

Medicaid Services Manual  
Transmittal Letter

April 30, 2024

To: Custodians of Medicaid Services Manual

From: Casey Angres  
Chief of Division Compliance

Subject: Medicaid Services Manual Changes  
Chapter 3800 – Medication Assisted Treatment

**Background And Explanation**

Revisions to Medicaid Services Manual (MSM) Chapter 3800 – Medication Assisted Treatment (MAT) are being proposed to edit Section 3802 and add new Section 3808 for the purposes of Medicaid reimbursement of pharmacist prescribing and dispensing treatment for opioid dependence.

Entities Financially Affected: None.

Financial Impact on Local Government: None.

These changes are effective: April 30, 2024.

Material Transmitted	Material Superseded
MTL OL MSM 3800 – Medication Assisted Treatment	MTL 07/23, 19/23 MSM 3800 – Medication Assisted Treatment

Manual Section	Section Title	Background and Explanation of Policy Changes, Clarifications and Updates
<b>3801</b>	<b>Authority</b>	Added Authority for NRS 639, NAC 453, 454, and 639.
<b>3802</b>	<b>Coverage and Limitations</b>	Added naltrexone with requirements.
<b>3808</b>	<b>Pharmacist Requirements</b>	Adding section to clarify expectations for pharmacists who perform MAT.

<b>DRAFT</b>	<b>MTL 07/23OL</b>
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 3801
MEDICAID SERVICES MANUAL	Subject: AUTHORITY

3801 AUTHORITY

- A. The Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act promotes increased access to SUD/ODU treatment and recovery services by increasing the number of providers eligible to provide some level of SUD services. In response to the SUPPORT Act, Nevada has developed a comprehensive Medication Assisted Treatment strategy.
- B. Medicaid is provided in accordance with the requirements of Title 42 Code of Federal Regulation (CFR) Part 440, Subpart A – Definitions, Subpart B and Sections 1929 (a), 1902 (e), 1905 (a), 1905 (p), 1915, 1920, and 1925 of the Act. Physician’s services are mandated as a condition of participation in the Medicaid Program Nevada Revised Statute (NRS) 630A.220.
- C. The State Legislature sets forth standards of practice for licensed professionals in the Nevada Revised Statutes (NRS) for the following Specialists:
  - 1. Section 330 of the Public Health Service (PHS) Act;
  - 2. NRS Chapter 629 - Healing Arts Generally;
  - 3. NRS Chapter 632 - Nursing;
  - 4. NRS Chapter 630 - Physicians and Physician Assistants and Practitioners of Respiratory Care General Provisions;
  - 5. NRS Chapter 633 - Osteopathic Medicine;
  - 6. **NRS Chapter 639 - Pharmacists and Pharmacy;**
  - 7. **NAC Chapter 453 - Controlled Substances;**
  - 8. **NAC Chapter 454 - Poisons, Dangerous Drugs and Devices;**
  - 9. **NAC Chapter 639 - Pharmacists and Pharmacy;**
  - ~~6~~.10. Section 1861 of the Social Security Act;
  - ~~7~~.11. Section 1905 of the Social Security Act;

<b>DRAFT</b>	<b>MTL 19/23OL</b>
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 3802
MEDICAID SERVICES MANUAL	Subject: COVERAGE AND LIMITATIONS

3802      COVERAGE AND LIMITATIONS

Requirements for eligible providers to prescribe **naltrexone and buprenorphine** as treatment for opioid dependence:

- A. Must have a DEA license to prescribe medication.
- B. Eligible providers include the following:
  - 1. Physician, M.D., Osteopath, D.O. (PT 20)
  - 2. Advance Practice Registered Nurse (PT 24)
  - 3. Physician’s Assistant (PT 77)
  - 4. Nurse Midwife (PT 74)
  - 5. Pharmacist (PT 91)
- C. Providers must satisfy the following criteria:
  - 1. Follow all policies and guidelines related to their individual provider type per MSM Chapter 600, Physician Services **and requirements of Section 3808 of this Chapter for pharmacists.**
  - 2. Have the capacity to provide or to refer patients for necessary ancillary services, such as psychosocial therapy.

<b>DRAFT</b>	<b>NEW</b>
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 3808
MEDICAID SERVICES MANUAL	Subject: <b>POLICY</b>

**3808 SPECIAL REQUIREMENTS FOR PHARMACISTS**

- A. For purposes of Medicaid reimbursement, a pharmacist prescribing and dispensing treatment for opioid dependence as described under this Chapter must:
1. Conduct a patient assessment to determine whether treatment for opioid dependence is appropriate, including reviewing available patient history, laboratory and medical records for signs and symptoms of opioid use and opioid use disorder, and, when applicable, conferring with the practitioner who is referring or collaborating with the pharmacist regarding the care of the patient when applicable.
  2. Develop, sign, and maintain a patient treatment plan that includes the findings from the patient assessment that support the prescribing and dispensing of certain treatments for opioid dependence and document referral(s) to medical services, case management, psychosocial services, substance use counseling, and residential treatment as indicated.
  3. Coordinate treatment on a regular basis with referring or collaborating practitioner and ensure the treatment plan is accessible by such practitioner when applicable. Signed documentation by the prescribing pharmacist must be included in the treatment plan regarding care coordination and periodic reviews of treatment at least every six months.
  4. Counsel and provide all appropriate information to the patient concerning evidence-based treatment for opioid dependence along with any associated health risks, including, without limitation, information on the types of medication-assisted treatments available and appropriate for the patient.
  5. Have queried the state prescription drug monitoring program to obtain the patient's controlled substance prescription history and conduct any necessary medication reconciliation.
  6. Make all patient records developed for purposes of this Chapter available for review upon request of the Division of Health Care Financing and Policy (DHCFP).
  7. Comply with all applicable state and federal laws, including but not limited to Chapter 639 of NRS and Chapters 453 454, and 639 of the NAC and related state guidance and regulations, for prescribing or dispensing controlled substances.
- B. Pharmacists prescribing and dispensing treatment under this Chapter must ensure compliance with all requirements of Section 3802, including having a DEA license to prescribe, and be actively registered with the Nevada Board of Pharmacy for the dispensing of controlled substances in a manner prescribed by Chapter 453 of the NAC and for

<b>DRAFT</b>	<b>NEW</b>
DIVISION OF HEALTH CARE FINANCING AND POLICY	Section: 3808
MEDICAID SERVICES MANUAL	Subject: POLICY

engaging in the act of prescribing treatment for opioid dependence in accordance with Chapter 639 of the NRS.

- C. Pharmacists seeking Medicaid reimbursement for prescribing and dispensing methadone as treatment for opioid dependence, pursuant to Chapter 639 of NRS and pertinent regulations, must follow the policies and procedures of this section and chapter, and meet all state and federal laws for prescribing and dispensing of narcotics, including all state limitations on the types of licensed providers or sites eligible to prescribe and dispense such treatment in Nevada.

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