

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 8, 2020

Ms. Erin Campbell
Acting Medicaid Director
State of Louisiana
Department of Health
628 N 4th St
P.O. Box 91030
Baton Rouge, LA 70821-9030

Dear Ms. Campbell:

The CMS Division of Pharmacy team has reviewed Louisiana State Plan Amendment (SPA) 19-0028 received in the Dallas Regional Operations Group on October 16, 2019. This SPA proposes to allow the state to comply with the Medicaid Drug Utilization Review (DUR) provisions included in Section 1004 of the Substance Use-Disorder Prevention that promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act (P.L. 115-271).

Based on the information provided and consistent with the regulations at 42 CFR 430.20, we are pleased to inform you that SPA 19-0028 is approved with an effective date of October 1, 2019. A copy of the signed CMS-179 form, as well as the pages approved for incorporation into Louisiana's state plan will be forwarded by the Dallas Regional Operations Group.

If you have any questions regarding this request, please contact Justin Aplin at (410) 786-6901 or Justin.Aplin@cms.hhs.gov.

Sincerely,

/s/

Cynthia R. Denemark, R.Ph.
Director
Division of Pharmacy
DEHPG/CMCS/CMS

cc: Rebekah E. Gee, Secretary, Louisiana Department of Health
Cindy Rives, Undersecretary, Louisiana Department of Health
Bill Brooks, Director, Dallas Regional Operations Group
Tobias Griffin, Dallas Regional Operations Group

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER 19-0028	2. STATE Louisiana
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	

TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE October 1, 2019
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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)

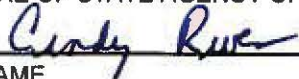
6. FEDERAL STATUTE/REGULATION CITATION 1902(a)(85) of the Social Security Act in conjunction with Section 1004 of the SUPPORT for Patients and Communities Act	7. FEDERAL BUDGET IMPACT a. FFY 2020 \$0 b. FFY 2021 \$0
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8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Section 4.26, Pages 74d and 74e	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) None – new pages
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10. SUBJECT OF AMENDMENT: **The purpose of this SPA is to implement Medicaid drug utilization review (DUR) provisions that, in compliance with the SUPPORT for Patients and Communities Act, are designed to reduce opioid-related fraud, misuse and abuse.**

11. GOVERNOR'S REVIEW (Check One)


GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED The Governor does not review State Plan material.
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL 	16. RETURN TO Jen Steele, Medicaid Director State of Louisiana Department of Health 628 North 4th Street P.O. Box 91030 Baton Rouge, LA 70821-9030
13. TYPED NAME Cindy Rives, designee for Rebekah E. Gee MD, MPH	
14. TITLE Secretary	
15. DATE SUBMITTED October 16, 2019	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED October 16, 2019	18. DATE APPROVED January 8, 2020
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PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL October 1, 2019	20. SIGNATURE OF REGIONAL OFFICIAL 
21. TYPED NAME Bill Brooks	22. TITLE Director Regional Operations Group

23. REMARKS **The State requests a pen and ink change to boxes 6, 8 and 9.**

Revision: HCFA-PM (MB)

State/Territory: LOUISIANA**Section 4.26 Drug Utilization Review Program****Citation**

1902(a)(85) of the Social Security Act in conjunction with Section 1004 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (Support Act)

Drug Utilization Review Requirements to Comply with the SUPPORT for Patients and Communities Act**1. Claims Review Limitations**

The State has opioid-related prospective point of sale (POS) safety edits and retrospective reviews in place to address:

- a. Days' supply;
- b. Duplicate fill and early fill alerts;
- c. Quantity limits;
- d. Morphine milligram equivalent (MME) limits; and
- e. Therapeutic duplication edits.

The State has the following ongoing retrospective utilization reviews for opioid safety:

- a. Concurrent opioid with benzodiazepines;
- b. Concurrent opioid with sleep agents;
- c. Concurrent opioid with antipsychotic agents; and

2. Program to Monitor Antipsychotic Medications by Children

The State shall manage, monitor, and review antipsychotic medications for appropriateness for all children, including foster children, based on approved indications and clinical guidelines.

The State performs annual retrospective utilization reviews for concurrent use of antipsychotic agents.

3. Fraud and Abuse Identification

The DUR program has established a process that identifies potential fraud or abuse of controlled substances by recipients, health care providers and pharmacies. Recipient profiles are reviewed based on pre-determined criteria. If potential misuse or over-utilization is identified, the recipient will be referred for pharmacy and/or prescriber lock-in.

State: Louisiana
 Date Received: 10-16-2019
 Date Approved: 01-08-2020
 Date Effective: 10-01-2019
 Transmittal Number: 19-0028

TN LA 19-0028Approval Date Jan 8, 2020Effective Date Oct 1, 2019

Supersedes

TN New Page