

## **Table of Contents**

**State/Territory Name: Tennessee**

**State Plan Amendment (SPA) #: 23-0003**

This file contains the following documents in the order listed:

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

**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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September 1, 2023

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

Re: Tennessee State Plan Amendment (SPA) Transmittal #23-0003

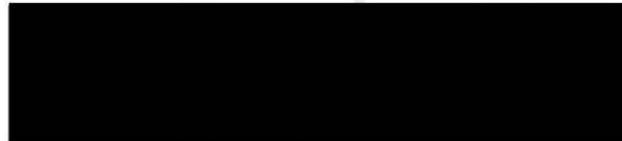
Dear Director Smith:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) #22-0003. This amendment is submitted to add lactation services and the Advisory Committee on Immunization Practices (ACIP) adult vaccine assurance to the preventive services benefit.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act. This letter is to inform you that Tennessee Medicaid SPA #23-0003 was approved on September 1, 2023, with an effective date of June 1, 2023.

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,



James G. Scott, Director  
Division of Program Operations

Enclosures

cc: Aaron Butler

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

1. TRANSMITTAL NUMBER

2 3 — 0 0 0 3

2. STATE

T N

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT

XIX  XXI

TO: CENTER DIRECTOR  
CENTERS FOR MEDICAID & CHIP SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

June 1, 2023

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR 440 and 441

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2023 \$ 676,433  
b. FFY 2024 \$ 2,029,300

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 3.1.A.1, item 13.c.  
Attachment 3.1.B.1, item 13.c.

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

Attachment 3.1.A.1, item 13.c.  
~~Attachment 3.1.A.1, item 13.c.~~  
Attachment 3.1.B.1, item 13.c.

9. SUBJECT OF AMENDMENT

~~Adds lactation services as a preventive services benefit.~~  
Adds lactation services and the ACIP adult vaccine assurance to the preventive services benefit.

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT  
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED  
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

[Redacted Signature]

15. RETURN TO

Tennessee Department of Finance and Administration  
Division of TennCare  
310 Great Circle Road  
Nashville, Tennessee 37243

12. TYPED NAME  
Stephen Smith

13. TITLE  
Director, Division of TennCare

14. DATE SUBMITTED  
June 23, 2023

Attention: George Woods

**FOR CMS USE ONLY**

16. DATE RECEIVED  
June 23, 2023

17. DATE APPROVED  
September 1, 2023

**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL  
June 01, 2023

19. SIGNATURE OF APPROVING OFFICIAL

[Redacted Signature]

20. TYPED NAME OF APPROVING OFFICIAL  
James G. Scott

21. TITLE OF APPROVING OFFICIAL  
Director, Division of Program Operations

22. REMARKS

State email authorized pen ink changes reflected in Box 8 and 9 on 09/01/23.

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. Other diagnostic, screening, preventive, and rehabilitative services, i.e., other than those provided elsewhere in the plan.

13.c. Preventive services

Preventive services for adults are recommended by a physician or other licensed practitioner of the healing arts acting within the scope of their practice under State law to prevent disease, disability, and other health conditions or their progression, prolong life, and promote physical and mental health and efficiency. Covered preventive services are limited to recommended vaccines and their administration, including COVID-19 vaccinations and their administration in accordance with the American Rescue Plan Act of 2021, and lactation support services.

Recommended Vaccines and Vaccine Administration

Approved vaccines recommended by the Advisory Committee on Immunization Practices (ACIP) and their administration are covered when furnished by a physician or other licensed practitioner of the healing arts acting within the scope of their practice under State law, in accordance with Section 1905(a)(13)(B) of the Act.

The state has methods to ensure that its coverage and billing codes of approved vaccines and their administration are updated as necessary to reflect changes to ACIP recommendations.

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.c. Preventive services - continued

Administration of COVID-19 Vaccinations

Administration of COVID-19 vaccinations is covered when administered by a qualified provider per the HHS COVID-19 PREP Act Declaration and authorizations.

**Qualified Providers**

- Pharmacies are qualified providers of COVID-19 vaccinations per the HHS COVID-19 PREP Act Declaration and authorizations.
- Pharmacists licensed under state law and acting within the scope of their practice may administer COVID-19 vaccines.
- Pharmacy interns enrolled in or a graduate of a ACPE accredited school or approved College of Pharmacy and practicing under the supervision of a licensed pharmacist may administer COVID-19 vaccines.
- Pharmacy technicians registered with the Tennessee Board of Pharmacy and practicing under the supervision of a licensed pharmacist are qualified providers of COVID-19 vaccinations per the HHS COVID-19 PREP Act Declaration and authorizations.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

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13.c. Preventive services - continued

Lactation Support Services

Lactation support services include education, counseling, and assistance for common breastfeeding issues, along with skilled, evidence-based care for more complex lactation issues. Lactation support services may be provided in the prenatal period through infant weaning.

**Qualified Providers**

Lactation support services must be provided by individuals with training in lactation support, or licensed providers for whom the services fall within their scope of practice. Services may be provided by the following provider types without supervision:

- Physicians (MD or DO) licensed in accordance with State law and practicing within the scope of their license
- Physician Assistants licensed in accordance with State law and practicing within the scope of their license
- Nurse Practitioners licensed in accordance with State law and practicing within the scope of their license
- Certified Nurse Midwives, if within their scope of practice and in accordance with applicable state laws
- International Board Certified Lactation Consultants (IBCLCs) with current certification by the International Board of Lactation Consultant Examiners

Lactation support services may be provided by the following provider types when provided under the supervision, including off-site and remote supervision, of an in-network MD, DO, PA, NP, certified nurse midwife, or IBCLC:

- Certified Lactation Counselor (CLC) – requires certification by the Academy of Lactation Policy and Practice, Inc.
- Certified Lactation Educator (CLE) – requires certification by an accredited Certified Lactation Educator certification organization

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE: TENNESSEE

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