



Michelle Lujan Grisham, Governor
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November 22, 2019

Interested Parties:

The New Mexico Human Services Department, through the Medical Assistance Division (MAD), is providing this notice of opportunity to comment on proposed State Plan Amendment (SPA) 19-0019. In response to the federal amendment of Section 1902(a) of the Social Security Act (42 U.S.C. 1396a) and the national opioid crisis, the New Mexico Human Services Department (HSD), Medical Assistance Division (MAD) implemented provisions required by Section 1004 of the “Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act,” also known as the “SUPPORT for Patients and Communities Act” (SUPPORT Act). Effective October 1, 2019, the New Mexico Medicaid program implemented changes for both the fee-for-service (FFS) and Centennial Care programs.

Effective October 1, 2019, the New Mexico Medicaid program implemented the following claims review requirements in both the fee-for-service (FFS) and Centennial Care programs:

- 1. Safety Edits on Early Refills, Duplicate Fills, and Quantity Limits:** There are both prospective safety edits at point of sale (POS) and a claims review automated process to retrospectively identify when a Medicaid-enrolled individual is prescribed and fills opioid prescriptions in excess of any limitation that may be identified by duplicate fills, early fills, and/or quantity limits.
- 2. Maximum Daily Morphine Milligram Equivalent (MME) Safety Edits:** Both the prospective and retroactive drug utilization review (DUR) safety edits will include an MME threshold amount, such as the level that is recommended in the 2016 Centers for Disease Control (CDC) Guideline for primary care practitioners on prescribing opioids in outpatient setting for chronic pain.
- 3. Concurrent Utilization Alerts:** Both the prospective and retroactive DUR safety edits will provide alerts for concurrently prescribed opioid and benzodiazepines or opioids and antipsychotics, as well as potential complications resulting from other medications concurrently being prescribed with opioids.

Effective October 1, 2019 the NM Medicaid program implemented a program to monitor antipsychotic medication use by children.

Additionally, the NM Medicaid program will have a process in place to identify potential fraud or abuse of controlled substances by enrolled individuals, health care providers prescribing drugs to Medicaid enrolled individuals, and pharmacies dispensing drugs to Medicaid enrolled individuals.

Prescription drug monitoring programs and lock-in programs will be utilized in order to detect and prevent opioid-related fraud and abuse.

The drug review and utilization requirements under the claim review requirements described above shall not apply with respect to an individual who is receiving hospice or palliative care or treatment for cancer; or who is a resident of a long-term care facility, a facility described in section 1905(d) of the Social Security Act, or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy.

OPPORTUNITY TO VIEW DOCUMENTS AND MAKE COMMENTS

Medicaid providers, Medicaid recipients, and other interested parties are invited to make comments on this proposed SPA. The complete draft amendment may be found on the Department's website at: <https://www.hsd.state.nm.us/2017-comment-period-open.aspx>

A written copy of these proposed documents may be requested by contacting the HSD Medical Assistance Division (HSD/MAD) in Santa Fe at (505) 827-1337.

Recorded comments may be left by calling (505) 827-1337. Electronic comments may be submitted to madrules@state.nm.us. All comments must be received no later than 5:00 p.m. MT on December 22, 2019. Written or e-mailed comments are preferred because they become part of the record associated with these changes.

Interested persons may address written comments to:

Human Services Department
Office of the Secretary
ATTN: Medical Assistance Division Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Copies of all comments will be made available by HSD/MAD upon request by providing copies directly to a requestor or by making them available on the HSD/MAD website or at a location within the county of the requestor.