

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES AND SENATE

Regular Session, 2021

H. J. R. 22-4

A HOUSE JOINT RESOLUTION

To authorize the establishment of an additional sixteen (16) positions as needed by the CMA and partially funded by the CMS program for Compliance and Medicaid Enterprise Systems (MES); and for other purposes.

1 **WHEREAS**, the U.S. Congress in the Further Consolidated Appropriations
2 Act, FY 2020 (PL 116-94) increased the Section 1108 caps and the Federal Medical
3 Assistance Percentage (FMAP) for the Medicaid program of the Commonwealth of
4 the Northern Mariana Islands (CNMI); and,
5 **WHEREAS**, the U.S. Congress included specific provisions that require
6 the Commonwealth Medicaid Agency (CMA) to submit data to the Transformed
7 Medicaid Statistical Information System (T-MSIS), appoint a Program Integrity
8 (PI) Lead for the Office, establish a Medicaid Fraud Control Unit (MFCU), submit
9 data to the Centers for Medicare and Medicaid Services (CMS) Unified Program
10 Integrity Contractor (UPIC) West, report any instances of suspected fraud, waste ,
11 and abuse, and to further administer and comply with the Medicaid Program as
12 provided for in Title XIX of the Social Security Act and the regulations of the CMS;
13 and,

1 **WHEREAS**, the U.S. Congress held a hearing on “Averting a Crisis:
2 Protecting Access to Health Care in the U.S. Territories, on March 17, 2021, where
3 members of Congress expressed support for enabling the Territories to be funded
4 in the same manner as states but expressed explicit concerns with program
5 administration, program integrity, and compliance in the Territories; and,

6 **WHEREAS**, the statements provided to the House Committee of Energy
7 and Commerce, the committee of jurisdiction, and the House Committee on Health
8 by submitters from the CNMI attested to progress in the areas of Medicaid
9 Enterprise Systems (MES) in making “reasonable and appropriate progress” to
10 establish a Medicaid Management Information System (MMIS) capable of
11 submitting data to the T-MSIS system; designating a Program Integrity Lead, and
12 in establishing a Joint Operating Agreement (JOA) with the CMS UPIC-West that
13 reports directly to the CMS for fraud, waste, abuse and related compliance; the
14 establishment of a new Medicaid budget category for “MES and Compliance” and
15 provides the authority of the Medicaid Director to prioritize MES and compliance
16 in order to continue to make progress; and,

17 **WHEREAS**, the CMA submitted and the CMS approved plans submitted
18 by the CMA to plan and implement an Eligibility and Enrollment (E&E) and
19 Medicaid Management Information System (MMIS), a Decision Support
20 System/Data Warehouse (DSS/DW), and a Health Information Technology (HIT)
21 program grant that demonstrates reasonable and appropriate progress; and,

1 **WHEREAS**, as part of the CMS approved MES and Compliance grants
2 and activities, and PL 21-28, the Commonwealth Medicaid Agency has already lost
3 six months of time in hiring the personnel needed to move forward the project and
4 program administration activities; and,

5 **WHEREAS**, the Medicaid program requires personnel that are part funded
6 by the CMS to administer the Medicaid program and continue to make reasonable
7 and appropriate progress to comply with U.S. PL 116-94 the Further Consolidated
8 Appropriations Act FY 2020 and other federal laws requiring states and territories
9 to implement program integrity measures and provide accurate reporting of
10 program administration and financial management; and

11 **WHEREAS**, Public Law 21-35 titled, "To Make Appropriations for the
12 Operations and Activities of the Government of the Commonwealth of the Northern
13 Mariana Islands, its Agencies, Instrumentalities, and Independent Programs, and to
14 Provide Budget Authority for the Government Corporations for Fiscal Year 2021"
15 in Section 301 titled "Appropriation and Budget Authority" provides that:
16 "[e]xpenditures in excess of the budget authority approved herein for agencies to
17 which public funds are appropriated shall not be incurred or committed and hiring
18 in excess of the number of positions authorized by this Act is prohibited, unless
19 authorized by a legislative joint resolution in accordance with Section 7, Article X
20 of the N.M.I. Constitution";

21

1 **NOW, THEREFORE, BE IT RESOLVED**, by the House of
2 Representatives of the Twenty-Second Northern Marianas Commonwealth
3 Legislature, the Senate concurring, that the Legislature in accordance with Section
4 7, Article X of the N.M.I. Constitution authorizes:

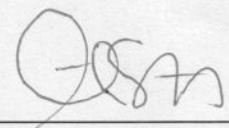
5 1. In addition to those NOPs authorized by P.L. 21-35, the
6 establishment of an additional sixteen (16) positions as needed by the CMA and
7 partially funded by the CMS program for Compliance and Medicaid Enterprise
8 Systems (MES). The authorized positions will include a Medicaid Enterprise
9 Systems Program Manager, five (5) health information systems and technology
10 personnel, two (2) MES program administrative assistants, and eight (8) additional
11 Medicaid eligibility, enrollment, claims examiners, program integrity, and data
12 specialists; and

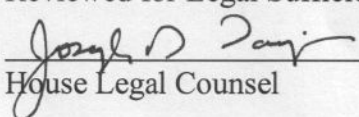
13 2. The Medicaid program and Office of Personnel Management is
14 further authorized to establish additional NOPs and such full-time equivalent
15 positions and specialized classifications and compensation for specialized health
16 information systems professionals within the Civil Services system and to
17 temporarily hire, as exempt positions, personnel required to successfully plan,
18 design, develop, implement and operate a Compliance and MES Systems. All
19 positions must be funded at least on a 50-50% basis by the Federal and
20 Commonwealth governments; and

1 **BE IT FURTHER RESOLVED**, that the Speaker of the House of
2 Representatives and the President of the Senate shall certify and the House Clerk
3 and the Senate Legislative Secretary shall attest to the adoption of this joint
4 resolution and thereafter the House Clerk shall transmit a copy to Helen C. Sablan,
5 Director, CNMI State Medicaid Agency, Director of the Office of Personnel
6 Management, David DLG Atalig, Secretary of Finance, Virginia C. Villagomez,
7 Special Assistant, Office of Management and Budget, and the Honorable Ralph
8 DLG Torres, Governor.

Prefilled: 4/14/2021

Date: 4/12/21

Introduced by: 
Rep. Rep. Leila H.F.C. Staffler

Reviewed for Legal Sufficiency by:

House Legal Counsel

