MEDICAID POLICY INFORMATION SHEET

Policy Analyst: Rajita Dnyate

Phone Number: 517-284-1204

Initial ☐ Public Comment ☒ Final ☒

Brief description of policy:

The purpose of this policy is to inform Michigan Department of Health and Human Services (MDHHS) enrolled providers on Medicaid program coverage and reimbursement of U.S. Food and Drug Administration (FDA) Emergency Use Authorized (EUA) drugs, devices, and biological products for COVID-19 prevention and treatment.

Reason for policy (problem being addressed):

To clarify coverage, administration and reimbursement of EUA drugs, devices and biological products for COVID-19 treatment, for the duration of the federally declared COVID-19 Public Health Emergency (PHE).

Budget implication:

☐ budget neutral
☒ will cost MDHHS $ Estimated $3,107,455 Total ($575,096 general fund), and is not budgeted in current appropriation
☐ will save MDHHS $

Is this policy change mandated per federal requirements?

Yes. Per the Families First Coronavirus Response Act (FFCRA), section 6008, States will receive a temporary 6.2% Federal Matching Assistance Percentage (FMAP) increase for providing treatments for COVID–19, including vaccines, for any quarter in which the temporary increased FMAP is claimed.

Does policy have operational implications on other parts of MDHHS?

No

Does policy have operational implications on other departments?

No

Summary of input:

☐ controversial (Explain)
☒ acceptable to most/all groups
☐ limited public interest/comment

Supporting Documentation:

State Plan Amendment Required: ☒ Yes ☐ No If Yes, please provide status: ☐ Approved ☒ Pending ☐ Denied Date: Approval Date:	Public Notice Required: ☐ Yes ☒ No If yes, Submission Date:

DRAFT FOR PUBLIC COMMENT Michigan Department of Health and Human Services		
	Project Number: 2080-Injectables	**Date:** February 2, 2021

Comments Due: March 9, 2021
Proposed Effective Date: As Indicated
Direct Comments To: Rajita Dnyate
Address:
E-Mail Address: dnyater@michigan.gov
Phone: **Fax:**

Policy Subject: COVID-19 Response: Coverage of U.S. Food & Drug Administration (FDA) Emergency Use Authorization (EUA) Drugs, Devices, and Biological Products for COVID-19 Prevention and Treatment

Affected Programs: Medicaid, Healthy Michigan Plan, MIChild, Maternity Outpatient Medical Services (MOMS)

Distribution: All Providers

Summary: The purpose of this policy is to inform Michigan Department of Health and Human Services (MDHHS) enrolled providers on Medicaid program coverage and reimbursement of FDA EUA drugs, devices, and biological products for COVID-19 prevention and treatment

Purpose: To provide clarification regarding coverage, administration, and reimbursement of EUA drugs, devices, and biological products for COVID-19 treatment, for the duration of the federally declared COVID-19 Public Health Emergency (PHE).

Cost Implications: Will cost MDHHS an estimated $3,107,455 Total ($575,096 General Fund) and is not budgeted in current appropriations.

Potential Hearings & Appeal Issues: None

State Plan Amendment Required: Yes ☒ **No** ☐ **If yes, date submitted:**	**Public Notice Required: Yes** ☐ **No** ☒ **Submitted date:**

Tribal Notification: Yes ☒ **No** ☐ **- Date:**

THIS SECTION COMPLETED BY RECEIVER

☐ **Approved**	☐ **No Comments**
	☐ **See Comments Below**
☐ **Disapproved**	☐ **See Comments in Text**

Signature:	**Phone Number**

Signature Printed:	
Bureau/Administration *(please print)*	**Date**

Comment001 **Revised 6/16**

MDHHS Michigan Department of Health & Human Services

Medical Services Administration

BULLETIN MSA

Bulletin Number: MSA 20-81

Distribution: All Providers

Issued: February 2, 2021

Subject: COVID-19 Response: Coverage of U.S. Food & Drug Administration (FDA) Emergency Use Authorization (EUA) Drugs, Devices and Biological Products for COVID-19 Prevention and Treatment

Effective: As Indicated

Programs Affected: Medicaid, Healthy Michigan Plan, MIChild, Maternity Outpatient Medical Services (MOMS)

Note: Implementation of this policy is contingent upon approval of a State Plan Amendment (SPA) by the Centers for Medicare & Medicaid Services (CMS).

The purpose of this bulletin is to notify Michigan Department of Health and Human Services (MDHHS) Medicaid-enrolled providers of important information regarding the Medicaid program coverage and reimbursement of FDA EUA drugs, devices, and biological products for COVID-19 prevention and treatment.

COVID-19 EUA Drugs, Devices and Biological Products

For the duration of the federally declared COVID-19 Public Health Emergency (PHE), Medicaid will cover FDA EUA drugs, devices, and biological products and their administration for COVID-19 prevention and treatment. The effective date and coverage parameters will be consistent with their respective FDA EUA status provisions.

During the PHE, when EUA drugs, devices, and biological products for COVID-19 prevention and treatment are procured and purchased by the federal government, they will be made available to Medicaid providers at no cost. Medicaid will not reimburse providers for drugs, devices, or products that are federally purchased or supplied for free. Providers may bill the procedure code and the cost of the EUA drug, device, or biological product as $0.00.

If providers are required to purchase COVID-19 EUA drugs, devices and biological products at a future date, reimbursement will be in accordance with Medicaid policies specific to respective health care services described in the MDHHS Medicaid Provider Manual. The MDHHS Medicaid Provider Manual can be found on the MDHHS website at www.michigan.gov/medicaidproviders >> Policy, Letters and Forms.

Administration of COVID-19 EUA Drugs, Devices and Biological Products

Coverage of provider administration services related to COVID-19 EUA drugs, devices and biological agents will be similar to existing administration services billed to Medicaid. Refer to the Practitioner Chapter (Injectable Drugs and Biological Products subsection) and the Billing & Reimbursement for Professionals Chapter (Ancillary Medical Services subsection) of the MDHHS Medicaid Provider Manual for information regarding billing and reimbursement for physician-administered drugs, devices and biological products. The MDHHS Medicaid Provider Manual can be found on the MDHHS website at www.michigan.gov/medicaidproviders >> Policy, Letters and Forms.

Reimbursement for the administration of COVID-19 EUA drugs, devices and biological products will be as follows:

- During the federally declared PHE period, including any extensions, reimbursement for the administration services for COVID-19 EUA drugs, devices and vaccine administration services will be temporarily increased to 100% of Medicare rates for equivalent services.

- Following the end of the federally declared PHE period, ongoing COVID-19 drugs, devices and biological product administration services will return to reimbursement rates consistent with existing Medicaid policies and State Plan methodology.

All reimbursement rates will be reviewed and updated as applicable and are published on the MDHHS website at www.michigan.gov/medicaidproviders >> Billing & Reimbursement >> Provider Specific Information. Additional pertinent coverage parameters are accessible via the Medicaid Code and Rate Reference tool within the Community Health Automated Medicaid Processing System (CHAMPS).

Procedure Codes

MDHHS will cover new Current Procedural Technology (CPT) codes for the reporting of EUA drugs, devices and biological products and their administration as they are announced during the COVID-19 PHE. Code coverage will have effective dates consistent with the FDA EUA dates. Providers are highly encouraged to review the latest CPT coding guidance on the new reporting structure and additional resources available at the Centers for Medicare & Medicaid Services (CMS) and American Medical Association (AMA).

Pharmacy Coverage

For the duration of the COVID-19 PHE, EUA drugs approved for use for the treatment of COVID-19 in an outpatient setting will also be approved for pharmacy benefit coverage in accordance with existing policies and reimbursement rates that align with the practitioner fee screens as described above.

Any pharmacy-specific COVID-19 vaccine services billing instructions will be published at: https://michigan.magellanrx.com/provider/ and also incorporated into the Pharmacy Claims Processing Manual at: https://michigan.magellanrx.com/provider >> Documents >> Manuals.

Additional Resources for Providers

Information on FDA EUA drugs, devices and biological products for COVID-19 prevention and treatment can be found at: https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/emergency-use-authorization.

Public Comment

The public comment portion of the policy promulgation process is being conducted concurrently with the implementation of the change noted in this bulletin. Any interested party wishing to comment on the change may do so by submitting comments to Rajita Dnyate, Policy Specialist, via e-mail at DnyateR@michigan.gov.

Please include "COVID-19 Response: Coverage of U.S. Food & Drug Administration (FDA) Emergency Use Authorization (EUA) Drugs, Devices and Biological Products for COVID-19 Prevention and Treatment" in the subject line.

Comments received will be considered for revisions to the change implemented by this bulletin.

Manual Maintenance

Information is time-limited and will not be incorporated into any policy or procedure manuals.

Questions

Any questions regarding this bulletin should be directed to Provider Inquiry, Department of Health and Human Services, P.O. Box 30731, Lansing, Michigan 48909-8231, or e-mailed to ProviderSupport@michigan.gov. When you submit questions, be sure to include your name, affiliation, NPI number, and phone number so you may be contacted if necessary. Providers may phone toll-free 1-800-292-2550.

Approved

Kate Massey, Director
Medical Services Administration