Prescription Monitoring Program (PMP) rules for Apple Health (Medicaid) for October 2021

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Overview

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▶ What does Section 5042 do?

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▶ What is the new monitoring program?

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▶ How do I contact HCA?

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What is the SUPPORT Act?

- The **S**ubstance **U**se-Disorder **P**revention that **P**romotes **O**pioid **R**ecovery and **T**reatment for Patients and Communities Act (SUPPORT Act) was signed into law in 2018 to direct federal agencies to act on the opioid crisis.

- Different than HB 1427 (2017) which was Washington State Legislation which convened boards and commissions to update opioid prescribing rules (WACs) by January 1, 2019.

- Both SUPPORT Act and HB 1427 WACs apply to Apple Health clients.
  - ▶ HB 1427 WACs apply to all **opioid** prescriptions in Washington State
  - ▶ SUPPORT ACT laws apply to all **controlled substances** prescriptions for Medicaid

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What does Section 5042 do?

- Section 5042 of the SUPPORT Act (codified in 42 USC §1396w–3a) directs all state Medicaid programs to require providers check the PMP prior to prescribing controlled medications.

- "Beginning October 1, 2021, a State shall require each covered provider to check, in accordance with such timing, manner, and form as specified by the State, the prescription drug history of a covered individual being treated by the covered provider through a qualified prescription drug monitoring program … before prescribing to such individual a controlled substance."

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What does Section 5042 do?

- 42 USC §1396w–3a(e) requires all States to submit annual reports to the Centers for Medicare and Medicaid Services (CMS) on the outcomes of this legislation.

- Washington State must report "whether or not the State requires (and a detailed explanation as to why the State does or does not require) pharmacists to check the prescription drug history of a covered individual through a qualified prescription drug monitoring program described in subsection (b) before dispensing a controlled substance to such individual."

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What is HCA doing?

- HCA is updating its rules and procedures to comply with this new federal law by October 1, 2021.

- To comply, HCA is:
  - ▶ publishing a clinical policy on how providers should check the PMP;
  - ▶ creating a compliance monitoring process, which may include prescriber education regarding the policy requirements;
  - ▶ Preparing to submit annual reports to CMS as described in 42 USC 1396w-3a(e)(1); and
  - ▶ providing communications to external stakeholders impacted by this law

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What is the new clinical policy?

▶ Prescribers writing a prescription for any controlled medication for an Apple Health patient must check the Washington State Prescription Monitoring Program (PMP) no more than 10 days prior to writing the prescription.

▶ Pharmacists will be required to check the PMP no more than 48 hours prior to or after filling any controlled medication for an Apple Health patient.

▶ HCA is adding requirements to WAC and the provider guide(s).

▶ Checks will not stop or limit opioid prescriptions.

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What is a PMP check?

- Prescribers and pharmacists must review all current prescriptions documented in the PMP.
    - Prescribers and pharmacists may delegate this PMP review to authorized staff if they review all current prescriptions.

- Prescribers and pharmacists must review the patient's history in the PMP and document date and time in the patient's record.
    - If unable to access the PMP after a good faith effort, they must document this in the patient's record with intended follow up action.

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What is the new monitoring program?

▶ HCA will measure PMP qualified checks performed by prescribers, pharmacists, or their delegates. A qualified check will be measured by matching date written on prescriptions in claims data with PMP data.

▶ HCA will use claims data to identify the date filled for a prescription. PMP data will reflect whether any pharmacist or their delegate checked the PMP within 48-hours of the date filled.

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What is the new monitoring program?

- HCA will determine a prescriber check was made by consulting the PMP log.
  - ▶ The PMP log shows whether the prescriber, their delegate, or their facility accessed the patient's prescription drug history no more than 10 days prior to the date written on the prescription.
  - ▶ A check by a prescriber outside the 10-day window, either before or after, will count as an unqualified check.
- HCA will document prescriptions without any PMP checks as unchecked prescriptions.

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What is the new monitoring program?

- HCA will determine a pharmacist check was made by consulting the PMP log.
  - ▶ The PMP log shows whether the pharmacist or their delegate accessed the patient's prescription drug history no more than 48 hours prior to or after the date filled on the prescription.
  - ▶ A check by a pharmacist outside the 48-hour window, either before or after, will count as an unqualified check.
- HCA will document prescriptions without any PMP checks as unchecked prescriptions.

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What is the new monitoring program?

- ▶ HCA may send educational letters to prescribers and pharmacists who fall below a threshold for qualifying checks.

- ▶ Once the previous federal fiscal year's claims are finalized (e.g., October 1, 2021 to September 30, 2022), HCA will need to identify qualifying claims and match to PMP data for all identified clients to be reported by the next Drug Utilization Review (DUR) report (e.g., June 30, 2023).

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How is HCA communicating these changes?

- HCA has developed a plan to communicate new requirements to prescribers and pharmacists which leverages:
  - ▶ Provider alerts
  - ▶ Speaking opportunities

- One of the best ways you can stay up-to-date is by signing up for provider alerts from HCA.

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How do I contact HCA?

▶ To stay current with the SUPPORT Act implementation: https://www.hca.wa.gov/about-hca/apple-health-medicaid/support-act

▶ For opioid policy questions, email: Apple Health Pharmacy Policy

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