

Tribal Technical Advisory Group

To the Centers for Medicare & Medicaid Services

c/o National Indian Health Board 926 Pennsylvania Avenue, SE Washington, DC 20003 (202) 507-4070 (202) 507-4071 fax

January 13, 2010

TTAG Conference Call - Action Items

Action Item	Timeline	Person Responsible	Status	Notes
Submit comments on meeting minutes to Ms. Finster.	ASAP	TTAG	Ongoing	
Schedule a Data Subcommittee call to discuss the data symposium solicitation.	ASAP	NIHB	Ongoing	
Schedule a call to discuss expectations for sponsored individuals attending the HITECH conference.	Jan. 19	CMS	Ongoing	
Identify 2010 training needs.	ASAP	TTAG	Ongoing	
Circulate the draft <i>Federal Register</i> response for review and comment.	By Feb. 15	NIHB	Ongoing	
Provide input to NIHB on the TTAG response to the <i>Federal Register</i> notice.	ASAP	TTAG	Ongoing	
Develop and submit the TTAG response to CMS.	By Feb. 19	NIHB	Ongoing	
Schedule O&E and Budget calls to determine what will be discussed at the February face-to-face meeting.	ASAP	NIHB	Ongoing	
Forward potential meeting agenda items to Ms. Marx and Ms. Davidson.	ASAP	TTAG	Ongoing	

January 13, 2010

TTAG Conference Call Minutes

Agenda Item	Discussion	Action
Documents Received	Agenda (Attachment A)	
Welcome	Ms. Carolyn Finster , Tribal Technical Advisory Group (TTAG) Secretary and Director, Pine Hill Health Center, volunteered to lead the meeting because Vice-Chair Mr. W. Ron Allen , Jamestown S'Klallam Tribe, was unable to participate in the call as planned. She welcomed participants and asked that roll call be taken.	
Roll Call	Ms. Tyra Baer , CMS Project Assistant, National Indian Health Board (NIHB), took the roll of the TTAG members participating in the call: TTAG: Alaska – absent Aberdeen – absent Albuquerque – Carolyn Finster Bemidji – Phil Norrgard Billings – Sandra Kochis	

	<p>California – absent Nashville – Dee Sabattus Navajo – Amselm Roanhorse Oklahoma – Rhonda Butcher, Sally Maines Phoenix – David Reede Portland – Ed Fox, Sonciray Bonnell Tucson – absent TSGAC – absent NIHB – absent NCAI – Jessica LePak, Juana Majel-Dixon IHS – Carl Harper NCUIH – Carmelita Skeeter Tribes and Tribal Organizations: Carol Barbero Roz Begay Kris Locke CMS: Lindsey Cometa Cyndi Gillespie Rodger Goodacre Nancy Granos John Johns Jim Lyon Kitty Marx Julie Rand Nancy Rios Lane Terwilliger Native American Contacts: Diane Thornton IHS: Elmer Brewster Balerma Burgess Tammy Clay Chris Manydeeds NIHB: Tyra Baer Other: Sue Clain, ASPE, HHS</p> <p>A quorum being present, Ms. Finster called the meeting to order.</p>	
<p>Report from Chair</p>	<p>With both the TTAG Chair and Vice-Chair absent from the call, there was no report offered.</p>	
<p>Report from Secretary</p>	<p>Ms. Finster indicated that the notes for several meetings have been sent to members for review and will be presented for approval at the February face-to-face meeting:</p> <ul style="list-style-type: none"> • November 9, 2009 face-to-face, • October 14, 2009 conference call, • December 9, 2009 conference call, and • January 13, 2010 conference call. <p>Ms. Kitty Marx, Director, Tribal Affairs Group (TAG), Office of External Affairs (OEA), Centers for Medicare & Medicaid Services (CMS), requested that TTAG members direct any comments regarding the notes to Ms. Finster.</p>	<p>TTAG members will submit comments on the meeting minutes to Ms. Finster.</p>

<p>Report from CMS</p>	<p>Ms. Marx reported that CMS sent the second implementation plan for tracking tribal priorities to the CMS Acting Administrator. This version includes the priorities identified during the November TTAG meeting.</p> <p>The TTAG requested support from CMS regarding several provisions of concern in the proposed health care reform legislation. Ms. Valerie Davidson, Chair, TTAG and Executive Vice President and Senior Director, Legal and Intergovernmental Affairs, Alaska Native Tribal Health Consortium, sent a letter (January 12, 2010) on behalf of the TTAG to CMS outlining the group’s concerns with an emphasis on the Indian Health Care Improvement Act. This letter has been forwarded to CMS’ legislative affairs office.</p> <p><u>CMS Indian Data Symposium</u></p> <p>Mr. Jim Lyon, TAG, OEA, CMS, reported that CMS has almost completed the Statement of Work for a Request for Proposals (RFP) to plan a data symposium, which is tentatively scheduled for the early summer in Washington, DC. The agency anticipates awarding the contract for the symposium in approximately 45 days. Symposium attendees are expected to include CMS, Indian Health Service (IHS), and academic experts.</p> <p>Ms. Kris Locke, TTAG Technical Advisor, asked if the RFP simply requests bids or if it specifies a dollar amount. Mr. Lyons indicated that CMS planned to sole source the contract and that the RFP will be posted on <i>FedBizOpps.gov</i>. The work is being sole-sourced because the data was compiled by a single organization. He indicated that if other organizations think they can appropriately support the work, it will be opened up for a full solicitation. Mr. Ed Fox, Portland Area, indicated that the Portland Area Indian Health Board might be interested in bidding on the project. Mr. Lyon replied that CMS might opt to use the full solicitation process from the outset if it knows that multiple organizations are interested in bidding.</p> <p>Ms. Locke asked if the acquisition process would take longer if the full solicitation process is employed. Mr. Lyon agreed affirmatively, but noted that it would not take significantly longer.</p> <p>Ms. Finster asked if the solicitation could be an open bid from the beginning. Mr. Lyon noted that open bids must be posted on <i>FedBizOpps.gov</i> for 30 days. Mr. Elmer Brewster, Health Science Administrator, IHS, pointed out that an open bidding process would require extra time to evaluate all of the submitted bids.</p> <p>Ms. Marx stated that CMS would take all of the members’ comments into consideration as it moves the solicitation process forward.</p> <p>Ms. Locke asked if it would be possible to have a separate Data Subcommittee meeting to discuss the type of solicitation that should be employed. Ms. Marx noted that the Data Subcommittee had met the previous week to discuss the symposium, but had not gotten into the details of the solicitation, just the timing and proposed invitees. Ms. Sonciray Bonnell, Northwest Portland Area Indian Health Board, agreed that the Data Subcommittee should meet to further address</p>	<p>NIHB will schedule a Data Subcommittee conference call to discuss the solicitation for the data symposium.</p>
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the solicitation type as her organization had not been able to participate in the last subcommittee call. **Ms. Finster** asked **Ms. Baer** to schedule a conference call to facilitate the discussion.

Ms. Finster asked if CMS has funding for the symposium. **Ms. Marx** replied affirmatively.

Sunsetting of Medicare Part B Authority

Ms. Marx reminded participants that the limited Medicare Part B Reimbursement Authority expired on December 31, 2009. She asked **Mr. Brewster** to confirm that Part B claims are being placed on hold pending the outcome of the health care reform legislation. He confirmed that IHS facility claims are being held or put on pending status in hopes that the legislation allows payment of claims effective January 1, 2010. **Ms. Finster** pointed out that the legislation includes an effective date of January 1.

Improved Distribution and Access of CMS Materials

Ms. Marx noted that the Outreach and Education (O&E) Subcommittee has discussed this issue. **Mr. Carl Harper**, Director, Office of Resource Access and Partnerships, IHS, indicated that this issue was not addressed during the last Subcommittee call and stated that he would report on the issue as it develops.

CHIP Conference for Tribal Grantees

Ms. Marx reported that Child Health Insurance Program Reauthorization Act of 2009 (CHIPRA) grant applications are due on January 15. CMS recommends pending a decision on a conference for awardees until after the April 15 award date. This will allow CMS and TTAG to better assess whether a full-fledged conference is needed or if a smaller meeting will suffice.

HITECH

Mr. Lyon informed participants about the conference that CMS will host for its state partners addressing Health Information Technology for Economic and Clinical Health (HITECH) issues. IHS and the tribes will also be invited. The event will include a breakout session focused on tribal issues and concerns. CMS will pay for five individuals to attend the conference. These individuals will be responsible for helping to plan the TTAG HITECH roundtable. He asked the TTAG members to provide input on the selection of the individuals whom CMS will sponsor. Individuals nominated for sponsorship were:

- Ms. Rosario Arreola Pro, California Rural Indian Health Board (CRIHB);
- Mr. Jim Lamb, Alaska Native Medical Health Consortium;
- Mr. Ed Fox, Portland Area;
- Ms. Tiffany Elton, a pharmacist nominated by **Mr. Phil Norrgard**, Director of Human Services, Fond Du Lac Band of Lake Superior Chippewa;
- Mr. John Olson, Oneida Nation; and,
- Ms. Donna Keeler, South Dakota Urban Indian Clinic.

Ms. Carmelita Skeeter, Executive Director, Indian Health Care Resources Center of Tulsa, suggested that TTAG contact the organizations represented by the nominees to see if one of them

could pay for their representative's travel, which would allow all six to attend. **Ms. Marx** recommended that this be discussed in a subcommittee conference call.

Ms. Locke suggested that TTAG ask each of the sponsored participants to write a summary of the conference activities as a way to get the information shared at the event back to the TTAG.

Mr. Lyon pointed out that the selected individuals would also need to attend the HITECH roundtable on February 18. **Ms. Finster** suggested that CMS call a meeting of the nominees to make sure they understand what is expected of them and to discuss the possibility of having their organizations pay for their participation. **Ms. Marx** and **Mr. Lyon** agreed to schedule a conference call for the afternoon of Tuesday, January 19.

2010 Budget

Ms. Marx informed participants that TAG is still in the process of developing the 2010 budget plan using the TTAG Strategic Plan as a basis. The appropriations are in place, but the CMS Finance Office has not provided an operating budget.

With regard to training, **Ms. Marx** stated that TAG planned to move forward with an expanded IHS/CMS training program. It also expects to provide training on specific topics such as coding and HITECH. She asked participants to identify any additional training needs that should be funded, e.g., CHIPRA, area specific needs, etc.

Ms. Locke noted a need for training on Medicare-like rates and claims processing for self-governance tribes in the Pacific Northwest.

Mr. Fox asked what types of trainings take place outside of Indian Country that might be beneficial to tribes. **Ms. Lane Terwilliger**, Center for Medicaid and State Operations (CMSO), CMS, reported that CMSO anticipates that it will have funding for a large Medicaid eligibility conference this year. The conference will provide much more detailed training than that provided during the IHS/CMS sessions. **Ms. Marx** added that other training offerings included survey and certifications and the Emergency Medical Treatment and Active Labor Act. She also suggested identifying other relevant conferences and piggybacking a tribal component onto them.

Ms. Finster asked if CMS has any links to IHS conferences. **Mr. Rodger Goodacre**, TAG, OEA, CMS, indicated that the agencies cooperate on several conferences including the Direct Service Tribes Conference, the Contract Health Service Conference, and the Business Office Conference. **Ms. Balerna Burgess**, IHS, added that IHS is getting ready to hold its 12th Annual Partnership Training, which focuses on business office and medical records staff, in Nashville in March. The Social Security Administration (SSA), the Veterans Administration, and CMS consistently attend.

Medicare Secondary Payer Rule

Ms. Marx reported that CMS is still waiting for resolution of the Medicare secondary payer rule. CMS expects a positive outcome. She promised to distribute the final response once it is available.

CMS will schedule a conference call to discuss its expectations for individuals nominated to attend the HITECH conference.

TTAG members will identify training needs for possible inclusion in the 2010 training cycle.

<p>CMS Federal Register Notice (CMS-2311-NC)</p>	<p>Ms. Terwilliger noted that the Across State Borders (ASB) Subcommittee met the previous day (January 12) to discuss the <i>Federal Register</i> notice. The notice provides a unique opportunity to comment on tribal-specific issues. She strongly encouraged the TTAG to submit comments.</p> <p>Mr. Anselm Roanhorse, Executive Director, Navajo Nation Division of Health, reported that the ASB Subcommittee discussed the five options identified by NIHB and ultimately recommended that the January 2009 TTAG letter to Ms. Leslie Norwalk be updated and resubmitted. Mr. Robin Carufel, Consultant, NIHB, promised to circulate the current version of the draft comments he has been working on to the TTAG members and asked them to submit any comments about it as soon as possible (comments are due to CMS on January 19). NIHB anticipates having another draft available for review and comment on Friday, January 15.</p>	<p>NIHB will circulate the draft response for review and comment no later than January 15.</p> <p>TTAG members will provide input on the TTAG response to the Federal Register notice to NIHB.</p> <p>NIHB will develop and submit the TTAG response to CMS by January 19.</p>
<p>CHIPRA Citizenship Documentation Requirements</p>	<p>Ms. Terwilliger reported that CMS initially released the CHIPRA citizenship letter on December 28. The document was subsequently re-released to correct a version control problem. The documentation requirements have changed. States affected on January 1 are allowed to use the SSA data exchange. Currently 12 states are using the exchange and others are testing it out by sending small batches. Early evidence shows that the system is working, with 95 percent of data requests coming back positive for citizenship. All states have signed their agreements allowing this particular use of the data.</p> <p>CMS has been working very hard to resolve a last-minute decision by SSA that prohibits states from using the data exchange for current Child Health Insurance Program (CHIP) enrollees (citizenship documentation requirements apply beginning January 1). CMS elected to waive the citizenship documentation requirements for current enrollees (those enrolled on December 31, 2009).</p> <p>CMS has run into some problems with SSA's regional data staff referring to the data exchange as "SCHIP" instead of Medicaid and CHIP. CMS has been working hard to resolve this problem on a daily basis.</p> <p>Ms. Marx indicated that CMS had received the thank-you note from the TTAG related to this issue.</p> <p>Ms. Terwilliger announced that the Family & Children's Health Programs Group in CMSO has a new, permanent director, Ms. Vikki Wachino. Ms. Terwilliger anticipates that Ms. Wachino will soon receive briefings on tribal issues.</p> <p>Mr. Roanhorse thanked Ms. Terwilliger for all of her support of the ASB Subcommittee.</p>	
<p>Agenda for</p>	<p>Ms. Finster asked whether TTAG members had any changes or</p>	

<p>February Face-to-Face Meeting</p>	<p>additions to the agenda for the February face-to-face meeting. Ms. Marx indicated that the document sent to members was a rough draft that was intended to generate discussion and ideas for the meeting. She also noted that the Department of Health and Human Services budget consultation is being held early this year, so the group will want to discuss how to prepare for testimony. Health care reform is a placeholder on the draft agenda and will need to be fleshed out as the meeting nears.</p> <p>Ms. Locke stated that Mr. Allen had indicated that he would like the agenda to include a session on the CMS tribal consultation policy. Ms. Marx replied that this is already on the schedule. She noted that this could be discussed in a conference call prior to the meeting.</p> <p>Ms. Locke also noted the need for a Budget Subcommittee meeting prior to the face-to-face meeting.</p> <p>Ms. Finster asked Ms. Baer to schedule the respective subcommittee calls.</p> <p>She also asked call participants to send suggestions to Ms. Marx and Ms. Davidson.</p> <p>Ms. Marx added that CMS planned to invite the CMS Acting Administrator, Ms. Charlene Frizzera, and Ms. Wachino to attend.</p>	<p>NIHB will schedule O&E and Budget Subcommittee calls to determine what will be discussed at the February face-to-face meeting.</p> <p>TTAG members will forward potential agenda items to Ms. Marx and Ms. Davidson.</p>
<p>Subcommittee Activities/Schedules: Outreach and Education</p>	<p>Mr. Goodacre reported that the O&E Subcommittee meeting on the previous day focused on the IHS/CMS trainings and on CHIPRA.</p> <p>The Subcommittee anticipates that the training sessions will increase from 13 sessions to 31. The total FY 2010 training budget is \$450K. CMS has received good suggestions concerning the content of the sessions. The trainings will be customized for each area and include information on the new consultation requirements.</p> <p>The robust attendance at the 2009 sessions was an important factor in obtaining the increased 2010 budget. Mr. Goodacre also acknowledged the important role the sessions play in CMS' outreach and training efforts and the important roles other agencies play in supporting the trainings.</p> <p>With regard to subcommittee work on CHIPRA issues, Mr. Goodacre reminded call participants about the ongoing research project being conducted by Kauffman and Associates, Inc. (KAI) that examines best practices for state/tribal relations concerning outreach activities and tribal outreach to their members. He anticipated that CMS would have results from the project in the early summer.</p>	
<p>Subcommittee Activities/Schedules: Data</p>	<p>Ms. Marx reported that the Data Subcommittee last met on January 8 and discussed the data symposium. Subcommittee members spent most of the last call discussing the IHS data request, which CRIHB is moving forward. She added that Mr. James Crouch, Executive Director, CRIHB, anticipated discussing the status of the latest report at the February face-to-face meeting.</p>	

Subcommittee Activities/Schedules: Long-Term Care	No Report	
Subcommittee Activities/Schedules: Medicaid Administrative Match	<p>Ms. Marx updated TTAG members on the status of the options paper that was presented at the November face-to-face meeting. CMSO is moving forward with developing the paper into a letter for State Medicaid Directors.</p> <p>She also announced that California received approval for transportation services.</p>	
Subcommittee Activities/Schedules: Across State Borders	<p>Mr. Roanhorse reported that the ASB subcommittee had been briefed on the status of the KAI ASB project. KAI is conducting a comprehensive literature review and identifying candidate sites for the case studies. He anticipated that the report will be completed soon.</p> <p>The Subcommittee also had a lengthy discussion about the development of comments in response to the December 18 <i>Federal Register</i> notice. He thanked Mr. Carufel for all of his work to pull together information for the response.</p>	
Subcommittee Activities/Schedules: Behavioral Health	No report	
Other Business	<p>Ms. Finster asked if all TTAG members had their travel logistics for the February face-to-face meeting that was sent out by Ms. Baer.</p> <p>Ms. Marx added that members should have received their travel information from B.L. Seamon. She reminded members to send in their travel expense reports in a timely fashion.</p>	
Adjourn	With no other business to be discussed, the call adjourned.	

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Attachment A:

Agenda

Tribal Technical Advisory Group

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TTAG AGENDA

Conference Call

Wednesday, January 13, 2010 2:30 – 4:00 PM (EST)

Call In Number: 1-877-267-1577

Participant Code: 322943#

2:30 Welcome – Ron Allen, Vice-Chair
Roll Call - Tyra Baer, NIHB

2:35 Report from Chair – Ron Allen

2:40 Report from Secretary - Carolyn Finster

2:45 Report from CMS - Kitty Marx, Director TAG

a. **CMS Implementation Plan II** to address Tribal Priorities Update

b. **TTAG Travel Reimbursements**

c. **State HITECH Conference Update**- CAPT Jim Lyon CMS/OEA/TAG

d. **HITECH Roundtable update**- CAPT Jim Lyon CMS/OEA/TAG

3:05 Discussion Topics

a. **CMS Fed Reg. Notice (CMS-2311-NC)**, 74 FR 67232 (Dec. 18, 2009): Interstate Coordinated Enrollment and Coverage Process . . . : Lane Terwilliger CMS/CMSO

b. **CHIPRA Citizenship Documentation Requirement**: CMS State Health Official Letter (SHO #: 09-016) Dec. 28, 2009: Lane Terwilliger CMS/CMSO

c. **Agenda for February Face to Face**: Ron Allen

3:30 Subcommittee activities/schedules

a. **Outreach and Education** - Kathy Hughes

b. **Data** - Jim Crouch

c. **LTC** - Robert Moore

d. **MAM** - Jim Roberts

e. **Across State Borders** - Anslem Roanhorse

f. **Behavioral Health Subcommittee** - Dr. Warne

3:40 Other Business

4:00 Adjourn

NOTE: Future Face to Face Meetings and Conference Calls

Feb, 2010 (At Holiday Inn Capitol): Feb.17th and Feb. 18th

NOTE: Feb 18: TTAG 9am-12pm and HITECH Roundtable 1pm – 5pm

July, 2010(At NMAI): July 28th & July 29th

Nov, 2010 (At NMAI): Nov. 9th full day and Nov.10th full day

NOTE: NASMD Conference November 7-10, 2010

TTAG Conference calls: 2nd Wednesday of each month beginning Jan. 13, 2010

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