

**Tribal Consultation Policy
State Plan Amendment
Nebraska**

Date of Submission: November 8, 2011

Approval Date: December 16, 2011

Effective Date of Amendment: November 1, 2011

Inclusiveness: The SPA describes consultation with the tribal clinics, health centers, the IHS hospital, and the Nebraska Urban Indian Health Coalition.

Process for Seeking Advice: The Division of Medicaid and Long-Term Care (MLTC) meets on a quarterly basis or as needed with the Tribes. When MLTC anticipates a change in a SPA, waiver, or demonstration that may or may not directly impact the Tribes, it will notify the tribal clinics, health centers, the IHS hospital, and the Nebraska Urban Indian Health Coalition of the proposed change. Notification includes comment by the Department whether it anticipates a change will impact the Tribes. If no comment is received, the submission to CMS will proceed with a copy to the CMS Native American Contact (NAC). The receipt of a comment may trigger additional action, such as telephone conference, meetings, research, and so on. A comment by one Tribe leads to the electronic notification of that comment to all tribal entities. MLTC will notify the NAC of the presence of comments, lack of comments, and MLTC's response.

Length of Time for Notification: 60 days prior to submission to CMS.

Length of Time for Response: 30 days.

Process for Seeking Expedited Advice: Not specified.

Length of Time for Expedited Notification: Not specified.

Length of Time for Expedited Response: Not specified.

Consultation with Tribe concerning the SPA: MLTC alerted tribal entities at the quarterly meeting held on February 18, 2010 of the need for a consultation policy. MLTC furnished a draft policy to tribal entities in June 2010. After subsequent changes that resulted from CMS guidance, MLTC notified tribal entities on November 2, 2010 of its intent to submit of a consultation SPA, and the issue was discussed at the November 29, 2010 quarterly meeting. Tribal entities were consulted on two subsequent amendments to the policy.

Process will be used for CHIP: Yes.

Process will be used for Waivers: Yes.