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State/Territory Name: **VIRGIN ISLANDS**

State Plan Amendment (SPA) #: **13-004**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Additional Companion letter
- 3) CMS 179 Form/Summary Form (with 179-like data)
- 4) Approved SPA Pages

Department of Health & Human Services
Centers for Medicare & Medicaid Services
26 Federal Plaza, Room 37-100 North
New York, NY 10278



January 22, 2014

Renee Joseph Rhymer
Medicaid Director
Department of Human Services
1303 Hospital Ground
Knud Hansen Complex, Building A
St. Thomas, United States Virgin Islands 00802

Dear Ms. Joseph-Rhymer:

We received a copy of Kim Howell's letter to you, in which he notified you of the approval of United States Virgin Island's State Plan Amendment (SPA) 13-004. This amendment proposed changes in pharmacy coverage required by Section 175 of the Medicare Improvement for Patients and Providers Act of 2008 which amended section 1860D-2(e)(2)(A) of the Act to include barbiturates "used in the treatment of epilepsy, cancer, or chronic mental health disorder" and benzodiazepines in Part D drug coverage.

Mr. Howell advised you that New York Regional Office would forward you the signed CMS-179 form as well as copies of the approved pages, these documents are enclosed. The revised pages of attachment 3.1-A, pages 5(a) and 5(b) and attachment 3.1-B, pages 4(a) and 4(b) submitted to our office on January 14, 2014 have been added into Puerto Rico's state plan. Please note the approval date of the SPA is January 22th, 2014 and the effective date is April 1, 2013.

If you have any questions, please contact Ivelisse M. Salce at (212) 616-2411.

Sincerely,

/s/

Michael Melendez
Associate Regional Administrator
Division of Medicaid and Children's Health

Cc. Delaine Deardorff-Beck, CMS Division of Pharmacy

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-14-26
Baltimore, Maryland 21244-1850



Center for Medicaid and CHIP Services
Disabled and Elderly Health Programs Group

January 22, 2014

Renee Joseph Rhymer
Medicaid Director
Department of Human Services
1303 Hospital Ground
Knud Hansen Complex, Building A
St. Thomas, United States Virgin Islands 00802

Dear Ms. Rhymer:

We have reviewed Virgin Island's State Plan Amendment (SPA) 13-004, received in the Regional Office on June 17, 2013. It reflects changes in pharmacy coverage required by Section 175 of the Medicare Improvement for Patients and Providers Act of 2008 which amended section 1860D-2(e)(2)(A) of the Act to include barbiturates "used in the treatment of epilepsy, cancer, or chronic mental health disorder" and benzodiazepines in Part D drug coverage.

We are pleased to inform you that the amendment is approved, effective April 1, 2013. A copy of the CMS-179 form, as well as the pages approved for incorporation into the Virgin Island's state plan, will be forwarded by the New York Regional Office.

If you have any questions regarding this amendment, please contact Delaine Deardorff-Beck at (410) 786-2991.

Sincerely,

/s/

Kim Howell
Acting Director
Division of Pharmacy

cc: Michael Melendez, ARA New York Regional Office
Ivelissa Salce, New York Regional Office

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER 13-004	2. STATE United States Virgin Islands
3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
4. PROPOSED EFFECTIVE DATE April 1, 2013	

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

5. TYPE OF PLAN MATERIAL (Check One)

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION Public Law 110-275	7. FEDERAL BUDGET IMPACT a. FFY <u>2013</u> \$ <u>(1,000)</u> b. FFY <u>2014</u> \$ <u>(2,000)</u>
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A, Page 5(a) Attachment 3.1-A, Page 5(b) Attachment 3.1-B, Page 4(a) Attachment 3.1-B, Page 4(b)	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable) All submitted pages are NEW

***REMARKS**

10. SUBJECT OF AMENDMENT
The amendment relates to Section 175 of the Medicare Improvement for Patients and Providers Act (MIPPA) of 2008 which amended section 1860D-2(e)(2)(A) of the Act to include Barbiturates "used in the treatment of epilepsy, cancer, or chronic mental health disorder" and Benzodiazepines in Part D drug coverage.

11. GOVERNOR'S REVIEW (Check One)

NEW STATE PLAN OTHER, AS SPECIFIED

COMMENTS OF GOVERNOR'S OFFICE ENCLOSED

NO REPLY RECEIVED 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL <i>[Signature]</i>	16. RETURN TO Renée Joseph Rhymer Medicaid Director Department of Human Services 1303 Hospital Ground Knud Hansen Complex, Building A St. Thomas, United States Virgin Islands 00802 Renee.JosephRhymer@dhs.vi.gov
13. TYPED NAME Ms. Renée Joseph Rhymer, MSW	
14. TITLE Medicaid Director, VI Department of Human Services	
15. DATE SUBMITTED June 17, 2013	

17. DATE RECEIVED	FOR REGIONAL OFFICE USE ONLY	
	18. DATE APPROVED 01/22/2014	

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL 04/01/2013	20. SIGNATURE OF REGIONAL OFFICIAL <i>/s/</i>
21. TYPED NAME Michael Melendez	22. TITLE Associate Regional Administrator Division of Medicaid and State Operations

23. REMARKS
It reflects changes in pharmacy coverage required by Section 175 of the Medicare Improvement for Patients and Providers Act of 2008 which amended section 1860D-2(e)(2)(A) of the Act to include barbiturates "used in the treatment of epilepsy, cancer, or chronic mental health disorder" and benzodiazepines in Part D drug coverage.

OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Agency UNITED STATES VIRGIN ISLANDS

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT DRUGS FOR THE CATEGORICALLY NEEDY

13. e. Prescribed Drugs: Description of Service Limitation

Citation(s)	Provision(s)
1935(d)(1)	Effective January 1, 2006, the Medicaid agency will not cover any Part D drug for full-benefit dual eligible individuals who are entitled to receive Medicare benefits under Part A or Part B.
1927(d)(2) and 1935(d)(2)	The Medicaid agency provides coverage for the following excluded or otherwise restricted drugs or classes of drugs, or their medical uses to all Medicaid recipients, including full benefit dual eligible beneficiaries under the Medicare prescription Drug Benefit –Part D.

The following excluded drugs are covered:

("All" drugs categories covered under the drug class)

("Some" drugs categories covered under the drug class)
-List the covered common drug categories not individual drug products directly under the appropriate drug class)

("None" of the drugs under this drug class are covered)

- (a) agents when used for anorexia, weight loss, weight gain
- (b) agents when used to promote fertility
- (c) agents when used for cosmetic purposes or hair growth
- (d) agents when used for the symptomatic relief of cough and colds

TN No. 13-004 Approval Date JAN 22 2014 Effective Date 04/01/2013

Supersedes (NEW)

New

OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Agency UNITED STATES VIRGIN ISLANDS

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT DRUGS FOR THE CATEGORICALLY NEEDY

12.a. Prescribed Drugs: Description of Service Limitation

Citation(s)	Provision(s)
<input type="checkbox"/>	(e) prescription vitamins and mineral products, except prenatal vitamins and fluoride
<input type="checkbox"/>	(f) nonprescription drugs
<input type="checkbox"/>	(g) covered outpatient drugs which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or its designee (see specific drug categories below)
<input checked="" type="checkbox"/>	(h) barbiturates (<u>Except for dual eligible individuals when used in the treatment of epilepsy, cancer or a chronic mental health disorder as Part D will cover those indications</u>)
<input checked="" type="checkbox"/>	(i) benzodiazepines (<u>Except for dual eligible individuals as Part D will cover all indications</u>)
<input checked="" type="checkbox"/>	(j) smoking cessation drugs, including non-prescription drugs, will be covered for pregnant women <u>only</u> (<u>Except for dual eligible individuals as Part D will cover these drugs</u>)

TN No. 13-004 Approval Date JAN 22 2014

Effective Date 04/01/2013

Supersedes (NEW)

New

OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Agency UNITED STATES VIRGIN ISLANDS

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT DRUGS FOR THE MEDICALLY NEEDY

12.a. Prescribed Drugs: Description of Service Limitation

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1927(d)(2) and 1935(d)(2)	The Medicaid agency provides coverage for the following excluded or otherwise restricted drugs or classes of drugs, or their medical uses to all Medicaid recipients, including full benefit dual eligible beneficiaries under the Medicare Prescription Drug Benefit –Part D.

The following excluded drugs are covered:

("All" drugs categories covered under the drug class)

("Some" drugs categories covered under the drug class)

-List the covered common drug categories not individual drug products directly under the drug class)

("None" of the drugs under this drug class are covered)

- (a) agents when used for anorexia, weight loss, weight gain
- (b) agents when used to promote fertility
- (c) agents when used for cosmetic purposes or hair growth
- (d) agents when used for the symptomatic relief of cough and colds

TN No. 13-004

Approval Date JAN 22 2014

Effective Date 04/01/2013

Supersedes (NEW)

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OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Agency UNITED STATES VIRGIN ISLANDS

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT DRUGS FOR THE MEDICALLY NEEDY

14. d. Prescribed Drugs: Description of Service Limitation

Citation(s)	Provision(s)
<input type="checkbox"/>	(e) prescription vitamins and mineral products, except prenatal vitamins and fluoride
<input type="checkbox"/>	(f) nonprescription drugs
<input type="checkbox"/>	(g) covered outpatient drugs which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or its designee (see specific drug categories below)
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<input checked="" type="checkbox"/>	(i) benzodiazepines (<u>Except for dual eligible individuals as Part D will cover all indications</u>)
<input checked="" type="checkbox"/>	(j) smoking cessation drugs, including non-prescription drugs, for will be covered for pregnant women <u>only</u> (<u>Except for dual eligible individuals as Part D will cover these drugs</u>)

TN No. 13-004 Approval Date JAN 22 2014 Effective Date 04/01/2013

Supersedes (NEW)

New