

NH Department of Health and Human Services

Public Notice for Proposed

Substance Use Disorder Treatment and Recovery Access
Section 1115(a) Research and Demonstration Waiver
Amendment #2 Request

August 2nd, 2021 (Amended August 11, 2021)

Notice is hereby given that, as part of its overall approach to address the increase in Emergency Department boarding and to support the comprehensive, integrated continuum of mental health treatments and care available in the state, the NH Department of Health and Human Services (DHHS) is applying for an amendment to its Section 1115(a) Research and Demonstration Waiver from the Centers for Medicare and Medicaid Services (CMS). This amendment will enable DHHS to claim federal reimbursement for payment of services provided to Medicaid beneficiaries ages 21-64 receiving short-term inpatient psychiatric treatment or short-term residential mental health treatment in an Institution for Mental Disease (IMD). Specifically, New Hampshire is requesting that:

- CMS waive Section 1905(a)(30)(B) of the Social Security Act, 42 CFR 438.6(e), and 42 CFR 435.1010 to allow reimbursement for Medicaid beneficiaries ages 21-64 receiving short-term inpatient psychiatric treatment or short-term residential mental health treatment in IMDs; and
- Expenditure authority be applied to individuals who meet the criteria above who are either covered as Medicaid fee-for-service or enrolled in Medicaid managed care.

This amendment will further the objectives of Title XIX of the Social Security Act by increasing access to and strengthening providers and provider networks available to serve Medicaid populations in the state. This will be accomplished by enhancing mental health treatment supports and by supporting the comprehensive, integrated continuum of mental health treatments and care for residents of New Hampshire.

The complete version of the *Substance Use Disorder Treatment and Recovery Access Section 1115(a) Research and Demonstration Waiver Amendment #2 Request* is available for public review at:

<https://www.dhhs.nh.gov/ombp/medicaid/documents/smi-demo-amendment-draft.pdf>

CMS guidance regarding opportunities to design innovative service delivery systems for adults and children with mental illness can be found at: <https://www.medicaid.gov/federal-policy-guidance/downloads/smd18011.pdf>.

30-Day Public Comment Period and Amendment #2

The 30-day public comment period for the *Substance Use Disorder Treatment and Recovery Access Section 1115(a) Research and Demonstration Waiver Amendment #2 Request* is from Monday, August 2, 2021 until Tuesday, August 31, 2021. All comments must be received by 4:30 p.m. (Eastern) on August 31, 2021.

Public Hearings

DHHS will host three public hearings during the public comment period:

Monday, August 9, 2021 – Concord

5:30 – 7:00PM

Brown Building Auditorium

129 Pleasant Street

Concord, NH

Call-In option: To participate by phone, call in at 5:30 pm to: 1 (646) 558-8656

When prompted, use this code: 280862#

Join Zoom Meeting:

<https://nh-dhhs.zoom.us/j/95015594141?pwd=bWVnSnBNSEg0Zjg0N3FaWXZtUk8vUT09>

Wednesday, August 11, 2021 – Nashua

6:00 - 7:30 pm

Harbor Homes – Partnership for Successful Living

77 Northeastern Blvd.

Nashua, NH

Join Zoom Meeting

<https://nh-dhhs.zoom.us/j/5215124074?pwd=S3hGOWh6QXp1Z2tpRWtTRUNKR1F2QT09>

Meeting ID: 521 512 4074

Passcode: 371154

One tap mobile

+16465588656,,5215124074#,,,,*371154# US (New York)

+13017158592,,5215124074#,,,,*371154# US (Washington DC)

Dial by your location

- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 521 512 4074

Passcode: 371154

Find your local number: <https://nh-dhhs.zoom.us/j/5215124074>

Monday, August 16, 2021 – Concord

5:30 – 7:00 PM

Brown Building Auditorium
129 Pleasant Street
Concord, NH

Join Zoom Meeting

<https://nh-dhhs.zoom.us/j/95015594141?pwd=bWVnSnBNSEg0Zjg0N3FaWXZtUk8vUT09>

Meeting ID: 950 1559 4141

Passcode: 280862

One tap mobile

- +13126266799,,95015594141#,,,,*280862# US (Chicago)
- +16465588656,,95015594141#,,,,*280862# US (New York)

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 346 248 7799 US (Houston)
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)

Meeting ID: 950 1559 4141

Passcode: 280862

Find your local number: <https://nh-dhhs.zoom.us/j/95015594141>

If accommodations are needed for communication access such as interpreters, CART (captioning), assistive listening devices, or other auxiliary aids and/or services, please contact John Poirier at John.E.Poirier@dhhs.nh.gov or (603) 271-9628 no later than August 4, 2021. Every effort will be made to accommodate needs identified with advance notice.

Medical Care Advisory Committee Meeting

Comments will also be considered at the Monday, August 16, 2021 Medical Care Advisory Committee (MCAC) meeting, from 10 a.m. - 12 p.m. All MCAC meetings are open to the public. The MCAC meeting location is:

Fred H. Brown Building Auditorium
129 Pleasant Street
Concord, NH 03301

Ways to Submit Comments

DHHS would like to hear your comments about the changes it is proposing. After hearing the public's ideas and comments about the proposed changes, DHHS will make final decisions about what changes to make to the *Substance Use Disorder Treatment and Recovery Access Section 1115(a) Research and Demonstration Waiver Amendment #2 Request* and then submit to CMS for approval. The summary of comments will be posted for public viewing at <https://www.dhhs.nh.gov/> along with the amendment application when it is submitted to CMS.

There are several ways to give your comments to DHHS:

- Attend any of the two public hearings or MCAC meeting held at the dates / locations noted above. At these events, you can give verbal or written comments to DHHS. Additional information about providing comments is noted below.
- Email comments to IMDSMIAmendment@DHHS.NH.Gov.
- Mail written comments to:
John Poirier
NH Department of Health and Human Services
Attn: SUD-TRA Demonstration Amendment #2
129 Pleasant Street
Concord, NH 03301

When mailing or emailing please specify the subject as "SUD-TRA Demonstration Amendment #2."

Additional Information

Requests for a hard copy of the amendment application should be submitted by mail to:

John Poirier
NH Department of Health and Human Services
Attn: SUD-TRA Demonstration Amendment #2
129 Pleasant Street
Concord, NH 03301

A hard copy of the *Substance Use Disorder Treatment and Recovery Access Section 1115(a) Research and Demonstration Waiver Amendment #2 Request* can also be picked up at DHHS, which is located at:

NH Department of Health and Human Services
Fred H. Brown Building
129 Pleasant Street
Concord, NH 03301

All information regarding the proposed amendment can be found on the DHHS web site at <https://www.dhhs.nh.gov> under "Quick Links". DHHS will update this website throughout the public comment and application process.