

MEDICAID OPERATIONS MANUAL
TRANSMITTAL LETTER

May 12, 2016

TO: CUSTODIANS OF MEDICAID OPERATIONS MANUAL
FROM: LYNNE FOSTER, CHIEF OF DIVISION COMPLIANCE
SUBJECT: MEDICAID OPERATIONS MANUAL CHANGES
CHAPTER 200 - BOARDS, COMMITTEES AND ADVISORY
COMMITTEES

BACKGROUND AND EXPLANATION

Effective July 1, 2015, the Nevada State Legislature amended NRS 422.4035 to change the membership and the make-up of the Pharmacy and Therapeutics Committee (P&T). The mandated minimum number of members was changed from nine to five. The language “not more than 51 percent of the members of the Committee” was deleted referring to the make-up of physicians and pharmacists.

AB199 repealed NRS 422.4055 in the 2015 Nevada Legislature. The repealed section removes references to the P&T and DUR Advisory Committee.

Throughout the chapter, grammar, punctuation, and capitalization changes were made, duplications removed, acronyms used and standardized, and language reworded for clarity. Renumbering and re-arranging of sections was necessary.

These changes are effective July 1, 2015.

MATERIAL TRANSMITTED

CL 30040
MOM Chapter 200

MATERIAL SUPERSEDED

MTL 01/04
MOM Chapter 200

Manual Section	Section Title	Background and Explanation of Policy Changes, Clarifications and Updates
203.3F	MEETINGS	Updated Program Services to the Clinical Policy Team (CPT)
203.4A	INTRODUCTION	Changed acronym for DHR (Department of Human Resources) to DHHS (Department of Health and Human Services).

Manual Section	Section Title	Background and Explanation of Policy Changes, Clarifications and Updates
203.4C	APPOINTING AUTHORITY/ P&T COMMITTEE COORDINATOR	Updated Program Services to the Clinical Policy Team (CPT)
203.4D	MEMBERSHIP	<p>Membership minimum changed from nine members to five members.</p> <p>Deleted language that specified “not more than 51 percent of the members must be active pharmacists registered in Nevada or persons in the State with doctoral degrees in pharmacy.”</p>
203.5	ADVISORY COMMITTEE TO THE DUR BOARD AND P/T COMMITTEE	Deleted the entire section related to the Advisory Committee to the P&T and Drug Use Review (DUR) board.

DRAFT	MTL-01/04CL
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 203
MEDICAID OPERATIONS MANUAL	Subject: POLICY

203.3F MEETINGS

1. The DUR Board shall meet at least quarterly.
2. Interim meetings may be called by the Chairperson or by the DHCFP Chief of **the Clinical Policy Team (CPT)-Program Services.**

203.4 PHARMACY AND THERAPEUTICS COMMITTEE

203.4A INTRODUCTION

The Pharmacy and Therapeutics Committee (hereinafter referred to as the “P&T Committee”) is established to serve the **DHHSR** and the DHCFP in an advisory capacity for the purpose of developing and maintaining a preferred prescription drug list for the Title XIX and Title XXI programs.

203.4B DUTIES

1. The P&T Committee shall identify the preferred prescription drugs, which should be included on the Preferred Drugs List (hereinafter referred to as the “PDL”) developed by the DHCFP.
2. The P&T Committee shall identify the preferred prescription drugs included on the PDL, which are or should be excluded from any restrictions for inclusion on the PDL Exclusion List being developed by the DHCFP. These drugs include, but are not limited to:
 - a. Prescription drugs that are prescribed for the treatment of the human immunodeficiency virus or acquired immunodeficiency syndrome, including, without limitation, protease inhibitors and antiretroviral medications;
 - b. Antirejection medications for organ transplants;
 - c. Antihemophilic medications; and
 - d. Any prescription drug that the P&T Committee identifies as appropriate for exclusion from any restrictions that are imposed on drugs that are on the list of the PDL.
3. The P&T Committee shall make the final determination of:
 - a. Whether a class of therapeutic prescription drugs is included on the PDL and is excluded from any restrictions that are imposed on other drugs that are on the PDL;

DRAFT	MTL-01/04CL
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 203
MEDICAID OPERATIONS MANUAL	Subject: POLICY

- b. Which therapeutically equivalent prescription drugs shall be reviewed for inclusion on the PDL and for exclusion from any restrictions that are imposed on other drugs that are on the PDL; and
 - c. Which prescription drugs should be excluded from any restrictions that are imposed on other drugs that are on the PDL based on continuity of care concerning a specific diagnosis, condition, class of therapeutic prescription drugs or medical specialty.
4. In executing its duties, the P&T Committee shall:
 - a. Base its decisions on evidence of clinical efficacy and safety without consideration of the cost of the prescription drugs being considered;
 - b. Review new pharmaceutical products in as expeditious a manner as possible; and
 - c. Consider new clinical evidence supporting the inclusion of an existing pharmaceutical product on the PDL and new clinical evidence supporting the exclusion of an existing pharmaceutical product from any restrictions that are imposed on drugs that are on the PDL in as expeditious a manner as possible.
5. If the P&T Committee determines that there are no significant differences between drugs within a specific category based on clinical efficacy and safety, DHCFP may consider cost in determining which drugs are selected for inclusion on the PDL.
6. In executing its duties, the P&T Committee is authorized to:
 - a. Exercise clinical judgment and analyze peer review articles, published studies, and other medical and scientific information; and
 - b. Establish subcommittees to analyze specific issues that arise as the P&T Committee carries out its duties.
7. At least annually, the P&T Committee shall review all classes of therapeutic prescription drugs on the PDL.

203.4C APPOINTING AUTHORITY/ P&T COMMITTEE COORDINATOR

1. The Governor is the Appointing Authority and, based on recommendations from the Director, shall make all appointments to membership of the P&T Committee.
2. The Chief of ~~Program Services~~ **the Clinical Policy Team (CPT)** shall serve as the P&T Committee Coordinator.

DRAFT	MTL-01/04
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 203
MEDICAID OPERATIONS MANUAL	Subject: POLICY

203.4D MEMBERSHIP

1. The P&T Committee must consist of at least ~~nine~~five members, and not more than eleven members.
2. At least one-third of the members of the P&T Committee, ~~and not more than 51 percent of the members of the P&T Committee,~~ must be active physicians licensed to practice medicine in Nevada.
3. At least one member of the P&T Committee must be an active psychiatrist licensed to practice medicine in Nevada.
4. At least one-third of the members of the P&T Committee, ~~and not more than 51 percent of the members of the P&T Committee,~~ must be either active pharmacists registered in Nevada or persons in the ~~s~~State with doctoral degrees in pharmacy.
5. Members serving on the P&T Committee may not have a current affiliation, while serving the board/committee term, with a business or corporation that manufactures prescription drugs. This includes direct compensation through employment and contractual activities. This does not exclude members from participating in continuing educational units or conferences sponsored by the above entities.
6. P&T Committee members shall be health care professionals who have knowledge and expertise in one or more of the following:
 - a. The clinically appropriate prescribing of outpatient prescription drugs that are covered by Medicaid;
 - b. The clinically appropriate dispensing and monitoring of outpatient prescription drugs that are covered by Medicaid;
 - c. The review of, evaluation of, and intervention in the use of prescription drugs; and
 - d. Medical quality assurance.

203.4E TERMS

After the initial terms*, the term of each member of the P&T Committee is two years. (*The term for half the initial P&T Committee members shall be one year and the other half two years.)

203.4F MEETINGS

1. The P&T Committee shall meet at least once every three months.

DRAFT	MTL-01/04CL
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 203
MEDICAID OPERATIONS MANUAL	Subject: POLICY

2. An affirmative vote of a majority of the all members of the P&T Committee is required to take action.

~~203.5 — ADVISORY COMMITTEE TO THE DUR BOARD AND P/T COMMITTEE~~

~~203.5A — INTRODUCTION~~

~~The Advisory Committee is established to advise the Pharmaceutical and Therapeutics Committee and the Drug Use Review Board.~~

~~203.5B — DUTIES~~

- ~~1. The Advisory Committee shall review recommendations and plans developed by the P&T Committee and the DUR Board, and shall provide a written response advising the P&T Committee and/or DUR Board members of any concerns related to prescription drugs used by seniors, persons who are mentally ill or persons with disabilities.~~
- ~~2. The Advisory Committee shall serve as a resource to the P&T Committee and the DUR Board.~~
- ~~3. One or more members of the Advisory Committee may be asked to attend meetings of the P&T Committee and/or the DUR Board at the discretion of the respective Chairpersons.~~

~~203.5C — APPOINTING AUTHORITY/ADVISORY COMMITTEE COORDINATOR~~

- ~~1. The Director, DHR shall make appointments to the Advisory Committee.~~
- ~~2. The Chief of Program Services shall serve as the Advisory Committee Coordinator~~

~~203.5D — MEMBERSHIP~~

- ~~1. The Advisory Committee shall consist of three members.~~
- ~~2. Advisory Committee members shall come from nominations from the following:

 - ~~a. One member appointed from a list of persons provided by the American Association of Retired Persons or any successor organization;~~
 - ~~b. One member appointed from a list of persons provided by the Alliance for the Mentally Ill of Nevada or any successor organization; and~~
 - ~~c. One member appointed from a list of persons provided by the Statewide Independent Living Council established in this state pursuant to 29 U.S.C. § 796d.~~~~

DRAFT	MTL-01/04CL
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 203
MEDICAID OPERATIONS MANUAL	Subject: POLICY

~~3. Members serving on the Advisory Board may not have a current affiliation, while serving the board/committee term, with a business or corporation that manufactures prescription drugs. This includes direct compensation through employment and contractual activities. This does not exclude members from participating in continuing educational units or conferences sponsored by the above entities.~~

~~203.5E TERMS~~

~~After the initial terms*, the term of each member of the Advisory Committee is two years. (*The term for one member of the initial Advisory Committee shall be one year and the other members shall serve a term of two years.)~~

~~203.5F MEETINGS~~

~~The Advisory Committee shall meet at the times and places requested by the Chairpersons of the DUR Board and the P&T Committee.~~

DRAFT