STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State Nebraska

LIMITATIONS - REHABILITATIVE SERVICES

Opioid Treatment Program (OTP)

Service Description: 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.

- Initial assessment: Completion of an Adult Substance Use Assessment by a licensed clinician (described in Table 1 below) that indicates individual has an opioid use disorder of sufficient severity that this level of care is necessary. If a prior Substance Use Disorder (SUD) Assessment is determined to be clinically relevant and includes a current diagnosis, level of care recommendation, and a discharge plan, it can serve as the admission assessment. A substance use assessment can be conducted through use of any number of evidence-based screening and assessment tools approved by Substance Abuse and Mental Health Services Administration (SAMHSA).
- Physical examination: A physical health assessment which includes medical history and a physical examination and toxicology screen. This must be completed by a physician, physician assistant (PA), or advance practice registered nurse (APRN) within the first 24 hours of a person’s admission to the program.
- Ongoing assessment services: A substance use disorder assessment must be completed periodically to determine OTP level of care. Assessments must be completed by a licensed practitioner (described in Table A below).
- Dispensing and administration of opioid agonist medication: A physician, physician assistant (PA), or advance practice registered nurse (APRN) must determine and document in writing the initial dose and schedule to be followed for each individual. This information is to be communicated to the licensed medical staff supervising the dispensing of any opioid replacement treatment medication. The prescribed drugs shall only be administered and dispensed by licensed professional authorized by law.
- Treatment planning: Initial assessments will function as the initial treatment plan with development of a comprehensive treatment plan to be completed within 30 days. Treatment plans must be reviewed every 90 days or more often if the individual experiences a significant change in clinical presentation. The treatment plan will include discharge criteria.
- Therapy services: Include therapy to address the symptoms of addiction and related impaired functioning. If it is determined that treatment for a co-morbid mental health condition is needed by the initial diagnostic interview, therapy will be delivered by a licensed practitioner (described in Table A below).
- Care coordination: Is a collaborative process that assesses, plans, implements,
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Citation: 3.1(a)(1) Amount, Duration, and Scope of Services: Categorically Needy (Continued)

1905(a)(29) Medication-Assisted Treatment (MAT) as described and limited in Supplement 5 to Attachment 3.1-A.

ATTACHMENT 3.1-A identifies the medical and remedial services provided to the categorically needy.
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Categorically Needy (continued)

i. General Assurance

MAT is covered under the 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 C.F.R. Part 8.

iii. Service Package

From October 1, 2020, through September 30, 2025, the state assures that MAT to treat Opioid Use Disorder (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. From January 1, 2020 through September 30, 2020 and after September 30, 2025 MAT coverage is provided pursuant to state plan Attachment 3.1-A, Item 13d, Pages 10 through 16 and Attachment 4.19-B, Item 13d, Page 1b.

The state covers the following counseling services and behavioral health therapies as part of MAT.

a) Please set forth each service and components of each service (if applicable), along with a description of each service and component service.
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

- **Therapy Services** – Nebraska covers therapy services to address the symptoms of addiction and related impaired functioning as part of medication-assisted treatment. If it is determined that treatment for a co-morbid mental health condition is needed by the initial diagnostic interview, therapy will be delivered by a licensed practitioner (as outlined below).
  - Covered therapy services include:
    - Individual therapy
    - Group therapy
    - Family therapy

- **Supervised Withdrawal Management Services** – Nebraska covers non-residential, outpatient supervised withdrawal management services from opioid analgesics, including methadone and buprenorphine, as needed by the individual receiving services and as part of medication-assisted treatment.
  - Covered supervised withdrawal management includes, at a minimum, dose tapering and assessments of withdrawal symptoms using standardized scales.

b) Please include each practitioner and provider entity that furnishes each service and component service.

MAT services are rendered in Opioid Treatment Programs (OTPs) that comply with the standards outlined below.

Residential setting providers are also required to provide or facilitate access to MAT. This includes: halfway houses, intermediate residential facilities, short term residential facilities, and dual disorder residential facilities.

The following practitioners provide the services listed above:

- Therapy Services:
  - Licensed Independent Mental Health Practitioners
  - Licensed or provisionally licensed Psychologists
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

- Licensed or provisionally licensed Mental Health Practitioners
- Licensed or provisionally licensed Drug and Alcohol Counselors

Supervised Withdrawal Management Services:
- Physicians
- Physician Assistants
- Advance Practice Registered Nurses

c) Please include a brief summary of the qualifications for each practitioner or provider entity that the state requires. Include any licensure, certification, registration, education, experience, training and supervisory arrangements that the state requires.

OTPs must:
- Comply with applicable state laws and regulations;
- Be accredited by SAMHSA-approved accreditation bodies;
- Be certified under 42 C.F.R. Part 8;
- Be licensed by DHHS Division of Public Health; and
- Be an active enrolled provider with Nebraska Medicaid.

OTPs must be staffed as specified in the Federal regulations established for MAT by SAMHSA and must have a program sponsor who is a qualified physician responsible for assuring adherence to all requirements and ensuring all services identified and the required services are available. OTPs must also have a medical director who assumes responsibility for administering all medical services performed by the OTP.

Residential settings providing MAT services must be:
- Licensed as required by DHHS Division of Public Health;
- Accredited by a national accrediting agency; and
- An active enrolled provider with Nebraska Medicaid.
# State of Nebraska

## 1905(a)(29) Medication-Assisted Treatment (MAT)

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<thead>
<tr>
<th>Title of Professional</th>
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<td>Licensed Independent Mental Health Practitioner</td>
<td>Have a Master’s or doctorate degree from an accredited educational program, successfully passed the relevant professional national board licensing examination, 3,000 hours of post graduate supervised experience, and included at least 1,500 hours (or more) of experience with clients diagnosed under the major mental illness or disorder category.</td>
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Supersedes TN: New
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State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Categorically Needy (continued)

iv. Utilization Controls

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

___x___ Generic first policy
___x___ Preferred drug lists
___x___ Clinical criteria
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_____ The state does not have drug utilization controls in place.

v. Limitations

Describe the state’s limitations on amount, duration, and scope of MAT drugs, biologicals, and counseling and behavioral therapies related to MAT.

Duration of services is based on an individual’s medical need, to achieve stabilization and prevent relapse.

For services delivered to individuals enrolled in Medicaid Managed Care, Nebraska Medicaid managed care organizations utilize Drug Limitations document (https://nebraska.fhsc.com/Downloads/necclaimlimitations.pdf) which can be updated by Nebraska Medicaid as CDC and FDA guidelines are modified.
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Citation: 3.1(b)(1) Amount, Duration, and Scope of Services: Medically Needy (Continued)

1915(a)(29) Medication-Assisted Treatment (MAT) as described and limited in Supplement 6 to Attachment 3.1-B.

ATTACHMENT 3.1-B identifies the medical and remedial services provided to the medically needy.
State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Medically Needy (continued)

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1905(a)(29) Medication-Assisted Treatment (MAT)

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State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Amount, Duration, and Scope of Medical and Remedial Care Services Provided to the Medically Needy (continued)

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State of Nebraska

1905(a)(29) Medication-Assisted Treatment (MAT)

Methods and Standards for Establishing Payment Rates

All rates, including for OTPs and residential providers, are published on the agency’s website at http://dhhs.ne.gov/Pages/Medicaid-Provider-Rates-and-Fee-Schedules.aspx. From the landing page, scroll down to the fee schedule for the specific program and year. When services are reimbursed per a fee schedule, except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers. The agency’s OTP rates on the Mental Health and Substance Use fee schedule were set as of January 1, 2020, and are effective for services provided on or after that date.

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.

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