

Program Element #45: Tribal Maternal and Child Health (“MCH”) Services

The funds provided under this Contract for Program Element No. 45 shall only be used in accordance with and subject to the restrictions and limitations set forth below to provide the following Maternal and Child Health (“MCH”) services (“MCH Services”):

- **Maternal and Child Health Services (“MCH Services”)**
- **Oregon Mothers Care services (“OMC Services”);**
- **Maternity Case Management services (“MCM Services”);**
- **Clinical Prenatal Care services (“CPC Services”); and**
- **Babies First! High Risk Infant services (“HRI Services”)**

If the funds awarded to Tribe for MCH Services in the Financial Assistance Award are restricted to a particular MCH Service, those funds shall only be used by Tribe to support delivery of that service.

1. General Requirements

- a. **Data Collection:** Tribe must provide Maternal and Child Health client data, in accordance with Title V Section 506 [42 USC 706], to the Department with respect to each individual receiving any MCH Service supported in whole or in part with MCH Services funds provided under this Agreement.
- b. **Administration:** Tribe shall not use more than 10% of the Federal Title V funds awarded for a particular MCH Service on indirect costs. For purposes of this Agreement, indirect costs are defined as “costs incurred by an organization that are not readily identifiable but are nevertheless necessary to the operation of the organization and the performance of its programs.” These costs include, but are not limited to, “costs of operating and maintaining facilities, for administrative salaries, equipment, depreciation, etc.” in accordance with Title V, Section 504 [42 USC 704(d)].
- c. **Sliding Fee Scale:** If any charges are imposed upon a client for the provision of health services assisted by the State under this Program Element, such charges: (1) will be pursuant to a public sliding fee schedule of charges, (2) will not be imposed with respect to services provided to low-income mothers and children, and (3) will be adjusted to reflect the income, resources, and family size of the client provided the services, in accordance with Title V, Section 505 [42 USC 705 (5) (D)].
- d. **Sanctioned Care Providers:** If Department notifies Tribe that a Provider has been sanctioned under Public Law 100-93, Tribe shall, consistent with Title V Section 504 [42 USC 704(b)(6)], no longer pay or reimburse such Provider with MCH Services funds provided to Tribe under this Agreement.
- e. **Fees:** Use of any fees collected for these services shall be dedicated to such services.

f. **Medicaid Application:** Title V of the Social Security Act mandates that all maternal and child health-related programs identify and provide application assistance for pregnant women and children potentially eligible for Medicaid services. Tribe must collaborate with Department to develop the specific procedures that Tribe will implement to provide Medicaid application assistance to pregnant women and children who receive MCH Services supported in whole or in part with funds provided under this Contract and who are potentially eligible for Medicaid services, according to Title V Section 505 [42 USC 705(a)(5)(F)(iv)] .

g. **MCH Funds.**

i. MCH funds shall be used for any service or activity described in this Program Element according to the following limitations:

(A.) **MCH/Title V Child and Adolescent Health Funds:** A minimum of thirty percent (30%) of the total Tribe Federal Title V Funds are designated for services for infants, children, and adolescents (Title V, Section 505 [42 USC 705(a)(3)(A)]).

(B.) **MCH/Title V Flexible Funds:** The remainder of the total Tribe Federal Title V Funds are designated for program or services for women, infants, children and adolescents.

(C.) **Federal Title V Funds** shall not be used as match for any federal funding source.

ii. **High Risk Infant HRI Services.** MCH Flexible Funds may be used for activities connected with the HRI Services within the limitations described in Section 1. above.

2. **MCH Services Supported by MCH Flexible Funds**

a. **Definitions Specific to this Section 2.**

i. **MCH Services:** Activities, functions, or services that support the optimal health outcomes for perinatal women, infants, children and adolescents.

ii. **MCH Flexible Funds:** Federal Title V Funds that can be used for any MCH Service within the scope of the limitations in 1.g.i. above.

b. **Procedural and Operational Requirements.** All MCH Services supported in whole or in part with MCH Flexible Funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:

i. Tribe shall submit a Triennial MCH Plan of the public health goals and services appropriate for the MCH population within the jurisdiction of the [Tribe.]. A Triennial MCH Plan shall include:

(A.) Assessment of the health needs of the MCH population

- (B.) Goals, objectives, activities, and timelines
- (C.) Evaluation plan to measure progress and outcomes of the Plan.
- (D.) Projected use of MCH Flexible Funds and other funds supporting Plan activities and goals

ii. Tribe shall provide MCH Services administered or approved by the Department that support optimal health outcomes for women, infants, children, and adolescents.

(A.) Services administered by the Department include (but are not limited to):

- (I.) Perinatal health services: OMC Services, MCM Services, CPC Services;
- (II.) Infant and child health services: HRI Services, Child Care Consultation, Sudden Infant Death Syndrome/Sudden Unexplained Infant Death Follow-up, Oral Health including dental sealant services; and
- (III.) Adolescent health services: School-Based Health Centers, Coordinated School Health, or other adolescent health services

(B.) Tribe may provide other MCH services identified through the Triennial MCH Plan and local public health assessment, and approved by the Department.

3. **Reporting Obligations and Periodic Reporting Requirements.** In addition to the reporting requirements set forth in Section 8 of Exhibit E of this Agreement, Tribe shall submit Annual Reports for the Triennial MCH Plan and collect and submit data for clients receiving MCH Services supported with funds from this Agreement.

- a. By February 1st of each year, a report of enrolled member population data and births, to be included in the Department's funding formula for MCH funds.
- b. By May 1st of each year, an annual progress report and updated plan on the goals and activities of Triennial MCH Plan. For all MCH Services provided with funds under this contract, the Progress Report must include a data report on clients and visits for the previous calendar year, including but not limited to: the number of clients served, the demographic profile of clients (race and ethnicity), number of visits or encounters, the types of services provided, and payment source(s) for services.

4. **Oregon MothersCare ("OMC") Services**

Note: The following guidelines for OMC Services are applicable only if Tribe has elected to provide these specific programs, at its option only.

- a. **General Description.** OMC Services are referral services to prenatal care and related services provided to pregnant women as early as possible in their pregnancies, with the goal of improving access to early prenatal care services in Oregon. OMC Services shall provide an ongoing outreach campaign, utilize the statewide toll-free SafeNet (211 Info) telephone

hotline system, and provide local access sites to assist women to obtain prenatal care services.

- b. Procedural and Operational Requirements for OMC Services.** All OMC Services supported in whole or in part with funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:
- i.** Tribe must designate a staff member as its Oregon MothersCare Coordinator to work with Department on developing a local delivery system for OMC Services. Tribe's Oregon MothersCare Coordinator must work closely with Department to promote consistency around the state in the delivery of OMC Services.
 - ii.** Tribe must follow the Oregon MothersCare Protocols, as described in the Department's Oregon MothersCare Manual April 2005, provided to Tribe and its locations at which OMC Services are available, when providing OMC Services such as outreach and public education about the need for and availability of first trimester prenatal care, maternity case management, prenatal care and other services as needed by pregnant women.
 - iii.** As part of its OMC Services, Tribe must develop and maintain an outreach and referral system and partnerships for local prenatal care and related services.
 - iv.** Tribe or its OMC site designee must assist all women seeking OMC Services in accessing prenatal services as follows:
 - (A.) Tribe must provide follow up services to clients and women referred to Tribe by the SafeNet (211 Info) and other referral sources; inform these individuals of the link to the local prenatal care provider system; and provide advocacy and support to individuals in accessing prenatal and related services.
 - (B.) Tribe must provide facilitated and coordinated intake services and referral to the following services: CPC Services (such as pregnancy testing, counseling, Oregon Health Plan ("OHP") application assistance, first prenatal care appointment); MCM Services (such as initial care needs assessment and home visiting services); WIC Services; health risk screening; other pregnancy support programs; and other prenatal services as needed.
 - (C.) Tribe shall make available OMC Services to all pregnant women within the Tribe. Special outreach shall be directed to Low-Income women and women who are members of racial and ethnic minorities or who receive assistance in finding and initiating CPC. Outreach includes activities such as talks at meetings of local minority groups, exhibits at community functions to inform the target populations, and public health education with a focus on the target minorities. "Low-Income" means having an annual household income which is 185% or less of the federal poverty level ("FPL") for an individual or family.
 - (D.) Tribe shall make available to all Low-Income pregnant women within the Tribe assistance in applying for OHP coverage.

- (E.) Tribe shall make available to all Low-Income pregnant women within the Tribe and all pregnant women within the Tribe who are members of racial and ethnic minorities referrals to additional perinatal health services.
- (F.) Tribe shall designate a representative who shall attend the quarterly OMC meeting conducted by Department.
- (G.) Except as specified below, Tribe shall deliver directly all OMC Services supported in whole or in part with financial assistance provided to Tribe under this Agreement. With the prior written approval of Department, Tribe may contract with one or more Providers for the delivery of OMC Services.

c. Reporting Obligations and Periodic Reporting Requirements

In addition to the reporting requirements set forth in Section 8 of Exhibit E of this Agreement, Tribe must collect and submit client encounter data quarterly on individuals who receive OMC Services supported in whole or in part with fund provided under this Agreement. Tribe shall submit the quarterly data to Department using OMC client tracking forms approved by Department for this purpose.

5. Maternity Case Management (“MCM”) Services

Note: The following guidelines for MCM Services are applicable only if Tribe has elected to provide these specific programs, at its option only.

- a. General Description.** Maternity Case Management (“MCM”) expands perinatal services to include assistance with health, economic, social and nutritional factors of clients which can negatively impact birth outcomes.
- b. Definitions Specific to MCM Services.** Case Management, Case Management Visit, Client Service Plan, High Risk Case Management, High Risk Client, Home/Environmental Assessment, Initial Assessment, Nutritional Counseling, Prenatal/Perinatal Care Provider, and Telephone Case Management Visit have the meanings set forth in OAR 410-130-0595.
- c. Procedural and Operational Requirements for MCM Services.** All MCM services supported in whole or in part with funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:
 - i.** All MCM Services provided with funds under this Program Element as well as those provided through the Oregon Health Plan must be delivered in accordance with the Maternity Case Management Guidelines set forth in OAR 410-130-0595.
 - ii.** Tribe must collect and forward to Department at least quarterly, for each service delivered to an individual, the data on the Oregon Perinatal Data Collection form or in a format approved by the Department.
- d. Reporting Obligations and Periodic Reporting Requirements.** In addition to the reporting obligations set forth in Section 8 of Exhibit E, of this Agreement, Tribe shall collect and submit client data for all clients and visits occurring during the fiscal year on the

Oregon Perinatal Data Collection Form provided by Department, or in a format acceptable by the Department, regardless of whether an individual receiving services has delivered her baby, except when the Tribe collects data using its own automated client data system.

- i. Client and visit annual data reports shall be submitted to the Department no later than May 1st of each year for the previous calendar year. If Tribe pays Providers for MCM Services, Tribe shall submit client data from those Providers.
- ii. Client data reports shall include: the number of clients served, the demographic profile of clients, number of visits or encounters, the types of services provided, payment source for services, trimester at first prenatal visit, infant gestational age at delivery, infant birth weight, and infant feeding method.
- iii. All data must be collected when MCM funds made available under this Agreement are used to provide or pay for (in whole or in part) an MCM service.

6. Clinical Prenatal Care (“CPC”) Services

Note: The following guidelines for CPC Services are applicable only if Tribe has elected to provide these specific programs, at its option only.

- a. **General Description.** CPC Services are comprehensive obstetric care services that begin as early as possible in the first trimester of pregnancy and extend through the first two months of the postpartum period.
- b. **Procedural and Operational Requirements.** All CPC Services supported in whole or in part with funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:
 - i. CPC Services shall be provided only to Low-Income uninsured or OHP insured women either by contracted Providers or directly by Tribe. If Tribe implements CPC Services in whole or in part through contracted Providers, Tribe shall not pay these Providers for any CPC Service in excess of the applicable Medicaid rate.
 - ii. Tribe shall not impose any fees or charges upon clients who receive CPC Services supported in whole or in part with funds provided under this Agreement.
 - iii. Tribe shall collect and forward to Department, at least quarterly for each client service, the data on the Oregon Perinatal Data Collection Form or in a format approved by the Department.
 - iv. CPC Services must be directed and/or provided by a physician, certified nurse midwife, or a nurse practitioner. Other providers may include registered nurses and other nursing personnel, physician assistants, social workers, and nutritionists.
- c. **Reporting Obligations and Periodic Reporting Requirements.** In addition to the reporting obligations set forth in section 8 of Exhibit E, of this Agreement, Tribe shall collect and submit data on the Oregon Perinatal Data Collection Form provided by Department, or in a format acceptable by the Department, for all clients and visits occurring

during the fiscal year, regardless of whether an individual receiving services has delivered her baby, except when the Tribe collects data using its own automated client data system.

- i. Client and visit annual data reports shall be submitted to the Department no later than May 1st of each year for the previous calendar year. If Tribe pays Providers for CPC Services, Tribe shall submit data from those Providers.
- ii. Client data reports shall include: the number of clients served, the demographic profile of clients, number of visits or encounters, the types of services provided, payment source for services, trimester of pregnancy at first visit, infant gestational age at delivery, infant birth weight, and infant feeding method.
- iii. All data elements must be collected when funds provided under this Contract for CPC Services are used to pay for (in whole or in part) a CPC Service.

7. **Babies First! High Risk Infant (“HRI”) Services**

Note: The following guidelines for HRI Services are applicable only if Tribe has elected to provide these specific programs, at its option only.

- a. **General Description.** The primary goal of HRI Services is to prevent poor health and early childhood development delay in infants and children who are at risk. HRI Services are delivered or directed by Public Health Nurses (PHNs) and are provided during home visits. PHNs conduct assessment, screening, case management, and health education to improve outcomes for high-risk children. The definition of “Public Health Nurses” and client eligibility criteria are provided in OAR 410-138-0040.
- b. **Procedural and Operational Requirements.** All HRI Services supported in whole or in part with funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:
- c. **Staffing Requirements and Staff Qualifications.** Tribe must designate a staff member as its Babies First! Coordinator
- d. **Home Visits.**
 - i. HRI Services must be delivered by or under the direction of a PHN. A PHN must complete assessments and screenings at 0-6 weeks and 4, 8, 12, 18, 24, 36, 48, and 60 months. These activities should occur during home visits. Home visits may also occur to carry out a nursing care plan. Screening and assessment include, but are not limited to, the following activities:
 - (A.) An assessment of the child’s growth.
 - (B.) A developmental screening.
 - (C.) A hearing, vision and dental screening.
 - (D.) An assessment of parent/child interactions.
 - (E.) An assessment of environmental learning opportunities and safety.
 - (F.) An assessment of the child’s immunization status.

- (G.) Referral for medical and other care when assessments indicate that care is needed.
 - ii. HRI Services must be delivered in accordance with OAR 410-138-0040
 - iii. HRI Services must include follow up on referrals made by the Department for Early Hearing Detection and Intervention, described in ORS 433.321 and 433.323.
- e. **Targeted Case Management.** Tribe, as a provider of Medicaid services, shall comply with the billing policy and codes in OAR 410-138-0080 and 410-120-1400 through 410-120-1685.
- f. **Reporting Obligations and Periodic Reporting Requirements.** In addition to the reporting requirements set forth in section 8 of Exhibit E of this Agreement, Tribe shall collect and report to the Department, in a form acceptable to Department, the following data on Tribe's delivery of HRI Services:
- i. Client and visit annual data reports shall be submitted to the Department no later than May 1st of each year for the previous calendar year.
 - ii. Client data reports shall include: the number of clients served, the demographic profile of clients, number of visits or encounters, the types of services provided, and payment source for services. The HRI Client Data Form provided by the Department lists details of the required data elements.
 - iii. All data elements must be collected when funds provided under this Contract for CPC Services are used to pay for (in whole or in part) a CPC Service.