



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

ELIZABETH HERTEL  
DIRECTOR

December 2, 2021

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 – October and November 2021

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 for a temporary premium payment of \$2.35 per hour to self-employed providers of personal care services, supportive employment services, and behavioral health treatment behavior technician services for in-person care and a supplemental payment of \$2.63 per hour to agency employed providers of these services. These additional payments are effective October 1, 2021.
- Allow for a temporary premium payment of \$2.35 per hour for in-person care provided by registered nurses, licensed practical nurses, competency-evaluated nursing assistants, and respiratory therapists employed by Medicaid-certified nursing facilities, as well as for in-person direct care services provided in Adult Foster Care Homes and Homes for the Aged serving Medicaid beneficiaries. The supplemental payment for these providers will also include any associated share

of employer Federal Insurance Contributions Act (FICA) payroll taxes. These additional payments are effective October 1, 2021.

- Allow Michigan to temporarily change the nursing facility rate setting methodology effective October, 2021. MDHHS will temporarily increase the Nursing Facility interim Variable Cost Component by 2.5%. MDHHS will temporarily calculate the interim FY22 per diem rate by taking the Nursing Facility's previously calculated FY21 Variable Cost Component and increasing it by 2.5%. MDHHS will temporarily increase the Nursing Facility interim Plant Cost Component by 2.5%. MDHHS will temporarily calculate the interim FY22 per diem rate by taking the Nursing Facility's previously calculated FY21 Variable Cost Component and increasing it by 2.5%.

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 services for Native American beneficiaries.

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](mailto:Elliott-EganL@michigan.gov). **Please provide all input by January 18, 2022.**

In addition, MDHHS is offering to set up group or individual consultation meetings to 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.

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

An electronic copy of this letter is available at [www.michigan.gov/medicaidproviders](http://www.michigan.gov/medicaidproviders) >> Policy, Letters & Forms.

Sincerely,



Kate Massey, Director  
Medical Services Administration

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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 21-83  
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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  
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  
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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  
Mr. Tim Davis, Tribal Chief, Saginaw Chippewa Indian Tribe  
Mrs. Karmen Fox, Executive Health Director, Nimkee Memorial Wellness Center  
Mr. Aaron Payment, Tribal Chairperson, 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