

Wisconsin's Tribal Option: A Unique Model of Long-Term Care

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Outline

- **Key Medicaid provisions**
- **Historical perspective of Wisconsin's long-term care program**
- **Overview of Wisconsin's long-term care option**
- **Factors for success**

Tribal Option: Key Federal Medicaid Provisions

Indian Health Care Improvement Act (1976)

- **Medicaid reimbursement for services provided to American Indians (AIs) in Indian Health Services (IHS) and Tribal facilities**
- **100% FMAP for services provided thru IHS and Tribal facilities**

Tribal Option: Key Federal Medicaid Provisions

Home and Community-Based Services (1915c of the Social Security Act)

- **Enables people to stay in their homes and communities**
- **Array of services not traditionally covered under Medicaid state plan**
- **States may target by age, diagnosis and geographic location**

Tribal Option: Key Federal Medicaid Provisions

Managed Care Authorities (1932a, 1915a, 1915b, 1115)

- **1915 b of the Social Security Act**
 - **Intended to manage cost, utilization and quality**
 - **Mandatory enrollment**
 - **Capitation payments**

Tribal Option: Key Federal Medicaid Provisions

American Recovery and Reinvestment Act - Section 5006

- Requires states to regularly consult with, and seek advice from designees of Indian health programs and Urban Indian Organizations**
- Permits AIs enrolled in managed care to seek covered services from an I/T/U, even if I/T/U does not have a contract with the managed care entity**
- Requires MCEs to pay I/T/Us at a negotiated rate, or a rate equal to that which they would pay non-I/T/U providers**
- I/T/Us reimbursed as FQHCs receive wrap payment from state**

State Health Official Letter #16-002

100% Federal reimbursement for services “received through” an IHS/Tribal facility and provided to AIs

- **Broadens scope of eligible services**
- **Expands definition of contractual agent**
- **Increases flexibility for payment arrangements**

Wisconsin's Tribal Option: A Historical Perspective

Wisconsin, 2014:

- **Increased focus on home and community-based care**
- **Statewide expansion of Family Care and Self-Directed Support Waivers by July 1, 2018**
- **Phase out county-administered, fee-for-service waivers**
- **Money Follows the Person Tribal Initiative**

State and Tribal Goals

Decrease Healthcare Gap

- **Decrease health care disparities and improve the health of American Indians**

Address Long-Term Care Needs of American Indians

- **Increase access to culturally competent care**
- **Empower Tribes to expand continuum of long-term care services**

Create Financially Sustainable and Flexible Model

- **Leverage Federal reimbursement**
- **Accommodate differences in Tribal preferences and infrastructures**

Alternative Frameworks

Family Care Opt-Out Model of Care

- **Als offered choice between managed care and fee-for-service**
- **Significant increase in infrastructure**
 - **Must ensure access to all waiver services in areas where Als reside**
 - **Fee for service rate schedule**
 - **Data collection and quality reporting**

Alternative Frameworks

Family Care Opt-in Model of Care

- **Enrollment in a PIHP required to access family care waiver services**
- **Als given choice of receiving family care services, including case management, from an Indian Health Care Provider (IHCP), or network providers**
- **IHCPs reimbursed on a cost-basis**
- **Little to no growth in state administrative activities**

Wisconsin Model Family Care Tribal Option

- **1915b and 1915c waivers**
- **IHCPs to provide case management and other services covered in the Family Care Program**
- **IHCPs receive cost-based reimbursement**
- **PHIPs are not at financial risk for services provided through this option**

Wisconsin Model Preparation

- **Waiver amendment**
- **3-way agreement**
- **Training of IHCP**
 - **Program processes and policies**
 - **Care management system**
- **Certification of participating IHCP**

Wisconsin Model 3 Way Agreement

- **Agreement between the State, PHIP, and IHCP state:**
- **Roles and responsibilities of each party of the agreement**
- **Procedures and processes for operation of the program**

Wisconsin Model Training

PHIPs trained the IHCP:

- **Care management policies and procedures, including service authorization**
- **Care management system**
- **Program operation**

Wisconsin Model Certification

All case management entities must undergo a certification process. This process assures the State that the IHCP is ready to operate the Family Care program.

Fee For Service Relationship

- **Direct relationship between the State and Tribal Health Facility (Government to Government)**
- **The Tribe can perform eligibility determination thru income maintenance staff**
- **The Tribe can perform case management**
- **The Tribe can provide direct care services**

Typical Capitated System Relationships

- **Direct relationship between the State and the Managed Care Entity (MCE)**
- **The Tribe has a contractual relationship with the MCE**
- **This eliminates the government to government relationship**
- **The Tribe is a subcontractor of the MCE. This puts the MCE in control of all decision making.**

New Capitated System Relationships

- **Direct relationship between the State and the MCE**
- **Direct relationship between the State and Tribal Health Facility, this maintains the Government to Government relationship**
- **An agreement exists between the Tribe and MCE**
- **The agreement defines how day to day operations work to include payment from the MCE and wrap around from the State**
- **The Tribe is not subordinated to the MCE**

Key Factors in Our Success

- **COMMUNICATION (CMS, the State, the Tribes, the PIHPs)**
- **Understanding the policies and flexibilities at play**
- **Identifying key decision points prior to formal submission**
- **Revisiting the model as new information is gained**

Resources

Wisconsin's Long Term Care Tribal Option

<https://www.dhs.wisconsin.gov/familycare/tribal-option.htm>

CMS Website on Indian Health and Medicaid

<https://www.medicaid.gov/medicaid/indian-health-and-medicaid/index.html>

Oneida Nation

<https://oneida-nsn.gov>

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