.**

In addition, MDHHS is offering to set up group or individual consultation meetings to discuss the waiver amendments, 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.

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

An electronic copy of this letter is available at www.michigan.gov/medicaidproviders >> Policy, Letters & Forms.

Sincerely,



Farah Hanley
Chief Deputy Director for Health

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 22-57
March 21, 2023

Ms. Whitney Gravelle, President, 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
Ms. Doris Winslow, Health Director, Grand Traverse Band Ottawa/Chippewa
Mr. Kenneth Meshigaud, Tribal Chairman, Hannahville Indian Community
Ms. G. Susie Meshigaud, Health Director, Hannahville Health Center
Ms. Doreen G. Blaker, Tribal President, Keweenaw Bay Indian Community
Ms. Deanna Foucault, 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
Ms. Rebecca Richards, Tribal Chairwoman, Pokagon Band of Potawatomi Indians
Ms. Priscilla Gatties, Interim Health Director, Pokagon Potawatomi Health Services
Ms. Theresa Peters-Jackson, Tribal Chief, Saginaw Chippewa Indian Tribe
Mrs. Karmen Fox, Executive Health Director, Nimkee Memorial Wellness Center
Mr. Austin Lowes, Tribal Chairperson, Sault Ste. Marie Tribe of Chippewa Indians
Mr. Leonid Chugunov, Health Director, Sault Ste. Marie Tribe of Chippewa Indians - Health Center

CC: Christine J. Davidson, 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