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State/Territory Name: Tennessee

State Plan Amendment (SPA) #: 21-0003

This file contains the following documents in the order listed:

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



Medicaid and CHIP Operations Group

June 23, 2021

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

Re: Tennessee State Plan Amendment (SPA) Transmittal #21-0003

Dear Mr. Smith:

We reviewed your proposed Medicaid State Plan Amendment (SPA) submitted under transmittal number TN 21-0003. This amendment adds state coverage of medication-assisted treatment (MAT) as a mandatory covered service.

Section 1006(b) of the SUPPORT for Patients and Communities Act (SUPPORT Act), signed into law on October 24, 2018, amended section 1902(a)(10)(A) of the Act to require state Medicaid plans to include coverage of MAT for all eligible to enroll in the state plan or waiver of state plan. Section 1006(b) also added a new paragraph 1905(a)(29) to the Act to include the new required benefit in the definition of “medical assistance” and to specify that the new required benefit will be in effect for the period beginning October 1, 2020, and ending September 30, 2025.

Section 1006(b) of the SUPPORT Act also added section 1905(ee)(1) to the Act to define MAT, for purposes of the new required coverage, as:

. . . all drugs approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), including methadone, and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) to treat opioid use disorders; and[,] . . . with respect to the provision of such drugs and biological products, counseling services and behavioral therapy.

Pursuant to section 1135(b)(5) and/or 1135(b)(1)(C) of the Act, due to the COVID-19 public health emergency (PHE), CMS issued an approval letter on April 15, 2021 allowing Tennessee to modify the SPA submission requirements at 42 C.F.R. 430.20, to allow the state to submit a SPA implementing section 1905(a)(29) of the Act by March 31, 2021 that would take effect on October 1, 2020.

CMS conducted our review of your submittal according to statutory requirements in Title XIX of the Act and implementing regulations.

This letter is to inform you that Tennessee's Medicaid SPA Transmittal Number 21-0003 is approved effective October 1, 2020 until September 30, 2025, pursuant to 1905(a)(29) of the Social Security Act and Section 1006(b) of the of the SUPPORT Act.

If you have any questions, please contact Tandra Hodges at 404-562-7409 or via email at Tandra.Hodges@cms.hhs.gov.

Sincerely,



James G. Scott, Director
Division of Program Operations

cc: Aaron Butler

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Citation: 3.1(a)(1) Amount, Duration, and Scope of Services: Categorically Needy
(Continued)

1905(a)(29) X MAT as described and limited in Supplement 4 to Attachment 3.1-A.

ATTACHMENT 3.1-A identifies the medical and remedial services provided to
the categorically needy.

TN No. 21-0003

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the
Categorically Needy (continued)

i. General Assurance

MAT is covered under the Medicaid state plan for all Medicaid beneficiaries who meet the medical necessity criteria for receipt of the service for the period beginning October 1, 2020, and ending September 30, 2025.

ii. Assurances

- a. The state assures coverage of Naltrexone, Buprenorphine, and Methadone and all of the forms of these drugs for MAT that are approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).
- b. The state assures that Methadone for MAT is provided by Opioid Treatment Programs that meet the requirements in 42 C.F.R. Part 8.
- c. The state assures coverage for all formulations of MAT drugs and biologicals for OUD that are approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the
Categorically Needy (continued)

iii. Service Package

From October 1, 2020, through September 30, 2025, the state assures that MAT to treat
OUD as defined at section 1905(ee)(1) of the Social Security Act (the Act) is covered
exclusively under section 1905(a)(29) of the Act.

The state covers the following counseling services and behavioral health therapies as part
of MAT.

- a) Please set forth each service and components of each service (if applicable), along
with a description of each service and component service.

Behavioral health/counseling includes:

- psychosocial assessment,
- addiction counseling,
- individual/group counseling, and
- self-help and recovery support, such as referring the beneficiary to
appropriate peer recover support resources and offering resources on self-
help such as journaling, meditating, books, or other resources on the
members' illness and/or addiction.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Categorically Needy (continued)

- b) Please include each practitioner and provider entity that furnishes each service and component service.

Services may be provided by Qualified Mental Health Professionals as defined in state law, as illustrated in the table below.

Practitioner/Provider Type	Psychosocial Assessment	Addiction Counseling	Individual/Group Counseling	Self-Help and Recovery Support
Psychiatrists	X	X	X	X
Physicians with expertise in psychiatry	X	X	X	X
Psychologists with health service provider designation	X	X	X	X
Psychological examiners	X	X	X	X
Licensed master's social workers with two years of mental health experience	X	X	X	X
Marital and family therapists	X	X	X	X
Psychiatric nurses with master's degrees in nursing	X	X	X	X
Professional counselors	X	X	X	X
Individuals with master's degrees in the mental health discipline and practicing under the direct supervision of a licensed mental health professional	X	X	X	X

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State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the
Categorically Needy (continued)

- c) Please include a brief summary of the qualifications for each practitioner or provider entity that the state requires. Include any licensure, certification, registration, education, experience, training and supervisory arrangements that the state requires.

These services may be provided by Qualified Mental Health Professionals as defined in state law. Qualified Mental Health Professionals and their qualifications are:

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 of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the
Categorically Needy (continued)

iv. Utilization Controls

 X The state has drug utilization controls in place. (Check each of the following that
apply)

 Generic first policy

 X Preferred drug lists

 Clinical criteria

 X Quantity limits

 The state does not have drug utilization controls in place.

v. Limitations

Describe the state's limitations on amount, duration, and scope of MAT drugs,
biologicals, and counseling and behavioral therapies related to MAT.

Counseling and behavioral therapies related to MAT are covered as medically necessary.

MAT drugs are covered as medically necessary, except for buprenorphine, which may be
subject to quantity limits.

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State of Tennessee

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL CARE AND
SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

PRA Disclosure Statement - This information is being collected to assist the Centers for Medicare & Medicaid Services in implementing section 1006(b) of the SUPPORT for Patients and Communities Act (P.L. 115-271) enacted on October 24, 2018. Section 1006(b) requires state Medicaid plans to provide coverage of Medication-Assisted Treatment (MAT) for all Medicaid enrollees as a mandatory Medicaid state plan benefit for the period beginning October 1, 2020, and ending September 30, 2025. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. The OMB control number for this project is 0938-1148 (CMS-10398 # 60). Public burden for all of the collection of information requirements under this control number is estimated to take about 80 hours per response. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to CMS, 7500 Security Boulevard, Attn: Paperwork Reduction Act Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED
MEDICALLY NEEDY GROUP(S): Children Under 21, Pregnant Women

1905(a)(29) Medication-Assisted Treatment (MAT)

Citation: 3.1(b)(1) Amount, Duration, and Scope of Services: Medically Needy
(Continued)

1905(a)(29) X MAT as described and limited in Supplement 1 to Attachment 3.1-B.

ATTACHMENT 3.1-B identifies the medical and remedial services provided to the medically needy.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

AMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED
MEDICALLY NEEDY GROUP(S): Children Under 21, Pregnant Women

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Medically Needy (continued)

i. General Assurance

MAT is covered under the Medicaid state plan for all Medicaid beneficiaries who meet the medical necessity criteria for receipt of the service for the period beginning October 1, 2020, and ending September 30, 2025.

ii. Assurances

- a. The state assures coverage of Naltrexone, Buprenorphine, and Methadone and all of the forms of these drugs for MAT that are approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).
- b. The state assures that Methadone for MAT is provided by Opioid Treatment Programs that meet the requirements in 42 C.F.R. Part 8.
- c. The state assures coverage for all formulations of MAT drugs and biologicals for OUD that are approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).

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State of Tennessee

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1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Medically Needy (continued)

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From October 1, 2020, through September 30, 2025, the state assures that MAT to treat OUD as defined at section 1905(ee)(1) of the Social Security Act (the Act) is covered exclusively under section 1905(a)(29) of the Act.

The state covers the following counseling services and behavioral health therapies as part of MAT.

- a) Please set forth each service and components of each service (if applicable), along with a description of each service and component service.

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- psychosocial assessment,
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State of Tennessee

AMOUNT, DURATION, AND SCOPE OF SERVICES PROVIDED
MEDICALLY NEEDY GROUP(S): Children Under 21, Pregnant Women

1905(a)(29) Medication-Assisted Treatment (MAT)

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- b) Please include each practitioner and provider entity that furnishes each service and component service.

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Psychiatric nurses with master's degrees in nursing	X	X	X	X
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6. Marital and family therapists licensed under state law;
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MEDICALLY NEEDY GROUP(S): Children Under 21, Pregnant Women

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Medically Needy (continued)

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Tennessee

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

27. **1905(a)(29) Medication-Assisted Treatment (MAT)**

The reimbursement for unbundled prescribed drugs and biologicals used to treat opioid use disorder (OUD) will be the same methodology described in Attachment 4.19-B, Item 12.a (Prescribed Drugs).

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