

## **Table of Contents**

**State/Territory Name: Tennessee**

**State Plan Amendment (SPA) #: 20-0005**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
601 E. 12th St., Room 355  
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

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November 23, 2020

Mr. Stephen M. Smith  
Director, Division of TennCare  
Attention: Aaron Butler  
310 Great Circle Road  
Nashville, Tennessee 37243

Re: Tennessee State Plan Amendment (SPA) Transmittal #20-0005

Dear Mr. Smith:

We reviewed your proposed Medicaid State Plan Amendment (SPA) submitted under transmittal number TN 20-0005. This amendment proposes to add Buprenorphine Enhanced Supportive Medication-Assisted Recovery and Treatment (BE-SMART) for adults as a covered service.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations at 42 CFR 440, 441, and 447. This letter is to inform you that Tennessee's Medicaid SPA Transmittal Number 20-0005 is approved effective January 1, 2021.

If you have any questions, please contact Tandra Hodges at 404-562-7409 or via email at [Tandra.Hodges@cms.hhs.gov](mailto:Tandra.Hodges@cms.hhs.gov).

Sincerely,

A solid black rectangular box used to redact the signature of Ruth A. Hughes.

Ruth A. Hughes, Acting Director  
Division of Program Operations

Enclosures

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b>  <b>FOR: CENTERS FOR MEDICARE &amp; MEDICAID SERVICES</b>	1. TRANSMITTAL NUMBER: 20-0005	2. STATE TENNESSEE
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE AND MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE January 1, 2021	
5. TYPE OF PLAN MATERIAL ( <i>Check One</i> ):  <div style="display: flex; justify-content: space-between;"> <span><input type="checkbox"/> NEW STATE PLAN</span> <span><input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN</span> <span><input checked="" type="checkbox"/> AMENDMENT</span> </div>		
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT ( <i>Separate Transmittal for each amendment</i> )		
6. FEDERAL STATUTE/REGULATION CITATION: 42 CFR 440, 441 and 447	7. FEDERAL BUDGET IMPACT: a. FFY 2021   \$6,230,834 b. FFY 2022   \$8,307,779	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:  Attachment 3.1.A; Attachment 3.1.A.1, Item 13.d.B, pages 3- 7. Attachment 3.1.B; Attachment 3.1.B.1, Item 13.d.B, pages 3-7. Attachment 419B, Item 13.d, pages 1 and 2.	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT ( <i>If Applicable</i> ):  Attachment 3.1.A; Attachment 3.1.A.1, Item 13.d.B, pages 3 - 6. Attachment 3.1.B; Attachment 3.1.B.1, Item 13.d.B, pages 3 - 6. Attachment 419B, Item 13.d, page 1.	
10. SUBJECT OF AMENDMENT: Limitations on Amount, Duration and Scope of Medical Care and Services Provided to Categorically and Medically Needy; Methods and Standards for Establishing Payment Rates Other Types of Care – Deletion of obsolete covered service “Rehabilitative Services by Community Mental Retardation Clinics” and addition of covered service “Buprenorphine Enhanced Supportive Medication-Assisted Recovery and Treatment (BE-SMART)” for adults.		
11. GOVERNOR’S REVIEW ( <i>Check One</i> ): <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> GOVERNOR’S OFFICE REPORTED NO COMMENT  <input type="checkbox"/> COMMENTS OF GOVERNOR’S OFFICE ENCLOSED  <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL         </div> <div><input type="checkbox"/> OTHER, AS SPECIFIED:</div> </div>		
12. SIGNATURE OF STATE AGENCY OFFICIAL:	16. RETURN TO: Tennessee Department of Finance and Administration Division of TennCare 310 Great Circle Road Nashville, Tennessee 37243  Attention: George Woods	
13. TYPED NAME: Stephen Smith		
14. TITLE: Director, Division of TennCare		
15. DATE SUBMITTED: August 31, 2020		
<b>FOR REGIONAL OFFICE USE ONLY</b>		
17. DATE RECEIVED: August 31, 2020	18. DATE APPROVED: 11/20/2020	
<b>PLAN APPROVED – ONE COPY ATTACHED</b>		
19. EFFECTIVE DATE OF APPROVED MATERIAL: January 1, 2021	20. SIGNATURE OF REGIONAL OFFICIAL:  	
21. TYPED NAME: Ruth A. Hughes	Acting Director, Division of Program Operation	
23. REMARKS:  Block 7 – Federal budget impact for FFY 2021 and FFY 2022 should be changed to \$0 Block 8 – Attachment 3.1.A, Attachment 3.1.A.1, Item 13.d.B, pages 3-7 should be deleted and replaced with Item 13.d.C, pages 7-11. Block 8 – Attachment 3.1.B, Attachment 3.1.B.1, Item 13.d.B, pages 3-7 should be deleted and replaced with Item 13.d.C, pages 7-11 Block 8 – Attachment 4. 19-B, Item 13.d, pages 1 and 2 should be deleted and replaced with Item 13.d.C, page 2. Block 9 – The existing text should be deleted and replaced with the notation “New pages” Block 10 – Remove the phrase, Deletion of obsolete covered service, “Rehabilitative Services by Community Mental Retardation Clinics” and		

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
CARE AND SERVICES PROVIDED

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13.d. Rehabilitation Services (continued)

B. Buprenorphine Enhanced Supportive Medication-Assisted Recovery and Treatment (BE-SMART)

BE-SMART is comprehensive treatment and recovery related supports for individuals with opioid use disorder. The BE-SMART benefit is a coordinated set of services consisting of psychosocial assessment and development of a treatment plan, individual and group counseling, peer recovery services, and care coordination in addition to opioid-agonist therapy. Opioid-agonist therapy used will be buprenorphine products that have been FDA approved for opioid use disorder treatment. Comprehensive substance abuse and addiction treatment is offered to participants to provide a full continuum of care within community-based settings.

BE-SMART is restricted to participants who have been diagnosed with substance use disorder and for whom BE-SMART is determined to be medically necessary. Each participant will have an individual treatment plan comprising those services designed to meet the participant's identified needs.

The following matrix provides a description of each service within the BE-SMART benefit, as well as the practitioners qualified to furnish each service.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
CARE AND SERVICES PROVIDED

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BE-SMART Service	Description	Qualified Practitioners
Psychosocial Assessment	A standardized, evidenced based assessment (e.g. DLA-20 or QOL-10) of a potential participant's condition and treatment needs and development of initial treatment plan/recommendations.	Licensed physician, nurse practitioner, or physician assistant with a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine
Medication Assisted Treatment	The use of FDA-approved buprenorphine containing products (generally buprenorphine/naloxone combination unless contraindicated) for persons with opioid use disorder, as determined medically necessary and in accordance with the participant's treatment plan.	Licensed physician, nurse practitioner, or physician assistant with a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine
Individual Counseling	Individual, structured therapeutic counseling designed to resolve problems related to opioid use disorder that interfere with the participant's functioning and support the goals in the participant's treatment plan.	Qualified mental health professional

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TN No. 20-0005

Supersedes

TN No. NEW

Approval Date 11/20/20

Effective Date 01/1/21

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
CARE AND SERVICES PROVIDED

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BE-SMART Service	Description	Qualified Practitioners
Group Counseling	Structured therapeutic interaction among a provider and two or more participants designed to promote participant functioning and recovery.	Qualified mental health professional
Peer Recovery Services	Direct peer-to-peer support services, including assistance in the development of recovery goals, developing community support, and providing information on ways to maintain personal wellness and recovery.	Certified Peer Recovery Specialists
Care Coordination	Care coordination, including facilitating communication among healthcare providers involved in the participant's treatment and assisting the participant with navigating the behavioral health system.	Care coordinator working under the direct supervision of the DATA 2000 waived physician, clinical director, and/or the MAT clinic practice manager.

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## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEELIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
CARE AND SERVICES PROVIDED

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**Qualifications of Practitioners are as follows:**

**Care Coordinator:** An individual with an associate's or bachelor's degree or comparable educational background working under the direct supervision of a DATA 2000 waived physician, clinical director, and/or the MAT clinic practice manager. The care coordinator must possess the knowledge and skills to effectively facilitate communication among the healthcare providers involved in the member's treatment and assist the member with accessing care and navigating the behavioral health system.

**Certified Peer Recovery Specialist:** An individual who has lived experience with behavioral health issues who meets the applicable training and certification requirements set by the Tennessee Department of Mental Health and Substance Abuse Services. A Certified Peer Recovery Specialist must be supervised by a licensed mental health professional.

**Nurse Practitioner:** An individual licensed as a nurse practitioner under state law who holds a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine.

**Physician:** An individual licensed as a physician under state law who holds a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine.

**Physician Assistant:** An individual licensed as a physician assistant under state law who holds a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
CARE AND SERVICES PROVIDED

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**Qualified Mental Health Professional:** A qualified mental health professional includes any of the following:

1. Psychiatrists licensed under state law;
2. Physicians with expertise in psychiatry and licensed under state law;
3. Psychologists with health service provider designation and licensed under state law;
4. Psychological examiners licensed under state law;
5. Licensed master's social workers with two years of mental health experience and licensed under state law
6. Marital and family therapists licensed under state law;
7. Psychiatric nurses with master's degrees in nursing and licensed under state law;
8. Professional counselors licensed under state law;
9. Individuals with master's degrees in the mental health discipline and practicing under the direct supervision of a licensed mental health professional.



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
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13.d. Rehabilitation Services (continued)

B. Buprenorphine Enhanced Supportive Medication-Assisted Recovery and Treatment (BE-SMART)

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STATE: TENNESSEELIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
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<b>BE-SMART Service</b>	<b>Description</b>	<b>Qualified Practitioners</b>
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Medication Assisted Treatment	The use of FDA-approved buprenorphine containing products (generally buprenorphine/naloxone combination unless contraindicated) for persons with opioid use disorder, as determined medically necessary and in accordance with the participant's treatment plan.	Licensed physician, nurse practitioner, or physician assistant with a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine
Individual Counseling	Individual, structured therapeutic counseling designed to resolve problems related to opioid use disorder that interfere with the participant's functioning and support the goals in the participant's treatment plan.	Qualified mental health professional

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STATE: TENNESSEE

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STATE: TENNESSEELIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
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**Physician Assistant:** An individual licensed as a physician assistant under state law who holds a Drug Addiction Treatment Act of 2000 (DATA 2000) waiver to prescribe buprenorphine

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

LIMITATION ON AMOUNT, DURATION AND SCOPE OF MEDICAL  
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1. Psychiatrists licensed under state law;
2. Physicians with expertise in psychiatry and licensed under state law;
3. Psychologists with health service provider designation and licensed under state law;
4. Psychological examiners licensed under state law;
5. Licensed master's social workers with two years of mental health experience and licensed under state law
6. Marital and family therapists licensed under state law;
7. Psychiatric nurses with master's degrees in nursing and licensed under state law;
8. Professional counselors licensed under state law;
9. Individuals with master's degrees in the mental health discipline and practicing under the direct supervision of a licensed mental health professional.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE TENNESSEE

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT  
RATES – OTHER TYPES OF CARE

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13.d. Rehabilitative Services – continued

C. Buprenorphine Enhanced Supportive Medication-Assisted Recovery and Treatment  
(BE-SMART)

Buprenorphine enhanced supportive medication-assisted recovery and treatment (BE-SMART) services are covered for members as medically necessary in accordance with Attachments 3.1-A and 3.1-B to provide a continuum of care within community-based settings.

Providers of individual services within the BE-SMART program are reimbursed individually based on the individual service provided. Effective January 1, 2021, providers will be reimbursed the lesser of billed charges or 85% of the Medicare rate for the service.