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State/Territory Name: Idaho

State Plan Amendment (SPA) #: 21-0005

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

September 13, 2022

Juliet Charron
Idaho Department of Health and Welfare
Division of Medicaid
PO Box 8320
Boise, ID 83720-0009

Re: Idaho State Plan Amendment (SPA) 21-0005

Dear Ms. Charron:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 21-0005. This amendment proposes to add medication-assisted treatment (MAT) as a mandatory benefit in the Medicaid state plan. This letter is to inform you that Idaho's Medicaid SPA TN 21-0005 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 SUPPORT Act.

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.

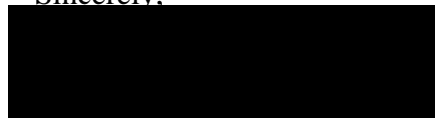
Pursuant to section 1135(b)(5) and/or 1135(b)(1)(C) of the Act, due to the COVID-19 public health emergency (PHE), CMS issued an approval letter on March 16, 2021 allowing Idaho to modify the SPA submission requirements at 42 C.F.R. 430.20, to allow the state to submit a SPA implementing section 1905(a)(29) of the Act by March 31, 2021 that would take effect on October 1, 2020.

Pursuant to section 1135(b)(5) and/or 1135(b)(1)(C) of the Act, due to the COVID-19 PHE, CMS issued an approval letter on March 16, 2021 allowing Idaho to modify the public notice time frames set forth at 42 C.F.R. 447.205, in order to obtain an effective date of October 1, 2020 for its SPA implementing statewide methods and standards for setting payment rates for the benefit described at section 1905(a)(29) of the Act. The state issued public notice on September 7, 2022.

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

If you have any questions, please contact Courtenay Savage at 312-353-3721 or via email at Courtenay.Savage@cms.hhs.gov.

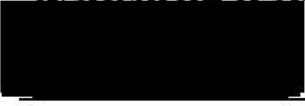

Sincerely,



James G. Scott, Director
Division of Program Operations

Enclosures

cc: Charles Beal

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL		1. TRANSMITTAL NUMBER: ID-21-0005	2. STATE IDAHO
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
FOR: HEALTH CARE FINANCING ADMINISTRATION		4. PROPOSED EFFECTIVE DATE 10-01-2020	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES			
5. TYPE OF PLAN MATERIAL (<i>Check One</i>): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (<i>Separate Transmittal for each amendment</i>)			
6. FEDERAL STATUTE/REGULATION CITATION: 1905(t) of the Social Security Act		7. FEDERAL BUDGET IMPACT: FFY2021 \$1,315,000 FFY2022 \$1,315,000	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 3.1-A pages 12a-12d Attachment 4.19-B, page 44a		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (<i>If Applicable</i>): New pages	
10. SUBJECT OF AMENDMENT: Amendment to the State Plan to establish coverage for the new medication-assisted treatment (MAT) benefit for opioid use disorders (OUD).			
11. GOVERNOR'S REVIEW (<i>Check One</i>): <input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL: 		16. RETURN TO: Matt Wimmer, Administrator Idaho Department of Health and Welfare Division of Medicaid PO Box 83720 Boise ID 83720-0009	
13. TYPED NAME: MATT WIMMER			
14. TITLE: Administrator			
15. DATE SUBMITTED: 03-31-2021			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: March 31, 2021		18. DATE APPROVED: September 13, 2022	
PLAN APPROVED – ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: October 20, 2020		20. SIGNATURE: 	
21. TYPED NAME: James G. Scott		22. TITLE: Director, Division of Program Operations	
23. REMARKS: 7/22/22: State authorized adding SPA page 44a to Box 8.			

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

29. Medication Assisted Treatment (MAT)

i. General Assurance

MAT is covered under the Idaho 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 CFR 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).

iii. Service Package

The state covers related counseling services and behavioral health therapies as part of the MAT service package.

The table below includes the following information:

- a. Counseling and behavioral health services and component services delivered in conjunction with MAT and available at MAT providers or through referral from MAT providers. 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.
- b. Practitioners and provider entities furnishing each service and component service.

Table 1: Service Package

Service	Service Description	Qualified Provider Types
MAT drug dispensing and medication administration	This service includes dispensing of drugs to help manage the physical aspects of addiction, such as cravings and withdrawal.	MD/DO, PA, APRN (all may prescribe medication for MAT with a DATA Waiver 2000 and prescriptive authority from the Idaho Division of Occupational Licensing), plus RNs for drug dispensing and medication administration.
Individual or Group Counseling	This service can include a range of therapeutic interventions to help manage psychological behaviors and/or the psychological aspects of addiction. The initial focus is on motivating the participant to stop opioid use, then shifts to helping the participant stay opioid free over the long term.	MD/DO, PA, APRN, Certified Alcohol and Drug Counselors (CADCs), and licensed clinicians, who include Professional Counselors, Marriage and Family Therapists, Psychologists, and Social Workers.
Peer Support/ Recovery Coaching	This service includes support for participants delivered by providers who have lived experience with mental health conditions or opioid use. Peer support services are provided in accordance with SMDL 07-011.	Peer Support Specialists, Recovery Coaches

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

29. Medication Assisted Treatment (MAT) (continued)

Service	Service Description	Qualified Provider Types
Urine drug testing	Administration of urine drug tests (presumptive or definitive) and interpretation of test results.	MD/DO, PA, APRN may order urine drug tests; tests so ordered may be administered and/or interpreted by Certified Alcohol and Drug Counselors (CADCs) and licensed clinicians, who include Professional Counselors, Marriage and Family Therapists, Psychologists, and Social Workers.
Medication Management	Medication Management includes monitoring of prescribed medications, as well as evaluation of the effectiveness and side effects of medications. Medical personnel confirm that the participant is complying with a medication regimen, while also ensuring the participant is avoiding potentially dangerous drug interactions and other complications.	MD/DO, PA, and APRN may all perform medication management for MAT.
OUD Assessments and Treatment Planning	When a provider identifies a opioid use/opioid use concern, the provider conducts a comprehensive diagnostic assessment (CDA) and develops a treatment plan to address the OUD condition.	MD/DO, PA, APRN, and licensed clinicians, who include Professional Counselors, Marriage and Family Therapists, Psychologists, and Social Workers.

iii. Service Package (Continued)

c. Summaries of the qualifications that the state requires for each practitioner or provider entity.

Provider Types/Titles, Provider Qualifications, and Supervisory Arrangements if Required

- **Physicians/osteopathic physicians (MD/DO):** Are licensed by the Idaho Board of Medicine, hold an MD or DO degree from a school of medicine or osteopathic medicine accredited by a national medical school accrediting organization acceptable to the Board, and deliver services within their scope of practice in accordance with state law. Providers who hold a DATA Waiver 2000 and prescriptive authority issued by the Idaho Division of Occupational and Professional Licenses may prescribe medication for MAT.
- **Physician Assistants (PA):** Are licensed by the Idaho Board of Medicine, have graduated from a Physician Assistant training program approved by the Board, and deliver services under supervision by a physician within their scope of practice in accordance with state law. Providers who hold a DATA Waiver 2000 and prescriptive authority issued by the Idaho Division of Occupational and Professional Licenses may prescribe medication for MAT.

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

29. Medication Assisted Treatment (MAT) (continued)

Provider Types/Titles, Provider Qualifications, and Supervisory Arrangements if Required (continued)

- Advanced Practice Registered Nurses (APRNs): Are licensed by the Idaho Board of Nursing, have successfully completed a nursing education program approved by the Board, and deliver services within their scope of practice in accordance with state law. An advanced practice registered nurse is authorized to perform advanced nursing practice, and has gained additional specialized knowledge, skills and experience through an advanced and specialized program of study recognized or defined by the Board. Providers who hold a DATA Waiver 2000 and prescriptive authority issued by the Idaho Division of Occupational and Professional Licenses may prescribe medication for MAT.
- Registered Nurses (RNs): Are licensed by the Idaho Board of Nursing, have successfully completed a nursing education program approved by the Board, and deliver services within their scope of practice in accordance with state law. RNs collaborate with other health professionals in the management of health care, including administering medications and treatments as ordered by healthcare providers with prescriptive authority.
- Professional Counselors/Marriage and Family Therapists (MFTs): Are licensed by the Idaho Board of Professional Counselors and Marriage & Family Therapists, hold at least a master's degree in counseling or a related field, and provide documentation of 1,000 hours of supervised counseling experience acceptable to the Board. Counselors/MFTs provide services within their scope of practice in accordance with state law. All OUD providers must be trained in the ASAM Criteria.
- Psychologists: Are licensed by the Idaho Board of Psychologist Examiners, and have graduated from an accredited college or university with a doctoral degree in psychology and two years of supervised experience acceptable to the Board. Psychologists provide services within their scope of practice in accordance with state law. All OUD providers must be trained in the ASAM Criteria.
- Certified Alcohol and Drug Counselors (CADCs): Meet all requirements for certification by the Idaho Board of Alcohol/Drug Counselor Certification (IBADCC), including the requirement to provide documentation of 6,000 hours of supervised work experience with alcohol or other drug addiction (AODA) clients. CADCs practice under supervisory protocol provided by licensed clinicians, such as Professional Counselors, Marriage and Family Therapists, Social Workers, and psychologists.
- Social Workers: Are licensed by the Idaho Board of Social Work Examiners, hold a master's or doctorate in social work from a college or university approved by the Board. Providers deliver services within their scope of practice in accordance with state law. All OUD providers must be trained in the ASAM Criteria.
- Peer Support Specialists (PSSs): Hold an active PSS certification from the Idaho Behavioral Health Plan (IBHP) contractor and practice within a group agency in the IBHP network. Supervisory protocol is provided by licensed clinicians, such as Professional Counselors, Marriage and Family Therapists, Social Workers, and psychologists. All provider types have lived experience of SPMI/SED/OUD, as appropriate for the participant receiving the service, and all OUD providers must be trained in the ASAM Criteria.
- Recovery Coaches (RCs): Hold current Recovery Coaching certification from and meet all requirements of the Idaho Board of Alcohol/Drug Counselor Certification (IBADCC), including the requirement to provide documentation of 500 hours of specific paid or volunteer peer recovery support experience in a clinical or community setting. RCs practice under supervisory protocol provided by licensed clinicians, such as Professional Counselors, Marriage and Family Therapists, Social Workers, and psychologists. All provider types have lived experience of SPMI/SED/OUD, as appropriate for the participant receiving the service, and all OUD providers must be trained in the ASAM Criteria.

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

29. Medication Assisted Treatment (MAT) (continued)

iv. Utilization Controls

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

Generic first policy

Preferred drug lists

Clinical criteria

Quantity limits

The state does not have drug utilization controls in place.

v. Limitations on amount, duration, and scope of MAT drugs and related behavioral services.

1) daily quantity limits and days' supply limits on all drugs; 2) certain products may be subject to prior authorization; and 3) soft caps on urine drug testing which, when exceeded, require prior authorization.

Soft caps on urine drug testing comprise 24 presumptive tests and 12 definitive tests annually. All the limitations listed are not hard limits, and can be exceeded through prior authorization or a determination of medical necessity.

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.

Section 29

Medication Assisted Treatment (MAT)

Idaho Medicaid reimburses for MAT that is delivered either at Opioid Treatment Programs (OTPs) or delivered through other enrolled and qualified MAT providers that are not OTPs. This bundled rate is not paid in residential settings.

MAT delivered at OTPs shall be reimbursed via weekly bundled payments using HCPCS codes that include the services required by 42 CFR 8.12, specifically: any medication and its dispensing or administration, physician visits, substance use counseling, and urine drug tests. The prescribing provider bills for the bundled service.

All weekly bundles will be reimbursed by Medicaid's managed care behavioral health services contractor through the Idaho Behavioral Health Plan (IBHP). Any provider delivering services through a bundle will be paid through that bundle's payment rate and cannot bill separately. Medicaid providers delivering separate services outside of the bundle may bill for those separate services in accordance with Idaho Medicaid's billing procedures. In the case of active 1915(i) enrollees, the reimbursement methodology specific to MAT services is reflective of fee for service (FFS) state plan MAT services.

For a provider to receive the bundled rate, participants must have received at least one service or had medication administered or dispensed by the provider on at least three (3) days of the billed week. Even if a participant receives the maximum number of take-home doses, the weekly bundle may be billed every week as long as the participant remains in care and is expected to return to the provider within thirty (30) days.

The cost of certain MAT medications are not included in weekly bundles, and will instead be reimbursed fee-for-service through the Medicaid pharmacy benefit. Unbundled prescribed drugs dispensed or administered for MAT shall be reimbursed using the same methodology as described in Attachment 4.19-B, section 12, for prescription drugs.

Idaho Medicaid periodically monitors the actual provision of services paid under a bundled rate to ensure that participants receive the types, quantity, and intensity of services required to meet their medical needs, and to ensure that rates for the bundle remain economic and efficient based on the services that are actually provided as part of the bundle.