

Table of Contents

State/Territory Name: Wisconsin

State Plan Amendment (SPA) #: 23-0017

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS Form 179
- 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

October 23, 2023

Jamie Kuhn, Medicaid Director
Division of Medicaid Services
Wisconsin Department of Health Services
1 W. Wilson St.
Madison, Wisconsin 53701

Re: Wisconsin State Plan Amendment (SPA) 23-0017

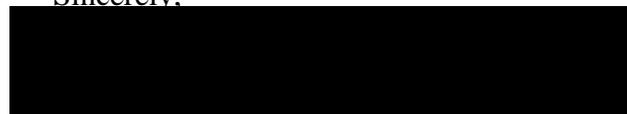
Dear Director Kuhn:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 23-0017. This amendment proposes to expand coverage for point of care drug testing to outpatient substance abuse and substance abuse day treatment benefits.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 U.S.C. 1395cc-6. This letter is to inform you that Wisconsin Medicaid SPA 23-0017 was approved on October 23, 2023, with an effective date of July 1, 2023.

If you have any questions, please contact Mai Le-Yuen at 312.353.2853 or via email at Mai.Le-Yuen@cms.hhs.gov.

Sincerely,



James G. Scott, Director
Division of Program Operations

Enclosures

cc: Bailey Dvorak, DHS

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

1. TRANSMITTAL NUMBER <u>2</u> <u>3</u> <u>0</u> <u>0</u> <u>1</u> <u>7</u>	2. STATE <u>WI</u>
3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT <input checked="" type="radio"/> XIX <input type="radio"/> XXI	
4. PROPOSED EFFECTIVE DATE 07/01/23	
6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY <u>2023</u> \$ <u>1,003,026</u> b. FFY <u>2024</u> \$ <u>3,911,804</u>	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Supplement 1 to Attachment 3.1A page 11 and page 12 Supplement 1 to Attachment 3.1B page 10 and page 11	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Supplement 1 to Attachment 3.1A page 11 and page 12 Supplement 1 to Attachment 3.1B page 10 and page 11

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

5. FEDERAL STATUTE/REGULATION CITATION
42 U.S.C. 1395cc-6

9. SUBJECT OF AMENDMENT
Point of Care Drug Testing Coverage

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 	15. RETURN TO Bailey Dvorak State Plan Amendment Coordinator Department of Health Services 1 W. Wilson St. P.O. Box 309 Madison, WI 53701-0309
12. TYPED NAME Jamie Kuhn	
13. TITLE Medicaid Director	
14. DATE SUBMITTED 09/29/2023	

FOR CMS USE ONLY	
16. DATE RECEIVED September 29, 2023	17. DATE APPROVED October 23, 2023

PLAN APPROVED - ONE COPY ATTACHED	
18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2023	19. SIGN 
20. TYPED NAME OF APPROVING OFFICIAL James G. Scott	21. TITLE OF APPROVING OFFICIAL Director, Division of Program Operations

22. REMARKS

13.d

Substance Use Disorder (SUD) Formerly AODA Treatment Services.

Outpatient SUD treatment services are available to recipients when such services are necessary for the maximum reduction of the recipient's disability and for restoring the recipient to his or her best possible functional level.

Outpatient SUD services include evaluations, assessments and diagnostic services to determine the need for AODA SUD service or to evaluate the appropriateness of the services being provided. The outpatient SUD treatment services include individual, group, and family SUD treatment and SUD educational programming specific to medical aspects of SUD diagnosis and treatment. Outpatient SUD services include drug testing for a member engaged in treatment at an appropriately certified treatment facility.

Medication management may be provided by physicians, or registered nurses employed by a certified clinic. Counseling services include counseling necessary to ensure the best possible level of functioning associated with methadone maintenance. All services are provided under the general direction of a physician.

These services may be performed only by the following providers: a physician; a licensed psychologist who is listed or eligible to be listed in the National Register of Healthcare Providers in Psychology; an individual with a master's degree in social work, counseling or psychology, or a related discipline, who has 3000 hours of post-degree experience providing psychotherapy services supervised by a provider meeting the certification requirements; or an individual certified by the Wisconsin Alcoholism and Drug Abuse Counselor Certification Board as an alcohol and drug counselor II or III. Masters level providers and SUD counselors must work in outpatient clinics certified by the Department of Health and Social Services.

TN #23-0017
Supersedes
TN# 93-003

Approval Date 10-23-23

Effective Date 7-1-23

CH03194.MP/SP

13.d Outpatient Substance Use Disorder (SUD) Alcohol and Other Drug Abuse (AODA) Treatment Services. (Continued)

Detoxification is not covered in a social (nonhospital) setting. Alcohol and other drug abuse services may be provided to an individual who is 21 years of age or older in the individual's home or in the community.

Substance Use Disorder (SUD) Day Treatment.

SUD day treatment is available for recipients who are seriously impaired in basic areas of everyday functioning and for whom less intensive, traditional, outpatient treatment is not adequate to stabilize their condition or attain their best possible functional level in the community. SUD day treatment may be appropriate for individuals who have had inpatient hospital detoxification or limited inpatient hospital rehabilitation. These services are necessary for the maximum reduction of the recipient's disability and for restoring the recipient to his or her best possible functional level.

AODA SUD day treatment is a compendium of medical and AODA SUD treatment services, but Medical Assistance pays for only those services which are medically necessary based on a supervising physician or psychologist-approved plan of care and are provided under the general direction of a physician. Medical Assistance-covered services include individual, group, family therapy, educational programming specific to medical aspects of SUD diagnosis and treatment, and drug testing.

SUD day treatment is provided by day treatment programs certified by the Department of Health and Social Services. Certification requires that the program be directed by an interdisciplinary team; that an individual certified by the Wisconsin Alcoholism and Drug Abuse Counselor Certification Board as an alcohol and drug counselor II or III is on duty all hours in which services are provided; and that recipients are evaluated for their ability to benefit from treatment.

State Wisconsin

Eff. Mental health services, including services provided by a psychiatrist, may be provided to an individual who is 21 years of age or older in the individual's home or in the community.

13.d Out patient Substance Use Disorder (SUD) Formerly-Alcohol and Other
Eff. Drug Abuse (AODA) Treatment Services.

Outpatient SUD AODA treatment services are available to recipients when such services are necessary for the maximum reduction of the recipient's disability and for restoring the recipient to his or her best possible functional level. A physician's prescription is required before starting AODA treatment services.

Outpatient SUD AODA services include evaluations, assessments and diagnostic services to determine the need for SUD services or to evaluate the appropriateness of the services being provided. The outpatient SUD treatment services include individual, group, and family SUD treatment and SUD educational programming specific to medical aspects of SUD diagnosis and treatment. Outpatient SUD services include drug testing for a member engaged in treatment at an appropriately certified treatment facility.

Medication management may be provided by physicians, registered or nurses employed by a certified clinic. Counseling services include counseling necessary to ensure the best possible level of functioning associated with methadone maintenance. All services are provided under the general direction of a physician.

These services may be performed only by the following providers: a physician; a licensed psychologist who is listed or eligible to be listed in the National Register of Healthcare Providers in Psychology; an individual with a master's degree in social work, counseling or psychology, or a related discipline, who has 3000 hours of post-degree experience providing psychotherapy services supervised by a provider meeting the certification requirements; or an individual certified by the Wisconsin Alcoholism and Drug Abuse Counselor Certification Board as an alcohol and drug counselor II or III. Masters level providers and SUD counselors must work in outpatient clinics certified by the Department of Health and Social Services.

TN #23-0017

Supersedes

TN #97-020Approval Date 10-23-23Effective Date 07-1-23

CH03193.MP/SP

State Wisconsin

Detoxification is not covered in a social (non-hospital) setting.

Substance Use disorder (SUD) Day Treatment. SUD day treatment is available for recipients who are seriously impaired in basic areas of everyday functioning and for whom less intensive, traditional, outpatient treatment is not adequate to stabilize their condition or attain their best possible functional level in the community. SUD day treatment may be appropriate for individuals who have had inpatient hospital detoxification or limited inpatient hospital rehabilitation. These services are necessary for the maximum reduction of the recipient's disability and for restoring the recipient to his or her best possible functional level.

SUD day treatment is a compendium of medical and SUD treatment services, but Medical Assistance pays for only those services which are medically necessary based on a supervising physician or psychologist-approved plan of care and are provided under the general direction of a physician. Medical Assistance-covered services include individual, group, and family therapy educational programming specific to medical aspects of SUD diagnosis and treatment, and drug testing.

SUD day treatment is provided by day treatment programs certified by the Department of Health and Social Services. certification requires that the program be directed by an interdisciplinary team; that an individual certified by the Wisconsin Alcoholism and Drug Abuse Counselor Certification Board as an alcohol and drug counselor II or III is on duty all hours in which services are provided; and that recipients are evaluated for their ability to benefit from treatment.

All SUD day treatment services must be prior authorized except for the initial three hours of assessment. A recipient may not receive outpatient AODA SUD services during the period he or she is receiving SUD day treatment.

Alcohol and other drug abuse Substance Use Disorder services may be provided to an individual who is 21 years of age or older in the individual's home or in the community.

TN #23-0017
Supersedes TN
#97-020

Approval Date 10-23-2023

Effective Date 07-1-23

CH03193.MP/SP